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CA: This Periodic Review Board is being conducted at 0902 hours on 1 September 2016, with regard to the following detainee: Mohammed Ahmed Rabanni.

As a reminder, the unclassified portion 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;

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**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 Representative and 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, 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 Mohammed Ahmed Rabanni, ISN 1461, to protect against a continuing significant threat to the United States. From here forward, we'll refer to the detainee as Ahmed Rabbani. This session of the hearing is unclassified.

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

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PM: Ahmed Rabbani, this is your Periodic Review Board 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 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 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 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 Ahmed Rabbani had an opportunity to review the unclassified summary?

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

PR 1: Yes, Ma'am.

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

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

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Mohammed Ahmed Rabbani, ISN 1461, was a financial and travel facilitator for prominent al-Qaeda leaders Khalid Shaykh Muhammad and USS COLE mastermind Abd al-Rahim al-Nasiri [sic] from 1997 until Rabbani's arrest in September 2002. His primary jobs were to run al-Qaeda safe houses in Karachi, Pakistan; help facilitate the travel of mujahedeen and their families to and from Afghanistan; and acquire and drive vehicles. His access to several key al-Qaeda figures positioned Ahmed Rabbani to play a support role in al-Qaeda operations, including the planning of... for an attack in the Strait of Hormuz and possibly the al-Qaeda anthrax program.

Ahmed Rabbani's extremist activities began around 1994, when he joined an ethnic Burmese jihadist group in Pakistan after having been expelled from Saudi Arabia due to the three alcohol-related incarcerations. He failed to earn a living as a hired driver in the United Arab Emirates. In 1997, he began working for al-Qaeda in Kandahar, where he met Usama bin Laden. In 1998, he recruited his brother Abdul Rahim Ghulam Rabbani, ISN 1460, to join him in running a guest hou... in running guest houses and serving as a facilitator for al-Qaeda.

At Guantanamo, Ahmed Rabbani has been relatively non-compliant with the guard force compared to other detainees.

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Most of his infractions occurred between 2013 and 2015, probably in part to protest his separation from his brother. Ahmed Rabbani has also been on hunger strike for an extended period of time. Ahmed Rabbani has provided little information of value and has recanted several of his earlier statements about his support for al-Qaeda.

Ahmed Rabbani has indicated that he would like to be transferred to Malaysia because he is ethnically Burmese. He has marketable job skills, having been a former sweets maker and a professional driver. However, according to source with first hand access, Ahmed Rabbani remains steadfast in his support for extremist causes and groups, praising acts of terrorism and expressing disdain for Americans. Ahmed Rabbani has maintained contact with former detainees, one of whom is confirmed having reengaged in terrorist activities with ISIL, and who could provide ramad... Ahmed Rabbani with clear venue to reengage in his... to reengage after his release if he chooses to do so.

Do 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]**

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PM: All right. I'd like to remind all participants that information shared at this time must be unclassified. If there's a concern about the classification of the information, I'll indicate as such and stop the proceedings until we resolve the issue. Has Ahmed Rabbani had an 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, please proceed.

TRANS 1: [TRANSLATION OF ABOVE]

PR 2: Good Morning, ladies and gentlemen of the Board. We are the Personal Representatives for Mr. Ahmed Rabbani, ISN 1461. Mr. Rabbani has been a willing participant in this process and has remained quite flexible to the changes in meetings and Board dates, as well as the changes in Personal Representatives and Private Counsel, which have happened along the way.

While Mr. Rabbani longs to return to his wife and children, he knows that there are several things that have to happen first. Mr. Rabbani is here today and is eager to answer your questions in a bay.. in a bid to gain your recommendation for

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transfer to Pakistan, although he is willing to go anywhere the Board recommends. He has also expressed his willingness to participate in any rehabilitation program.

Earlier in his life, Mr. Rabbani managed hotels with his father, and later, he managed them on his own. Mr. Rabbani was a shrewd and cunning businessman and chased after the almighty dollar. He did not really care to find out who he was working with, but he stresses that he was working for money, not for a religious cause or agenda.

While he is still a hunger striker, Mr. Rabbani eats at our meetings and now goes willingly to his feedings to consume his liquid meals. Hunger striking is a peaceful way of protesting his situation and one of the few choices or decisions that Mr. Rabbani feels he can make while in detainment. Mr. Rabbani has started to eat regular food, but after years of hunger striking, his body now rejects the food and causes him severe nausea. Mr. Rabbani is now working with the medical staff in an effort to get back on solid food.

