

~~UNCLASSIFIED~~

CA: This Periodic Review Board is being conducted at 0908 hours on June 19, 2018, with regard to the following detainee: Abd Al-Salam Al-Hilah, ISN 1463.

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 the

OFFICE OF THE 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~~

~~UNCLASSIFIED~~

**SECURITY OFFICER.**

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

CA: The detainee's Personal Representative, 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; representatives from non-governmental organizations.

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

PM: This Board is convened to determine whether continued law of war detention is warranted for Abd Al-Salam Al-Hilah, ISN 1463, to protect against a continuing significant threat to the security of the United States. From here on forward, will refer to the detainee as Abdul Salam. This session of this hearing is unclassified.

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

PM: Abdul Salam, 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 to protect against a continuing significant threat to the

~~UNCLASSIFIED~~

~~UNCLASSIFIED~~

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 representatives to assist you during this process. Finally, the translators ensure that everyone understands your statements and that you understand is what is being said during the hearing.

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

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

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

PC: Yes, sir.

PR: Yes, sir.

TRANS 2: **[SPEAKING IN ARABIC]**

PM: Thank you. I will now read the unclassified summary:

Abd al-Salam al-Hilah, ISN 1463, was a prominent extremist facilitator who used his position within the Yemeni Political Security Organization to provide refuge and logistical support to al-Qa'ida and other extremist groups. He had unspecified ties to Usama

~~UNCLASSIFIED~~

~~UNCLASSIFIED~~

bin Ladin and may have played a role in the attack on the USS Cole in October 2000.

[There was a brief pause in the hearing due to technical difficulties.]

PM: Do Personal Representative and Private Counsel wish to make unclassified opening statements at this time?

TRANS 1: [TRANSLATION OF ABOVE]

PC: Yes, sir.

TRANS 2: [SPEAKING IN ARABIC]

PR: Yes Sir.

TRANS 2: [SPEAKING IN ARABIC]

PM: 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 will indicate such and stop the proceedings until we resolve this issue. Has the detainee had the opportunity to review your statements?

TRANS 1: [TRANSLATION OF ABOVE]

PR: Yes, sir.

TRANS 2: [SPEAKING IN ARABIC]

PC: Yes, sir.

PM: Personal Representative, please proceed.

TRANS 1: [TRANSLATION OF ABOVE]

~~UNCLASSIFIED~~



~~UNCLASSIFIED~~

PR: Honorable Members of the Board, thank you for allowing us the opportunity to present Mr. Abdul Salam Al Hilah's case again. I am the Personal Representative of Abdul Salam and have spent the last 11 months getting to know him. During that time, he has never refused to meet with me, and he has always been courteous and respectful. Abdul Salam continues to hold the PRB process in high esteem and looks forward to demonstrating how he is not a continuing significant threat to the United States or her allies.

Abdul Salam was a highly respected leader in his native country of Yemen, and had a great deal of tribal, political and business influence. While growing up, Abdul Salam's father, a well-respected tribal leader, taught him about the duties and responsibilities of a tribal leader, focusing on the importance of personal relationships in order to help his community. When Abdul Salam was 12 years old his father passed away. Using the lessons that his father had instilled in him, he took on the responsibility of helping his mother raise his brothers and sisters. His efforts and success earned him considerable respect from his community.

Later, Abdul Salam developed his business and trade skills to such a degree that he was able to become not only financially stable, but prosperous. He focused on improving the infrastructure of Yemen and working with other companies around the world to help make this

~~UNCLASSIFIED~~

~~UNCLASSIFIED~~

happen. He became successful at a relatively young age, which set him apart from much of his more senior competition. As he continued in his businesses and tribal affairs, Abdul Salam frequently met with the Yemeni president, who saw great potential in him. At the president's urging, Abdul Salam joined the General Congress Party, the largest party in Yemen. Seeing his influence grow, his tribe encouraged him to run for parliament, though he was never able to accomplish this due to his arrest. Using his business and influence he had gained within the government, Abdul Salam began to help raise the economic standards for the people of Yemen. He helped bring international companies to Yemen to build bridges, roads, airports, power plants, and increase the efforts of energy exploration. With such great respect and influence, the government asked Abdul Salam, and other Sheiks to help them persuade other tribal leaders to aid the government in finding any Mujahidin who migrated to Yemen after the Soviet-Afghan War, and encourage the tribal leaders to hand them over to the government for deportation. With the government backing the legitimacy of this task and providing all the resources necessary to execute it, there was no reason for Abdul Salam to engage in any nefarious activities to help the deportations take place. The task should be recognized as aiding the West in the efforts to combat terrorism; however, when he visited another Middle

~~UNCLASSIFIED~~

~~UNCLASSIFIED~~

Eastern country to arrange for a \$200 million dollar financial... in financial commitments to Yemen, he was arrested and handed over to U.S. authorities and eventually interned at the detention facility in Guantanamo.

