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CA: This Periodic Review Board is being conducted at 0920 hours on the 5th of May 2016, with regard to the following detainee: Sanad Ali Yislam al-Kazimi, ISN four... or 1453.

As a reminder, the unclassified portions of these proceedings are being recorded for the purpose of generating a descript... 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,

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 and the detainee waived translation of the unclassified summary, and Personal Representatives' and Private Counsel's opening statements. These documents have been posted to the Periodic Review Secretariat website. This session is being observed by national and local media, and representatives from non-governmental organizations.

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

PM: Good morning. This Board is convened to determine whether continued law of war detention is warranted for Sanad Ali Yislam al-Kazimi, ISN 1453, to protect against a continuing significant threat to the security of the United States. From here forward, we'll refer to the detainee as Sanad, and this session of the hearing is unclassified.

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

PM: Sanad, 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's necessary to

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protect against a continuing significant threat to the national security of the United States. The focus of this hearing is on the threat you 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: Personal Representatives and Private Counsel are your representatives to assist you during this process, and finally, the translators are here to ensure that everybody 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 Sanad had an opportunity to review the unclassified summary?

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

PR 1: ... Yes, Ma'am.

PC: Yes.

PM: Go ahead.

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

PR 1: Yes, Ma'am.

PM: All right.

PC: Yes.

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PM: All right. Thank you. I'll read the unclassified summary:

Sanad Ali Yislam al-Kazimi, ISN 1453, was a member of al-Qaeda who served about nine months as a bodyguard for Osama Bin Laden in Afghanistan. Sanad received basic training from al-Qaeda and associated with some of its senior figures. He was somewhat disruptive and insubordinate figure within the ranks of al-Qaeda, and left Afghanistan in late 2001 following the onset of coaliti... coalition operations there.

In mid-2002, Sanad traveled to the United Arab Emirates, where he joined an al-Qaeda cell led by senior operations planner, Abd al-Rahim al-Nasiri [sic]. Sanad was tasked to smuggle explosives into the UAE to use in an attack against U.S. or British ships docked there. There is no information to sugg... suggesting Sanad delivered the explosives, but he provided other forms of logistic support before Nashiri abandoned the plot. Sanad has denied that he intended to support the plot, claiming his only interest was in receiving money from al-Nashiri.

Sanad also probably served as a financial facilitator for the Yemen-based al-Qaeda branch. Sanad probably was aware that money he facilitated would be used to support terrorist attacks, but may not have had prior knowledge about the specifics of the attacks.

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During his detention at Guantanamo Bay, Sanad has been highly non-compliant, committing repeated assaults against detention staff, although his number of infractions had decreased since mid-two... 2014. His cooperation has been inconsistent with interrogators, ranging from providing information of value to refusing to answer questions and attempting to assault interrogators. He has provided contradictory information about his views on al-Qaeda and terrorist activity to interrogators. He's boasted of his al-Qaeda knowledge and insights while criticizing the group's ideology. He has however, voiced extremist and anti-U.S. sentiments.

Sanad has repeatedly said that he intends to be reunited with his wife and children in an Arabic speaking country after detention. His family probably remains in southern Yemen, where his sons have possibly joined al-Qaeda in the Arabian Peninsula.

Do the Personal Representatives and Private Counsel wish to make unclassified opening statements, at this time?

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

PR 1: Yes, Ma'am.

TRANS 2: **[TRANSLATION OF ABOVE]**

PM: All right. I'd like to remind everyone that information shared at this time, must be unclassified. If there's a concern with the classified... classification of the information, I'll indicate as

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such and we'll stop the proceedings until we resolved the issue. Has Sanad had the opportunity to review your statements?

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

PR 1: Yes, Ma'am.

TRANS 2: **[TRANSLATION OF ABOVE]**

PM: All right. Personal Representatives...

PC: ... Yes...

PM: ... Please proceed.

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

PR 2: Good morning, ladies and gentlemen of the Board. We are the Personal Representatives for ISN 1453. Thank you for the opportunity to present Mr. Sanad Ali Yislam al-Kazimi.