Mr. Rabbani has focused on his artistic skills while here in Guantanamo. He has painted hundreds of pieces of art, some of which have been submitted for the Board to see. Additionally, an art dealer in New York is interested in showing

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some of Mr. Rabbani's art, which could potentially lead to an income source in the future.

While not happy with his detainment, Mr. Rabbani has never expressed any anti-American sentiments to us, and he's repeatedly affirmed that he has no desire to harm anyone upon his release from detention. His desire is to get back with his family and become a contributing member of society. He wants the board to know that he is not a continuing threat to the safety and security of Americans, America, or its allies.

When asked about his plans for the future, Mr. Rabbani thought his work ethic, language skills - he is conversant in 4 languages - and prior work in a hospit... hospitality industry would serve him well. He could also work as a taxi driver, a shopkeeper, or a cook.

We feel that Mr. Rabbani has grown in maturity; and he now understands the consequences and the importance of knowing who you are working with. These changes, along with the dedicated support and committed resources from Reprieve, will greatly assist in his transition upon transfer. Thank you.

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

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

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PC: Esteemed Periodic Review Board Members, my name is Shelby Sullivan-Bennis. It is my privilege to represent Ahmed Rabbani and to appear before this Board today. I do so on behalf of all those at Reprieve who have been his counsel for the duration of his time in Guantanamo.

Ahmed Rabbani appears before this Board today after a harrow... harrowing 14 years in detention which began, as we now know, as a case of mistaken identity. The Executive Summary of the Senate Select Committee on Intelligence Study of the CIA's Detention Interrogation Program confirms what Ahmed knew from the start by September 11, 2002, it was determined that an individual named Muhammad Ahmed Ghulam Rabbani, aka Abu Badr, and his driver were arrested, not Hassan Ghul. Thus, Ahmed was indeed not a senior al-Qaeda leader, a concession that did not arrive until after he had suffered dreadfully in a "Black Site." The Senate report reflects that he was one of the few subjected to enhanced interrogation techniques without authorization. He has remained in detention at Guantanamo Bay, and appears before this Board today to tell his story.

In an effort to pave the way for Ahmed's release from Guantanamo Bay, we at Reprieve, as well as those at our affiliate organization in Pakistan, the Foundation for

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Fundamental Rights, have been in close contact with Ahmed's family over the years. We stay in regular contact with his wife, brother-in-law, and other members of his family in Pakistan and Saudi... Saudi Arabia.

Ahmed was... has a warm and close family who miss him greatly. He has two children who were young when Ahmed was first detained, and a third who was born after he was taken from Pakistan who has never met his father. His youngest child is now a teenager whose only connection with his father over the years has been through ICRC arranged monthly calls. Suffice it to say that Ahmed's family is eager to have him back.

Ahmed's wife and youngest son live in a four bedroom house in the Korangi region of Karachi, owned by his mother-in-law. When Ahmed is released, he will join them there and will have ready access to se... to several local service providers, including medical and psychological health facilities based in Karachi with whom my office has existing relationships. Ahmed's family is ready, willing, and able to provide him a home and find him a job so that he may start his life anew. In the time between release and acquisition of gainful employment, Ahmed's family, both in Pakistan as well as his family in Saudi Arabia, have offered to financially support him until he gets back on

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his feet. Indeed, the amount of support Ahmed has waiting for him is considerable.

Additionally, Reprieve has a program set up to help our clients reintegrate into society called "Life After Guantanamo," which is partially funded by the United Nations. This is a program that serves the interests of each relevant stakeholder — the client needs the help, and we, the United States, want the client to do well. For several clients who were resettled and repatriated by both Administrations, we worked with the State Department and host governments on transition plans for clients; we have visited clients multiple times after release; we have served as an ongoing point of contact for local authorities; we have facilitated financial support and referrals for needs ranging from job placement to mental health care; we were a trusted and experienced resource in facilitating successful transition for these clients, who are now rebuilding their lives. Finally, as mentioned, we have specific experience working with groups on the ground in Pakistan, and we would of course offer the same assistance to Ahmed.

Thank you for taking into consideration the information we have provided. We respectfully submit that Ahmed Rabbani should be approved for transfer from Guantanamo consistent with the

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President's mandate to close the prison. I remain at your disposal to assist with any questions you may have regarding Mr. Rabbani. Thank you.

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

(NON-VERBAL RESPONSE FROM BMs)

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

PM: All right. With no questions, this concludes this portion of the hearing. I'd ask that we 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 0920, 1 September 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
PR 2: PERSONAL REPRESENTATIVE
TRANS 1: TRANSLATOR ONE (LOCATED AT PRS HQ)
TRANS 2: TRANSLATOR TWO (LOCATED AT GUANTANAMO BAY)