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CA: This Periodic Review Board is being conducted at 0907 hours on 7 July 2016, with regard to the following detainee: Abdul Rabbani Abu Rahmah, ISN 1460.

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, and the detainee waived translation of the unclassified summary, Personal Representative, Private Counsel's opening statements. These documents have been posted to the Periodic Review Secretariat website. This session is being observed by foreign, national, and local media, foreign government officials 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 Abdul Rabbani Abu Rahmah, ISN 1460, to protect against a continuing significant threat to the security of the United States. From here forward, we'll refer to the detainee as Abdul, and this session of the hearing is unclassified.

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

PM: Abdul, this is your Periodic Review to determine whether continued law of war detention is warranted in your case. Continued

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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 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 during this process. Finally, the translators are here to ensure everyone understands your statements and then you un... understand what is being said during the hearing.

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

PM: Personal Representatives, Private Counsel, has Abdul had an opportunity to review the unclassified summary?

PR 2: Yes, Ma'am.

PC: Yes, Ma'am.

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

Abdul Rabbani Abu Rahmah, ISN 1460, is an al-Qaeda facilitator who worked directly for al-Qaeda external operations chief Khalid Shaykh Muhammad, ISN 10024, from around 1999 until his arrest in September 2002. His primary role was to run al-Qaeda safe houses in Karachi, Pakistan, and to assist Khalid Shaykh Muhammad in

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transporting and housing al-Qaeda fighters, equipment, documents, and money. After 9/11, Abdul played a prominent role in moving fighters from Afghanistan to Pakistan and housed several key al-Qaeda figures in Karachi, including the al-Qaeda media committee. His access to Khalid Shaykh Muhammad and other senior al-Qaeda members probably positioned Abdul to play a support role in al-Qaeda operations, including 9/11, Karachi-based attack plotting, and possibly the al-Qaeda anthrax program. Although we judge Abdul was most likely did not have specific insight into al-Qaeda operational plans.

Abdul's extremist activity began around late 1998 when his brother, Mohammed Ahmed Rabbani, ISN 1461, recruited him to go to Afghanistan. Abdul traveled from Karachi, Pakistan, to Afghanistan and attended a Khaldan camp near Khowst for basic weapons training, but was kicked out after a short period for smoking. Abdul returned to Karachi, where he first met Khalid Shaykh Muhammad and started his work as a facilitator. He started out as a cook in Karachi-based safe houses, transported fighters between Pakistan... Pakistan and Afghanistan, and moved equipment for Khalid Shaykh Muhammad. As part of his duties before 9/11, Abdul frequently acquired equipment for the al-Qaeda media committee, which was then housed in Kandahar, Afghanistan.

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During his time in detention at Guantanamo Bay, Abdul has been mostly compliant with the guard force; nonetheless, Abdul is extremely vocal about camp dynamics and very sensitive to changes in his living situation. Abdul has exhibited varying levels of cooperation with interrogators and provided most information of value shortly after his arrest in September 2002. Abdul gave insights into his experience as a facilitator and his interactions with senior al-Qaeda members. He has not admitted to being aware of al-Qaeda attack plotting details, either because he was really ignorant of them or because he is attempting to mask his involvement in anything beyond facilitation activities.

Abdul's comments suggest anti-American sentiment, most likely due to his extended detain... detention, and that he may have an extremist mindsent [sic]. Abdul has indicated he has non-extremist plans post-detention, including reuniting with his wife and sons and getting a job, such as a taxi driver or working in a shop. Although Abdul has access to a broad network of terrorist contacts, given his close association with Khalid Shaykh Muhammad and his experience as an al-Qaeda facilitator, many of Abdul's contacts have been detained or killed. He also has no known contact with at-large terrorists during his time in detention, making it difficult to assess if Abdul

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would have a clear avenue for reengagement after release. Abdul's immediate family has no known ties to terrorism.

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

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

PR 2: Yes, Ma'am.

(NON-VERBAL RESPONSE FROM PC)

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

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

PR 2: Yes, Ma'am.

PC: Yes, Ma'am.

PM: All right. Personal Representatives, please proceed.

PR 1: Good morning ladies and gentlemen of the Board. We are the Personal Representatives for ISN 1460, Mr. Abdul Rahim Mawlana Ghulam Rabbani, and we will be assisting Mr. Rabbani with his case this morning.

