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CA: Good morning. This periodic review board is being conducted at 0916 hours on 23 February 2016, with regard... regard to the following detainee: Mohammed Al-Ansi, ISN 29.

As a reminder, the unclassified portions of these proceedings are being recorded for the purpose of generating a transcript to be posted on the PRS website.

TRANS 1: [TRANSLATION OF ABOVE]

CA: Representatives from the following agencies are present and are members of the Board:

DEPARTMENT OF DEFENSE;

DEPARTMENT OF STATE;

DEPARTMENT OF JUSTICE;

DEPARTMENT OF HOMELAND SECURITY;

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE; AND,

OFFICE OF THE CHAIRMAN OF THE JOINT CHIEFS OF STAFF.

The following personnel are also present:

LEGAL ADVISOR TO THE BOARD;

CASE ADMINISTRATORS;

PERSONAL REPRESENTATIVES;

PRIVATE COUNSEL;

TWO TRANSLATORS;

THE DETAINEE; AND,

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SECURITY OFFICER.

TRANS 1: **[TRANSLATION OF ABOVE]**

CA: The detainee's personal representatives, private counsel, the detainee, and one translator are located at the detention facility, U.S. Naval Station Guantanamo Bay, Cuba. They are attending via video teleconference. This session is being observed by foreign and national media, and representatives from the... from non-governmental organizations.

TRANS 1: **[TRANSLATION OF ABOVE]**

PM: Good morning. Does the detainee wish to waive translation of the entire hearing, including all the written statements provided by the personal representatives, the counsel, and the detainee?

TRANS 1: **[TRANSLATION OF ABOVE]**

PR 1: No, Ma'am. The detainee only wishes to waive translation of the Unclassified Summary, Personal Representatives' and Private Counsel's opening statements.

PM: All right, thank you. This Board is called to order. The Board is convened to determine whether continued law of war detention is warranted for Mohammed Al-Ansi, ISN 29, in order to protect against a continuing significant threat to the security of the United States. From here on forward, we will refer to the detainee as Muhammed. This hearing session is unclassified.

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TRANS 1: [TRANSLATION OF ABOVE]

PM: Muhammed, this is your Periodic Review Hearing to determine whether continued law of war detention is warranted in your case. Your continued law of war detention will be warranted if it is necessary to protect against a continuing significant threat to the national security of the United States. The focus of this hearing is on the threat you may pose to the United States and its interests if you are transferred or released from U.S. custody. It is not on the lawfulness of your detention.

TRANS 1: [TRANSLATION OF ABOVE]

PM: The personal representatives and private counsel are your representatives to assist you with the process. And finally, the translators are here to ensure that everyone understands your statements and that you understand what is being said during the hearing.

TRANS 1: [TRANSLATION OF ABOVE]

PM: Personal representatives and private counsel, has the detainee had a chance to review the unclassified summary?

TRANS 1: [TRANSLATION OF ABOVE]

PR 1: (Interrupts translation) Yes, Ma'am. Yes, Ma'am.

PM: All right. I'll read the unclassified summary. Mohammed Al-Ansi, YM 029, traveled to Afghanistan in 1999 after being

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recruited by well-known radical Yemeni religious scholar, Shaykh Muqbil al-Wadi, in Sana'a, Yemen. He joined al-Qaeda and swore bayat to Usama Bin Ladin, and served as his bodyguard. Judging from other detainee statements and corroborating information, he participated in advanced combat training and may have met with al-Qaeda external operations Chief Khalid Shaykh Mohammed, KU 10024, in Karachi and has been considered for participation in a suicide attack or deployment to the West.

Muhammed probably fought alongside other al-Qaeda members in Afghanistan before being captured by Pakistani authorities after the battle of Tora Bora in 2001. He has consistently denied involvement in al-Qaeda or any other extremist groups except for one instance in 2011 in which he alluded to his involvement in jihad. He asserts he went to Afghanistan to teach the Koran despite not speaking any of the local languages.

Muhammed during his detention has posed a low threat towards the guard force according to the Joint Task Force Guantanamo compliance reports. The majority of his infractions have been relatively minor, mostly consisting of non-physical transgressions. He has indicated that his time at Guantanamo has broadened his world view, which differs substantially from his pre-detention mindset. We assess he

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is perceived to be a leader now among the more moderate detainees and has assumed a role as a mediator among differing groups since 2011.

However, Muhammed probably still harbors sympathies towards extremists and has made statements that could be interpreted as sympathetic to extremist causes. He continues to communicate with former detainees and does not directly communicate with any known extremists outside of Guantanamo.

Muhammed has expressed a desire to go to a country other than Yemen, particularly another Arabic speaking nation such as Qatar, Oman, or Saudi Arabia, but he has also said he would relocate anywhere as long as he is treated fairly and given an opportunity to succeed. Furthermore, Muhammed has expressed interest in furthering his education, starting a family, and finding a job that would allow him to support his family.

