

PERIODIC REVIEW BOARD FILE REVIEW, 12 JAN 2016  
**Haji Hamidullah, ISN 1119**  
PERSONAL REPRESENTATIVE STATEMENT

Good morning Ladies and Gentlemen of the Board. We are the Personal Representatives for ISN 1119. Thank you for the opportunity to present Mr. Hamidullah's case.

From our initial encounter and all subsequent meetings, Mr. Hamidullah has been fully cooperative and supportive in the preparation for his Periodic Review Board. From our first meeting, Mr. Hamidullah has repeatedly stated that "he does not support extremist groups" such as the Taliban, al-Qa'ida, Daesh, or ISIL. He believes Islam is a peaceful religion and desires no part with those who feel otherwise. In his approximately twelve years at GTMO, he has been very compliant with very few disciplinary infractions. Mr. Hamidullah is reclusive in the detention center as he does not believe in splashing, striking, or hunger strikes. He believes these acts to be of the devil and not condoned or supported by Islam.

Mr. Hamidullah is rather uncertain about his future. He knows in his heart that he is not a continuing or significant threat to the United States of America but does not know what country would welcome him. He was a thriving businessman prior to his detention making a good living flipping houses and cars (buying cheap, making repairs, and selling for a profit). He has spent most of his time in detention learning to read and in the process he has memorized the entire Koran. In addition to the Koran, he reads an assortment of religious books. He longs for his release and to be reunited with his family; however, he would gladly stay at GTMO if someone would assure him that his family would be safe and provided for.

Mr. Hamidullah is a nephew, brother, father, grandfather, and was an up and coming member of his tribe. He has always shared the same beliefs that conflicts should be resolved using peaceful means, not violence. He no longer has any ties to his tribe although they have volunteered their support by selling land to assist in his reintegration back to society to live out his life in peace. His family stands ready and willing to provide any necessary support.



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PC's Statement on Behalf of Haji Hamdullah ISN 1119

My name is Stephen D. Brown and I am a Retired Partner at Dechert LLP, where I served as a partner from 1991 to December 31, 2014. I am private counsel to Haji Hamdullah. Thank you for allowing me to speak with you this morning on behalf of Mr. Hamdullah. Mr. Hamdullah is an Afghan in his early 50's who has neither the ability, nor the motive, nor the opportunity, to present a continuing and significant threat to the safety of the United States if he were released from Guantanamo.

He has been an exemplary prisoner in the 13 years he has been at Guantanamo. Mr. Hamdullah is regarded by the guards as a model detainee. He has had zero incidents of self-harm in gestures, statements or attempts. He has had a mere 35 disciplinary infractions since November 21, 2003. In other words, he has had a disciplinary infraction only once out of every hundred and twenty-five (124.8) days – or every four months. He has never expressed anti-U.S. sentiment or ill-will, and is one of the most compliant residents at Guantanamo Bay. He is a peaceful man who moderates the behavior of other detainees.

Mr. Hamdullah is in his early 50's. He does not know his exact age, because records were not kept in his village when he was born. His estimated age of an Afghan male in his early 50's equates to a U.S. man in his 70's. As the World Health Organization statistics show, an average life expectancy for a man born in Afghanistan is 60 years old (ranking 167<sup>th</sup> in the world) whereas the U.S. average male expectancy is 76 years old. Further, he suffers many of the ills one would expect of a 70 year-old man here in the United States. He was diagnosed with diabetes two years ago, and takes daily medication to control that diabetes, plus he has knee and



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back problems as well as memory loss. He has no technical skills, such as how to use a computer or cell phone, and he is still learning to read and write.

Mr. Hamdullah has never been a member of Al Qaeda or the Taliban. In fact, he was imprisoned by the Taliban in the late 1990s, but was able to escape after approximately a year and a half. He is a devout Muslim who uses his religion properly as a source of faith and strength, not as a tool to justify violence.

Mr. Hamdullah has a large and supportive family with whom he has remained in contact during his period at Guantanamo Bay. His family will support him wherever he goes.

He has never alleged to be part of any anti-U.S. efforts preceding 9/11, and has had no extremist or radical, religious contacts.

I understand that this is not the place to address the bases for his detention, but I do note that to the extent any of these allegations suggest there was an adversary of Mr. Hamdullah, his adversary was the Northern Alliance, not the United States. There is no suggestion that he had any power or influence outside of Afghanistan. Thus any concern about any "threat" can be extinguished by sending him to a Muslim country (other than Afghanistan or Pakistan) where he would not have the resources or the ability to pose a threat to anyone, including the Northern Alliance.

In sum, he is an elderly man without resources or any motivation to present any threat, let alone a continuing, significant threat, to the security of the United States. I request that Mr. Hamdullah be sent to a Muslim country, other than Pakistan or Afghanistan, so that he can spend the remainder of his years with his two wives in peace, and without concern for his own safety.