Abdul Rahim has been... maintained a positive attitude and cooperated in the Periodic Review process since his initial

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notification and has participated in all scheduled meetings. We've been surprised by his candid answers to all of our questions. He does not paint a rosy picture of his past and he has told us of specific past decisions and actions that resulted in legal issues. He strikes us as a simple person with minimal education. Due to his inability to... to read or write well, a fellow detainee agreed to write his statement for him. Because of this, we believe his personal statement may not appear as open or candid, but we believe Abdul Rahim's responses to the Board's questions may provide more insight into his pre-detention activities. While he does have some difficulty understanding abstract questions, he main... mentioned he will do his best to answer your questions completely.

Though he completed elementary school, he was unable to pursue more formal education. To support himself, he found work driving taxis, leading tours, coached Arkan Sport Football Club - a Karachi minor league soccer team - as well as buying and selling merchandise as a young adult. These low-income positions, however, did not sustain his wife and children in the late 1990s, so Abdul Rahim began working for al-Qaeda. He located housing and arranged transportation for their fighters to provide for his family prior to his capture and detention. At the time, he did not fully understand the effects of his actions and prioritized family support, care, and feeding. Abdul

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Rahim quickly realized during his time in Guantanamo though, that al-Qaeda is a terrorist organization and that it was wrong to aid their fighters as a housing and transportation facilitator.

Abdul Rahim often thinks of reuniting with and how to resume supporting his wife and two teenage sons after his transfer from Guantanamo Bay. He has been a quiet... quiet, compliant detainee preferring to spend his time watching soccer and reading the Quran. He is open to transfer to any Arabic-speaking country in the Gulf region, but prefers Saudi Arabia to Pakistan due to the deteriorating security and safety situation in that country, and is willing to participate in any rehabilitation or reintegration program required for transfer. Abdul Rahim is an avid soccer player and a sports fan. He encourages his sons to train in martial arts to help them focus, exercise, and learn discipline. Abdul mentioned the possibility of becoming a small business owner running or... running a martial arts studio or return to taxi driving. Based on the outpouring of family statements of support from both Pakistan and Saudi Arabia, they are more than ready to provide for him when... whenever he is transferred, and to help him find honest work possibly in carpentry or as a private chauffeur, or any other trade. Additionally, his PC and Reprieve agreed... agree to help him adjust to life after his transfer. We are confident that Abdul Rahim's desire to pursue a peaceful way

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of life, to raise his sons as good citizens, and to dissuade them from joining extremist groups if transferred from Guantanamo Bay, is genuine. The support from his family and Reprieve will help him to return to society as a productive citizen, and to reject al-Qaeda or any other terrorist organs... organization in the future. Based on everything we have seen and heard during our meetings, as well as the statements from his family and his PC, we do not believe that Abdul Rahim is a continuing significant threat to the United States.

Thank you for your time and attention and we look forward to answering any questions you may have during this Board.

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

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

PC: Good Morning. My name is Agnieszka Fryszman and I am one of the Private Counsels for Abdul Rabbani. I spent the start of my career working for the United States government. I am now in private practice and focus primarily on representing victims of human trafficking and other human rights abuses, including representing victims of terror attacks. I thank you for the opportunity to assist Mr. Rabbani in this review process.

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I have represented Mr. Rabbani since 2005 and have had many meetings with him over that time. In my statement I'll focus on four things that I will summarize and then turn to in more detail:

First, consistently over the 10 years that we have met with him, Mr. Rabbani has accepted the reason for his incarceration here. He has acknowledged responsibility for his mistakes and his conduct.

Second, Mr. Rabbani has never been an ideologue or jihadist. Over the 10 years that we have met with him, he has never once, not even a single time, expressed any anger or animus towards the United States or towards any American citizen.

Third, during his time at Guantanamo, Mr. Rabbani has kept himself busy with simple pursuits, he sweeps up and cleans his block for example, and stays away from conflict.

Fourth, there is a plan in place to support Mr. Rabbani. If he is approved for transfer, he will have housing, job opportunities and be supported by his family as well as receive NGO support, including from the Life After Guantanamo Project, as demonstrated by the stack of letters we have submitted. I believe Mr. Rabbani squarely fits the criteria this panel has used when evaluating detainees for successful repatriation.

Mr. Rabbani is a simple man. He is not well educated. When he is nervous or uncomfortable, it is easy to tell. This hearing is

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undoubtedly stressful for him. You will probably not see his humor or gentle nature in this setting. You will see that he sometimes struggles with comprehension and abstract questions. Nevertheless, as Mr. Rabbani recently said to me, "I have had a lot of time to think about the mistakes I have made."