If Muhammed returned to Yemen, he would probably seek to reunite with his family near Sana'a, but the turbulent situation along with past association who were... associates who remain in Yemen would provide Muhammed a conduit for reengagement.

PM: Do the personal representatives and private counsel wish to make an unclassified opening statement at this time?

TRANS 1: **[TRANSLATION OF ABOVE]**

PR 1: Yes, Ma'am.

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PC: Yes, Ma'am.

PM: Thanks. I wanna remind you that any information sared... shared at this time must be unclassified. If there is a concern with the classification of the information, I'll indicate as such and will stop the proceedings until we resolve the issue.

TRANS 1: [TRANSLATION OF ABOVE]

PM: For the private counsel and personal representatives, has the detainee had a chance to review your statements?

TRANS 1: [TRANSLATION OF ABOVE]

PR 1: Yes, Ma'am.

PC: Yes, Ma'am.

PM: All right, thank you. Personal representatives, please proceed.

TRANS 1: [TRANSLATION OF ABOVE]

PR 2: Good morning ladies and gentlemen of the Board. We are the personal representatives for Muhammad Al-Ansi. We will be assisting Mr. Al-Ansi this morning with his case, aided by his Counsel, Ms. Lisa Strauss.

Mr. Al-Ansi has earnestly participated in the Periodic Review process. He has maintained a record of perfect attendance for meetings with his personal representatives and counsel. Mr. Al-Ansi has conducted himself in a professional manner throughout all

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engagements with counsel and his representatives. We would characterize his personality as very reserved, yet warm.

He has a proven history of compliant behavior while detained at Guantanamo. He has also constructively engaged with the Joint Task Force Medical Staff in order to deal with chronic health issues. This constructive teamwork has greatly improved his physical condition and quality of life. He has since resolutely pursued a daily regimen of self-care which includes cardiovascular activities such as treadmill and elliptical training.

He has taken advantage of all the opportunities for education and personal enrichment while detained at Guantanamo. These opportunities include courses in mathematics, science, English, Spanish, life skills, computers, health, and art. He has a record of outstanding academic performance and has proven to be a prolific artist, producing over 200 quality works of art. We have provided examples of his coursework and art in his case submission.

Mr. Al-Ansi is fortunate to have a very supportive family remaining in Yemen comprised of his mother, three brothers, and one sister. The family has willingly pledged to support his transition to the utmost of their ability.

Later, Mr. Al-Ansi will discuss both his past life and his desire for a better life for himself in the future. We are confident

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that Mr. Al-Ansi's desire to pursue a better way of life if transferred from Guantanamo is genuine, and that he does not represent a continuing or significant threat to the security of the United States of America. He is open to transfer to any country, but prefer an Arabic speaking country if possible.

Thank you for your time and attention. We are pleased to answer any questions you have throughout this proceeding.

PM: Thank you. Private counsel, please proceed with your opening statement.

TRANS 1: [TRANSLATION OF ABOVE]

PC: I am very grateful to be here today to speak on behalf of my client, Muhammad Al Ansi. I would also like to thank the personal representatives, who have taken time away from their families to meet with Muhammad in connection with this process.

I am a partner at the law firm of Bondurant, Mixson & Elmore, LLP, in Atlanta, Georgia where for the last 14 years, I have primarily represented corporations and individuals in business disputes. Before joining the firm, I served as a law clerk in the federal district court in Atlanta. I have represented Muhammad since 2008. I have dedicated over 2000 hours to his case, and have traveled to the base over 20 times.

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By now, the Board is familiar with statements from private counsel detailing their clients' Guantanamo education, the willingness of families to welcome detainees home, and their client's lack of hostility to the United States. Muhammad also has these same factors supporting his clearance for release, as detailed by the declarations of each of his siblings and mother, letters from his instructors at Guantanamo, and his remarkably low record of disciplinary infractions. I would like instead to focus on some unique circumstances that also help his position.

But first, looking to the future, my law firm has a longstanding relationship with the Carter Center in Atlanta. The Carter Center was founded in 1982 by President Carter and his wife Rosalynn in partnership with Emory University and its mission is "to advance peace and health worldwide." My law firm previously represented another detainee who was released in 2007.

The Carter Center took an active role in that detainee's swift repatriation to his home country, where it was questionable whether he would be welcomed. The Carter Center has pledged to similarly assist Mr. Al Ansi with resettlement if this Periodic Review Board determines he is no longer a threat, and we have submitted a letter to that effect. As the Carter Center's website states: "the Center

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believes that people can improve their own lives when provided with the necessary skills, knowledge, and access to resources."