Abdul Salam is married to a loving and supportive wife who has stood by him throughout his detention. Together they had a daughter and two sons. He loves his family deeply and longs for the day they will be reunited; a feeling that is mutually shared by his wife and daughter. Tragically, while he was in Guantanamo, his two young sons were killed. This was devastating for Abdul Salam, as his wife and daughter had to bear the burden of the loss without him, a guilt that continues to weigh heavily on him. He wants nothing more than to be reunited with his wife and daughter so he can be the father and husband they have been without for over 15 years.

Abdul Salam's life prior to detainment was one of a man who loved God, his family, and his country. He had great ambition, which allowed him to excel as a businessman and a tribal leader and provided opportunity to climb the political ladder. Good fortune seemed to shine on him as he rose in favor above his competition at an unmatched pace to the extent that he was given opportunities that many who were senior to him were not afforded, both in business and politics. In the end it seems his ambition got the better of him.

~~UNCLASSIFIED~~



~~UNCLASSIFIED~~

Today his only desire is to be reunited with his family and make up for all the lost time, away... away from politics and grand business plans.

His ideology supports the good nature of God and the belief that His grace should be reflected in our daily interactions with one another, regardless of race, gender, or religion. He does not support acts of violence against innocent people and does not condone terrorism for any reason. This includes not taking action against anyone who he has wronged... who has wronged him.

While Abdul Salam is still a respected man in his country, he is no longer relevant due to the political and civil climate in Yemen. He does not have the power or influence he once held, and his most influential political contacts are no longer in power. Even if Abdul Salam wanted to reenter the business and political worlds, he would have a very difficult time reestablishing himself.

Abdul Salam has never had any intention to harm the United States, her allies or the people of the Western democracies, and he is eager to dispel any misconceptions the Board may have about him at this time.

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

~~UNCLASSIFIED~~



~~UNCLASSIFIED~~

TRANS 1: [TRANSLATION OF ABOVE]

PC: I am private counsel for Abdul Salam Al-Hilah, and I would like to thank the Board for giving us this opportunity to assuage any concerns you may have over his release. In the past 18 months, I have had about a half-dozen meetings with Abdul Salam and spoken with him on the phone about the same number of times. I have talked with the lawyers who have worked with him on the habeas side for over a decade.

Most of what Abdul Salam discusses with me is his family. He deeply misses his wife and daughter, and he continues to mourn for the loss of his two young sons, his mother, and his brother. These tragedies plus the passage of time have intensified his desire to be with his family, when and wherever he is transferred. In the 16 years that he has been imprisoned, he and his wife have gotten older and his baby daughter has come of marrying age. He talks to me about his wife's sacrifice, living alone during what should have been the prime years of their marriage, and his sense of responsibility for her situation because his predicament has caused her such hardship.

We have talked about what he would do if he were released. We have talked about the fact that before his arrest and imprisonment, he was a Sheikh, a tribal leader, a businessman, and someone with political

~~UNCLASSIFIED~~

~~UNCLASSIFIED~~

ambition. But the passage of time and 16 years of harsh imprisonment have changed all that. Intellectually, he realizes that he cannot try to regain his social and economic status. But more importantly, emotionally, he doesn't want to. He wants to devote himself to his family to make up for the long years away from his wife and daughter who need him. He has mentioned to me maybe buying a small building and renting the space to raise the income to support himself and his family.

We have submitted a number of exhibits that I hope you have had the chance to read, in addition to the letters from his family. There are three that I want to mention particularly now. These are the three documents from government officials and other Yemeni dignitaries attesting to Abdul Salam's character. They confirm his statements that he was acting, "Based on the Yemeni Higher Officers' instructions at that time" and that he did not have "any connection with any terrorist or extremist organizations and the Yemeni State insures that entirely." I am quoting from the statement signed and sealed by the Under Secretary of Ministry of Interior for Security & Police Sector, and the Under Secretary of CPSA for Internal Security. Another, also signed by these two undersecretaries, said that, "He does not have any connection or involvement with any terroristic or extremist organizations at all," and, in fact, he was a "well-known

~~UNCLASSIFIED~~

~~UNCLASSIFIED~~

person "with higher social status" and "one of the respectable social figures and sheikhs of the area." The third is signed by 12 dignitaries, including a member of parliament, area commissioners, a Sheikh, and members of the local government who knew him, as they say, "For many years from the neighborhood." They mention his good repute and his "moderate character and away from any acts of extremism."

These are statements from those who knew Abdul Salam best and those in the government who would have the most reason to know whether he had any connections to extremists or terrorists. And they were written in 2016, at a time when there would be no reason for them to make these statements unless they were true.

The critical point is that in the years before his imprisonment, Abdul Salam was working on behalf of, and following the instructions and requests of, the government of his county, Yemen, as the statements from government ministers attest. Because of his status as a tribal leader, he moved in high government circles - including direct interaction with President Saleh of Yemen. Among the exhibits we have submitted are several documents indicating the favors given to him and trust placed in him by President Saleh himself. At that time, Yemen and the United States were allies in the fight against

~~UNCLASSIFIED~~



~~UNCLASSIFIED~~

terrorism and extremist organizations like Al Qa'ida in the Gulf. So Abdul Salam's actions benefited the United States.