As my co-counsel John Holland explains in his statement, which you have in your packet, "Mr. Rabbani was an indigent Arabic-speaking, off-and-on taxi driver in Karachi when he was hired for a steady, relatively well-paid job: to provide labor for Khalid Shaykh Mohammed. He performed tasks as directed and was paid a salary. That is a job he certainly regrets taking."

In his own words, "I found myself in a hole. I don't wanna find myself in a hole again. I was an idiot." He has also said, "At the end of the day, I deserve what happened to me. I hope you will forgive me and allow me to turn a new page."

Mr. Rabbani did not act for ideological or hate-filled reasons. During the entire 10 years we have represented him, he has never expressed to us any anti-American sentiment. He has never expressed to us any anger or intent to harm anyone. He's even said he appreciates the prisens... prison management and thinks they are doing a good job.

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He has always treated me and all of the lawyers on his team with the utmost respect and courtesy, whether they are men, women, Christians or Jews. He asks after our families and shares information on folk remedies for health problems. He has a gentle sense of humor.

During his time at Guantanamo, Mr. Rabbani has most recently occupied himself by cleaning his cell block. He cleans the block twice a week, including the showers and sometimes the rooms. He brings food in and takes food out. The guards provide him with trash bags, soap, and cleaning supplies.

He does this to have something constructive to do. My understanding is that he has been a compliant detainee and that he follows the rules. He's told me he avoids conflict and does not wanna be around detainees who cause trouble. For example, his brother is here at Guantanamo and is a hunger striker. Abdul tried to talk his brother out of hunger striking. That is how he will be if and when he is returned home.

He knows that he is no longer young and he has matured while here. Mr. Rabbani is acutely aware of the time that he has lost with his family, his wife and his sons. He is aware that he has lost that time as a consequence of his own actions.

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He has, however, stayed in contact with his family via the skype and telephone calls provided by the ICRC. They are a close family and eager to have him back. Mr. Rabbani is eager to return home, to live with his children, and to raise them with his wife. He'd like to coach them in soccer and wants the boys to learn computer skills. He is determined to help them build a good life.

Mr. Rabbani own... Mr. Rabbani's wife owns her own home in Karachi, Pakistan. She and her husband [sic] are prepared to support Mr. Rabbani when he returns. Her father and brothers live nearby, and have held steady working class jobs as carpenters. They're prepared to provide training and job oppor... job opportunities to Mr. Rabbani. None of these family members have ties to extremists.

For example, Mr. Rabbani's father-in-law writes that he and his sons are in a position to help Abdul return to normal life and will do all they can to support him. The father taught his sons carpentry, still has many connections in the trade and will assist Abdul in promptly finding steady work, as he did with his own sons. Five declarations from relatives and neighbors in Karachi, all people prepared to assist Mr. Rabbani's repatriation, have been submitted to you.

Mr. Rabbani also has family in Saudi Arabia. His family in Medina is stable and middle class. They all have their own

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apartments and steady jobs, or have retired from steady jobs. For example, his sister's four children are all college educated, including a daughter who is a computer programmer and a son who has a PhD. The brothers have held steady employment as private chauffeurs for over 30 years. The family in Medina is prepared to provide Mr. Rabbani and his family an apartment, substantial support, and a job as a driver. None of these family members have ties to extremists. Indeed, to the contrary, the family stated, quote, "If any family member were so inclined, and they are not, the family would report him to the Ministry of Interior immediately."

As the family wrote in their declaration, quote, "we are prepared to bring Abdul home to Medina, have him close to us where our families can provide a positive example and a source of stability, and ensure that he's provided the support he will need."

Mr. Rabbani's simple skills, driving and cooking, are easily transferable. The Reprieve Life After Guantanamo Project believes he is well situated to find work in these areas and is prepared to support him as he does so. Two declarations from the Life After Guantanamo Project are in your packet.

Mr. Rabbani would prefer to make a clean break with the past, and not return to Pakistan. He'd prefer to go to Saudi Arabia, if possible, and have his wife and children join him there. Finally,

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wherever he is transferred, Mr. Rabbani is willing to agree to appropriate security measures, and to participate in a rehabilitation program.

I'd like to close with Mr. Rabbani's own words, which were, "I have a lot... had a lot of time to think about the mistakes I made. I didn't know anything about politics until I got myself into trouble. I found myself in a big hole. At the end of the day, I deserve what happened to me. I hope you will forgive me and allow me to turn a new page." Thank you for your consideration.

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

(NON-VERBAL RESPONSE FROM BMs)

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

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

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

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

[The public session closed at 0928, 7 July 2016.]

[END OF PAGE]

ABBREVIATION AND ACRONYM KEY

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)