As a philanthropic organization that has significant resources, the Carter Center could provide this added layer of support and supervision. A second supporting factor is that I represent only one client in Guantanamo, unlike some of the larger law firms and organizations. As a result, I estimate that I have spent close to 300 hours with Muhammed over the past eight years. I could say that I have watched him mature, but it would be more correct to say that we have matured together. I knew that he was artistic, even in the beginning. His initial drawings were simple ballpoint pen on the backs of letters we sent and they often depicted hands in chains, tears, and metaphors for sadness and injustice. These drawings reflect our early conversations which often focused on his frustrations over the typical... typical prison injustices: insufficient supplies, bad food, petty disputes with guards, and medical problems.

But a few years ago, Muhammad began painting in earnest. Encouraged by his peers, he began attending art lessons. He started painting on canvas and whatever paper he could find, using oils, pastels and water colors. They are mostly peaceful landscapes; mountains, oceans, tropical locations, and a few scenes from his

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homeland. He told me they reflect where he longs to travel. We have included a commendation of achievement for his artwork by the instructor in the prison and a small sampling of his work. This year, he made cards for other detainees to send holiday notes and greetings home. I have collected over 200 of his paintings and drawings.

He is at peace with his health, his fellow detainees, and with the guards are reflected in the minimal disciplinary infractions; none serious and none physical.

A third unique fact is that Muhammed's respect and admiration for American culture is not new or recently undertaken. We have always discussed movies, television, food, magazines, and my situation as a working wife and mother. He loves the Fast & Furious movie series; he loves The Walking Dead, a zombie television program filmed in my hometown; he loves National Geographic. He respects women and speaks often of his yearning to fall in love and have children.

Indeed, at our first meeting over seven years ago, I wondered whether he would accept a young female attorney. But he shook my hand, told me not to bother with head coverings and/or bringing my male colleagues solely to interact with him on my behalf.

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This attitude is indicative of the more secular and westernized culture to which Muhammed was exposed because of his father's employment at a Saudi oil company, and his elementary schooling in Saudi Arabia. The recent photographs in his file of his brothers, nieces, and nephews could have been taken in the United States given their western dress, sunglasses, and grooming, including their clean shaven faces, which is of particular cultural significance.

I have had numerous conversations with his family, going through their statements in great detail as they have a great respect for the significance of the oaths they have taken. They have been very gracious and respectful for my help and the legal process, and I can hear through the phone the heart break they have suffered from Muhammed's long absence. They are sincerely willing to do anything it takes to secure his release, including selling valuable land in the event they need additional funds, although they do not think that will be necessary.

They recognize that Yemen may not be the best place for Muhammed to start a new life given the political unrest that has affected university study and reduced employment opportunities. They have pledged to help Muhammed financially if relocated to a third country, to secure medical and psychological treatment for him, and for some family members to join him for long term visits. Alternatively, they

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are willing to welcome him home, to shelter and provide for him there, and to help get him on his feet. Of course, they tell me their top priority is to get him married, and I think he would agree.

Muhammad has never expressed hostility towards the United States or any desire for retribution. We have discussed his differences with the guards and interrogators over the years, but he understands that they have a job to do and that they are working under difficult circumstances.

Finally, I understand that is this not the venue to address the legal basis of Mr. Al Ansi's detention. However, we previously disputed the factual and legal basis for his detention in his habeas action, and those disputes remain unresolved.

Even the unclassified dossier reflects the uncertainty about his past by using words like "may" and "probably." In 2001, he was under 20 years old, his education incomplete, and he lacked the strategic or technical skills required to plan or carry out any threatening attacks on any party. Nothing about his time in Guantanamo changes that assessment.

I respectfully request that you clear him for release and resettlement wherever you deem in his best interests.

PM: Thank you. Board Members may reserve questions until the detainee and witness statements have been presented in their

entirety. But, does any Board member have a question for this session?

TRANS 1: [TRANSLATION OF ABOVE]

[No verbal response from the members.]

PM: All right. Well with no questions, this concludes this portion of the hearing. I'll ask that we all remain seated until further instructed by the Case Administrator.

TRANS 1: [TRANSLATION OF ABOVE]

CA: Thank you. We'll take a 15-minute recess to prepare for the remaining sessions.

[The public session closed at 0934, 23 February 2016.]

[END OF PAGE]

ABBREVIATION AND ACRONYM KEY

BM: BOARD MEMBER

CA: CASE ADMINISTRATOR

DET: DETAINEE

PC: PRIVATE COUNSEL

PM: PRESIDING MEMBER

PR 1: PERSONAL REPRESENTATIVE ONE

PR 2: PERSONAL REPRESENTATIVE TWO

TRANS 1: TRANSLATOR ONE (LOCATED AT PRS HQ)

TRANS 2: TRANSLATOR TWO (LOCATED AT GUANTANAMO BAY)