

UNCLASSIFIED
Approved for Public Release

CA: The Periodic Review Board is now being conducted at 0909 hours on 9 February 2017, with regard to the following detainee: Omar Mohammed Ali al-Rammah, ISN 1017.

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.

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, THE OFFICER [SIC] CHAIRMAN OF THE JOINT CHIEFS OF
STAFF.

The following personnel are also present:

LEGAL ADVISOR TO THE BOARD;
CASE ADMINISTRATORS;
PERSONAL REPRESENTATIVE;
PRIVATE COUNSEL;
TWO TRANSLATORS;
THE DETAINEE; AND,

UNCLASSIFIED
Approved for Public Release

SECURITY OFFICER.

CA: The detainee's Personal Representative, Private Coun...
Counsel, the detainee, and one translator are located at the
detention facility, U.S. Naval Station Guantanamo Bay, Cuba.

(BMs Conferring with CA about Translation)

TRANS 1: [TRANSLATION OF ABOVE]

CA: Personal Representative's and Private Counsel's opening
statements. These documents have been posted to the Periodic Review
Secretariat's website. This session is being observed by foreign,
national, and local media, and representatives from non-governmental
organizations.

TRANS 1: [TRANSLATION OF ABOVE]

PM: Good morning. This Board is being convened to determine
whether continued law of war detention is warranted for Omar Mohammed
Ali al-Rammah, ISN 1017, to protect against a continuing significant
threat to the security of the United States. From here on, we will
refer to the detainee as Zakari. We'll change that to Zakariya.
This session... this session of this hearing is unclassified.

TRANS 1: [TRANSLATION OF ABOVE]

PM: Zakariya, this is your Periodic Review Board to determine
whether continued law of war detention is warranted in your case.
Continued law of war detention will be warranted if it is necessary

UNCLASSIFIED
Approved for Public Release

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 transferred or released from U.S. custody. It is not on the lawfulness of your detention.

TRANS 1: [TRANSLATION OF ABOVE]

PM: The Personal Representative and Private Counsel are your pers... representatives to assist you during this process. Finally, the translators ensure that everybody understands your statements and that you understand what is being said during the hearing.

TRANS 1: [TRANSLATION OF ABOVE]

PM: Personal Representative and Private Counsel, has Zakariya had an opportunity to review the unclassified summary?

TRANS 1: [TRANSLATION OF ABOVE]

PC: Yes, sir.

PR: Yes sir, he has.

PM: Great. Thank you very much.

PM: I will now read the unclassified summary:

Omar Muhammad Ali al-Rammah, YM-1017, probably was a low-level mujadeen [sic] fighter in Bosnia during the mid-1990s before becoming a facilitator for al-Qaeda-affiliated extremists in the late 1990s. He may have trained at al-Qaeda-associated camps in Afghanistan

UNCLASSIFIED
Approved for Public Release

before relocating to Georgia in mid-2001 to support the Chechen jihad. Zakariya has committed a modest number of infractions relative to other detainees at Guantanamo and has consistently made statements indicating he retains an extremist mind-set. After his Periodic Review Board hearing in July 2016, has Zakariya contacted his family in Saudi Arabia for the first time since his dis... detention. Zakariya has indicated that he would like to re... relocate to the Kingdom of Saudi Arabia.

Do the Personal Representative and Private Counsel wish to make an unclassified opening statement at this time?

TRANS 1: [BEGINS TRANSLATION OF ABOVE]

PR: Yes, Sir.

TRANS 1: [COMPLETES TRANSLATION]

PC: Yes, Sir.

PR: Yes, Sir.

TRANS 2: [TRANSLATION OF ABOVE]

PM: Great, thank you. I'd like to remind all the participants that any information shared at this time must be unclassified. If there is a concern about the classification of the information, I will indicate such and will stop the proceedings until we resolve that issue. Has Zakariya had the opportunity to review your statements?

UNCLASSIFIED
Approved for Public Release

TRANS 1: [TRANSLATION OF ABOVE]

PR: Yes, Sir.

PC: Yes, Sir.

TRANS 2: [TRANSLATION OF ABOVE]

PM: Great. Please... Personal Representative, please proceed.

TRANS 1: [TRANSLATION OF ABOVE]

PR: Members of the Board, thank you for this opportunity to meet with you this morning. I am the Personal Representative for detainee 1017, who goes by the name of Zakariya. I took over this case shortly after Zakariya's last board in July of 2016. Zakariya has been an active participant in this process and is here today to answer questions raised by the last board: his family connections; his support system upon release; his plans to put Guantanamo behind him and become a contributing member of society.

Zakariya is a moderate Muslim who denounces violence, death and destruction caused by radicals. He enjoys western movies, sports and video games. He is continuing his education at GTMO by studying mathematics and English, and he plans to continue his studies in Business upon his release. His goal is to gain the skills and raise the necessary capital to open a cafe. He plans to work part time, while attending university to raise capital. His café will offer several types of coffee, a game room and perhaps a hookah bar. This

UNCLASSIFIED
Approved for Public Release

type of venture is very popular in Saudi Arabia, where Zakariya hopes to be sent; however, he feels that this type of establishment would thrive anywhere in the world.

Zakariya's family has committed to assist him in gaining the necessary education and training to make this venture a success. Additionally, the family has offered both the emotional and monetary support necessary for Zakariya's transition. His family is highly educated and well-traveled. Since learning that Zakariya was still alive, they have had several family meetings and developed a thorough plan to include having a family member by Zakariya's side, regardless of where he is transferred to. The initial plan is to have Zakariya's mother by his... by his side while other family members rotate bimonthly.