Abdul Salam was born in Yemen in 1971, the son of a Sheikh of a tribe near Sana'a. His family was well-to-do. Abdul Salam was only 12 years old when his father died and he became the head of the family. As he got older, he assumed responsibilities as head of his tribe. He finished high school and entered the world of business. He was a natural entrepreneur, starting with construction deals and selling cars when he was still in school and moving on to larger projects as an adult. He started a pharmaceutical company. He engaged in development projects that could involve millions of dollars, arranging deals for oil exploration, electric generating, housing projects and the like. Some of his work involved acting as an intermediary with the government. We were able to retrieve a few documents relating to his business role, which are included in the exhibits we have submitted. Abdul Salam was successful and respected, living a luxurious life, in a large house with servants. He wore expensive clothing, which he enjoyed, and had a number of cars. He had a wife and children.

He was ambitious to handle bigger deals, play a bigger role in government, and go into politics. He was still a relatively young man and looked forward to a prominent life in government and

~~UNCLASSIFIED~~



~~UNCLASSIFIED~~

business. Therefore, he was eager to do favors for the government when his government asked in addition to his love of his country.

One of the major favors that the Yemeni government asked of him together with other Sheikhs-- he was not alone -- was to assist them in the Arab Afghan deportation program, which is described in several of the exhibits, including an excerpt from a radio interview with President Saleh where he refers to this program. It also was mentioned in the statement from the two undersecretaries that I discussed earlier. When the war in Afghanistan against the Soviet Union ended in 1989, some of the Arab fighters left Afghanistan and came to Yemen, where they lived under the protection of some of the tribes. The United States asked Yemen to expel these foreigners, and Yemen itself also wanted to deport them. In the mid-1990s, the Yemeni government launched the Arab Afghan deportation program. The Sheikhs, including Abdul Salam, were asked to convince the Sheikhs for the tribes where these Arab Afghan were living to allow the men to be deported.

It is this work that Abdul Salam did at the behest of his government, which itself was responding to requests from the United States, that is the basis of many of the accusations against Abdul Salam. When he says that he was not working for Al-Qa'ida in getting extremists or terrorists out of Yemen, he is not refusing to accept

~~UNCLASSIFIED~~

~~UNCLASSIFIED~~

responsibility. He is telling the truth, and a truth that is endorsed by top officials of Yemen for whom he was working.

Another action that he took at the request of his government, in support of its efforts against terrorism, involved a disaffected group in the south of Yemen that called themselves the Aden-Abyan Islamic Army. At the government's request, Abdul Salam met with representatives of Aden-Abyan and convinced one of them, named Jayul, to come to Sana'a to meet with President Saleh himself so they could be persuaded to disband in exchange for jobs and help in finding wives. That meeting happened and most accepted the offer. Later, a small explosive was thrown into the yard at the British Embassy. No one was hurt, but Abdul Salam thought Jayul might have been involved because Jayul had been angry at the Balfour Declaration and was upset at the killing of a child in the Gaza Strip. Abdul Salam confronted Jayul, and as a result of his intervention Jayul and several others were apprehended and convicted. Abdul Salam also told the director of Political Security Office that Jayul had talked about a plot to bomb the U.S. Embassy. He also warned the United States. He was acquainted with someone at the U.S. Embassy who he knew was a member of the CIA, and he warned that person as well.

Abdul Salam lived openly. He was prosperous, had a family, thriving businesses, an influential public position as a leader of

~~UNCLASSIFIED~~

~~UNCLASSIFIED~~

his tribe, and the prospect of a promising political career. He was moderately religious but not an extremist. Photographs of him taken before he was thrown into prison show a man in a business suit, with close-cropped hair and a short beard. He was ambitious for political and business success. He was proud of his position as head of his family and head of his tribe. He loved his country. The accusations against him make no sense.

Looking to the future, as I said at the beginning, he still is devoted to his family and his county, but he no longer is ambitious. That has been burned out of him by circumstances. He wants to be with his family. He will do nothing to jeopardize that. He wants to go home, and by "home" he means living with his wife and daughter and being with his daughter when she is married. He would like to be able to support them, but not at the level they once enjoyed. He talks of starting another business, but on a small scale, as I mentioned, such as a rental building or a local company. He feels he is no longer young. Since I am older than he is, I would never say that he is old, but certainly he recognizes that he is beyond the time for youthful dreams and ambitions. He is not resentful at the turn his life has taken, in part because he takes solace in his religion as a comfort for dealing with adversity.

~~UNCLASSIFIED~~

~~UNCLASSIFIED~~

Abdul Salam is not a threat to the security of the United States. He should be permitted to be reunited with his family, to be with his wife, to celebrate his daughter's wedding. He should not be condemned to spend the rest of his life locked up at Guantanamo.

Thank you.

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?

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

PM: 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 0941, 19 June 2018.]**

**[END OF PAGE]**

~~UNCLASSIFIED~~



~~UNCLASSIFIED~~

ABBREVIATION AND ACRONYM KEY

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

~~UNCLASSIFIED~~