From our periodic... from our first meeting in early March, Sanad has willingly participated in the Periodic Review Board process and has attended all meetings with his Personal Representatives. During this time, Sanad has been very forthcoming with his answers to all of our questions. We would characterize his personality as open, honest, polite, passionate, and very enthusiastic. He has, also, shown a gentle side while describing how he cares for a cat and her kittens within the camp.

Sanad is very pa... passionate about returning to his family and desperately wants to reunite with his wife and children. His love

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and pride for his wife and children is unmistakable and, despite the distance between them, he has taken a very active role in raising his sons and daughters. Missing his daughter's wedding was very hard on him. He said it was the first time he cried. He has, also, told us how his children compete with their grades in order to impress him. Sanad has forbidden his sons to apply to the military or police academy due to the instability in the country and the government, and therefore, the uncertainty of the future in either field. Instead, his older son has submitted his grades and applied for schooling in the field of oil science, while the younger one prefers a career in civil engineering. Sanad has encouraged their goals, as he told us that every parent wants their kid to do better than them and does not want them to make the same mistakes mean... he has made. Both careers would also allow them to work anywhere, ensuring a much more stable future.

All of his family members have pledged unwavering financial and emotional support, regardless of where he is transferred to. He has taken advantage of the educational opportunities while detained at Guantanamo, taking classes in English, Computer Science and Life Skills. His English is very good and with that, his studies here at GTMO, and his previous work experience, we believe that he will be

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able to find good, honest work wherever he may be transferred and will be able to provide a peaceful life for his family.

We are certain that Sanad's desire to pursue a better way of life if transferred from... from Guantanamo is genuine and that he does not repre... represent a continuing significant threat to the United States of America. Sanid **[sic]** is open to transfer to any country, but would prefer an Arab speaking country, if possible. His only wish is to be productive member of society and live the rest of his life in peace with his family.

Thank you for your time and attention. We are pleased to answer any questions you may have throughout these proceedings.

PM: Thank you. For the Private Counsel, please proceed with your unclassified opening statement.

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

PC: Thank you. I am James A. Cohen, Private Counsel to Mr. Sanad al-Kazimi for the Periodic Review Board, and along with my colleague, Martha Rayner, I have represented Mr. al-Kazimi for the past... for over ten years. Professor Rayner and myself are full-time professors at Fordham University School of Law, where we teach in the school's clinical education program.

I have met with Mr. al-Kazimi extensively over the past ten years and developed a far-reaching personal and professional

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relationship with him. This includes legal guidance and advocacy in a host of fora both domestic and international, personal support, and preparation, of course, for this hearing today.

Mr. al-Kazimi was captured in 2003 when he was thirty-three years of age. He was already married and had four children. His youngest was less than two years old and his oldest just seven, at the time. Now, he is 46. His children's ages range from 15 to 21 years of age and Mr. al-Kazimi's family has kept in regular, consistent contact with him through the International Committee of the Red Cross phone calls... phone calls, even during this last year when the war in Yemen has uprooted them. He understands that repatriation to Yemen is not feasible at this time and will accept resettlement to whatever country the United States deems acceptable. He plans to find full-time employment and support himself wherever he is placed.

Throughout my time representing Mr. al-Kazimi, I have met and had several conversations with his family. In fact, our legal team has been in consistent contact with them over the past several weeks to prepare for this hearing. His wife and children have provided letters and video clips expressing their love and support. While his family is aware that he may not be able to return to his home country of Yemen, they have pledged to continue to provide this love and

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support and will strive to be reunited with him in his new home, wherever that may be.

In addition, prior members of Mr. al-Kazimi's legal team have provided letters to the PRB detailing their positive experiences and knowledge from working with him. This includes: law students, civilian employees of the military, and military officers.

At every meeting throughout our decade-long relationship, Mr. al-Kazimi has demonstrated a genuine interest in Martha's and my life, our respective families' well-being, and our health and travels. I, along with Fordham University School of Law's clinical program, am committed to providing the support necessary to assist Mr. al-Kazimi to establish a peaceful and productive life upon resettlement. Thank you.

PM: Board Members may reserve their questions until detainee and witness statements have presented... been presented in their entirety, but for now, does any Board Member have a question for the unclassified session?

(NON-VERBAL RESPONSE FROM BMS)

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

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

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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 0937, 5 May 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)