Zakariya is one of the better behaved detainees and has had few behavioral problems during his detention. He's described as calm and quiet by camp staff, both guards and medical, and other PRS staff and myself have found this type of behavior to be true.

Zakariya shared with me his desire to... to support himself, take care of his mother, and eventually start a family. He feels a strong need to make up for all that he put his mother through and is hopeful that the Board will see that he is a changed man.

UNCLASSIFIED
Approved for Public Release

I do not feel that Zakariya represents a continuing or significant threat to the United States and I think he is a good candidate for repatriation. The love and support of his family will greatly assist Zakariya in his transition. Thank you.

PM: Thank you very much. Private Counsel, you may now proceed with your unclassified opening statement.

(CA Interrupts PM)

CA: You're on mute...

BM: You're muted...

PM: Private Counsel, you may now proceed with your unclassified opening statement.

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

PC: Good morning. I am Beth Jacob, Private Counsel for Zakariya al Baidany. Zakariya is his nickname, his family know... knows him as Faisal. I urge this Board to clear Zakariya for transfer from Guantanamo. I think it is significant that he has never been accused of taking any actions hostile to the United States. He was involved in two conflicts, although he did not actually fight in either and there are no claims that he did, which were not adverse to the United States: Bosnia and Chechnya. His role seems to have been as a low level "go-fer."

UNCLASSIFIED
Approved for Public Release

The questions raised by this Board after Zakariya's first hearing easily are answered. A major issue raised by the Board in its denial of clearance was lack of information about Zakariya's family connections. We had managed to connect with his family for the first time since he came to Guantanamo only days before the hearing. The Board therefore, as it said in its decision, could not evaluate the family support because the information was so new.

As we now know, the family is educated and prosperous, lives in Saudi Arabia, and is completely committed to supporting and taking responsibility for Zakariya upon his release. They have been in touch with him to the fullest extent permitted. I have spoken to both of his brothers and am in regular contact with his oldest brother, who is fluent in English. The family is prosperous and they're completely supportive of their newly-restored brother. All of his siblings are college educated, some have graduate degrees and employed professionals; one sister stopped working to raise her family. The letters his family wrote to him right after they found each other have been given to you. The quality of the family and the depth of their commitment to Zakariya is apparent.

After the family's second telephone call with Zakariya, they held a family meeting and worked out a place for his reintegration and rehabilitation that also has been given to you. They have agreed

UNCLASSIFIED
Approved for Public Release

that a member of the family will live with him, or at least visit for extended periods, for at least the first several years, to help him adjust and make a successful transition from incarceration. They have planned his education, his entry into the labor market, and their financial contributions. Zakariya is eager to live up to his family's expectations. For example, he has started English lessons and at my last visit, we even tried some English conversation about movies when the translator had to step out of the meeting for a break. He sends advice to his younger sisters, probably to their amusement. I've been able to see the difference in Zakariya's emotional well-being and stability since he has resumed contact with his family. In fact, his disappointment at the Board's original decision was eclipsed by his happiness and gratitude for being reunited with them.

In terms of his personality, Zakariya is not a leader. He has little interest in current affairs, in politics, or in anything outside of his own life and, now, family. He has been compliant for years and has few serious violations in detention. Zakariya did begin a hunger strike a few years ago, but it was not a protest. He wanted to be able to see a nurse on whom he had a crush. Once he was transferred... once she was transferred, sorry, he resumed normal eating.

UNCLASSIFIED
Approved for Public Release

The Board decision also asked for improved candor so that it could assess his claim... claimed changed mindset. The Board may not have taken sufficiently into account Zakariya' s psychological history. Although he does not now have an active diagnosis, and the medical staff has certified that there is no bar to his transfer or ability to function in society, there are still emotional after effects from his previous illnesses and medications. At the hearing, it was apparent to me and to his PR, who submitted a statement to you, that Zakariya was overcome by stress and anxiety in a way that interfered with his ability to understand and respond to all of the questions. And I apologize for not making this sufficiently clear because it could have assisted the Board in evaluating his mannerisms, verbal tics, and sometimes convoluted or indirect way of answering questions.

Zakariya was traumatized by his violent capture and its immediate aftermath. For the first time in his life, he saw someone killed; the driver of the car he was in was shot to death. Zakariya still gets visibly upset when he recounts the killing of the driver. This is not a man who will ever again be involved in violence or in any actions that could lead to the death of another person. Zakariya is not a danger to the United States, or anyone else for that matter. He should be cleared for transfer. Thank you.

UNCLASSIFIED
Approved for Public Release

PM: Board Members may reserve questions until detainee and witness statements have been presented in their entirety. Does anyone have a question at this particular time?

TRANS 1: [TRANSLATION OF ABOVE]

(Non-Verbal Response from BMs)

PM: Okay. With no questions, this concludes this portion of the hearing. I ask that all remain seated until further instructed by the Case Administrator.

TRANS 1: [TRANSLATION OF ABOVE]

CA: We will take a 15-minute recess to prepare for the remaining sessions.

TRANS 1: [TRANSLATION OF ABOVE]

[The public session closed at 0925, 9 February 2017.]

[END OF PAGE]

ABBREVIATION AND ACRONYM KEY

BM: BOARD MEMBER
CA: CASE ADMINISTRATOR
DET: DETAINEE
PM: PRESIDING MEMBER
PC: PRIVATE COUNSEL
PR: PERSONAL REPRESENTATIVE
TRANS 1: TRANSLATOR ONE (LOCATED AT PRS HQ)
TRANS 2: TRANSLATOR TWO (LOCATED AT GUANTANAMO BAY)