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CA: This Periodic Review Board is being conducted at 0911 hours on 28 March 2017, with regard to the following detainee: Haroon al-Afghani, ISN 3148.

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 REPRESENTATIVES;

PRIVATE COUNSEL;

TWO TRANSLATORS;

THE DETAINEE; AND, THE



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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 the Personal Representative's 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 Associations.

TRANS 1: [TRANSLATION OF ABOVE]

PM: Good morning. This Board is convened to determine whether continued law of war detention is warranted for Haroon al-Afghani, ISN 3148, to protect against a continuing significant threat to the security of the United States. From here forward, we'll refer to the detainee as Haroon. This session of the hearing is unclassified.

TRANS 1: [TRANSLATION OF ABOVE]

PM: Haroon, 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 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, 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 Representative, Private Counsel, has Haroon had an opportunity to review the Unclassified Summary?

TRANS 1: [TRANSLATION OF ABOVE]

PR: Yes, Ma'am.

TRANS 2: [TRANSLATION OF ABOVE]

(NO VERBAL RESPONSE FROM PC)

PM: Thank you. I'll read the Unclassified Summary:

Haroon al-Afghani, ISN 3148, was a Hezb-e-Islami Gulbuddin commander who organized and led attacks on coalition forces in Afghanistan and for a time served as an intermediary between senior



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al-Qaeda members and other anti-coalition fighters. Afghani has been moderately noncompliant during his time in Guantanamo.

Do the Personal Representative or Private Counsel wish to make opening statements at this time?

TRANS 1: [TRANSLATION OF ABOVE]

PR: Yes, Ma'am.

TRANS 2: [TRANSLATION OF ABOVE]

(NO VERBAL RESPONSE FROM PC)

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

TRANS 1: [TRANSLATION OF ABOVE]

PR: Yes, Ma'am.

TRANS 2: [TRANSLATION OF ABOVE]

(NO VERBAL RESPONSE FROM PC)

PM: All right. Personal Representative, please proceed.

TRANS 1: [TRANSLATION OF ABOVE]

PR 2: Good Morning Ladies and Gentlemen of the Board. As Haroon's Personal Representative, I would like to thank you for



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allowing him this second chance to appear before you and to show you that he does not pose a threat to anyone.

With the added assistance and advice of his Private Counsel, Haroon is better prepared to answer your questions more honestly and completely than he was in his initial Periodic Review Board. Since that time, he has also had an opportunity to put into writing some of the plans that he has been working on during his time here to support himself and his family in the hope that he is approved for transfer.

We provided one of his business plans during the File Review and have submitted one more for this Board. As you can see by these two plans, as well as the extensive schoolwork that he has provided, he has not been idle during his time here in Guantanamo, but has been constantly working to improve himself and his chances for success in the future. He wants nothing more than to provide for his family and raise his daughter in a safe environment where she can continue her education. He feels it is vital for her to be self-sufficient and to be able to choose her own husband when the time is right.

Haroon is an educated man who speaks five languages despite the hardships of growing up in a Pakistani refugee camp. While he may have made some bad decisions in the past, his time here has taught him that the consequences of those decisions and he will not make those mistakes again. Haroon has never failed to meet with myself or



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his PC and he has always shown us nothing but respect and courtesy. He has never given any indication of extremist views or any hatred toward Westerners. He has shown that he is only dedicated to providing a better future for his daughter. His only focus is on ensuring that he find honest work so that he can support his family and live a peaceful life. In addition to his skills and dedication, he also has the support of his PC and Reprieve to assist him with the transition wherever he may be transferred.

After considering our submissions and the answers to your questions that Haroon will provide during this Board, I hope that you will agree that he does not pose a threat to the U.S. or anyone else, and that he should be approved for transfer.

Thank you again for this second chance for Haroon. I 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: Esteemed Periodic Review Board Members, my name is Shelby Sullivan-Bennis and it is my privilege to represent Haroon al-Afghani Gui [sic] in this proceeding. Since I first wrote my PC statement for Haroon's initial Board back in June we've had... a... a lot has



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happened. At that time, I had not yet met him in person, but pledged to help as much as I could, regardless.

Since that point, Haroon and I have met over a dozen times in person. We've had many unclassified and classified phone calls in which we discussed the details of his case, his personal history, aspirations for his future, his view on American, Afghan, and Pakistani politics, his daughter, and others he's left behind, and how best to proceed. I've had conversations not only with his family members, but also with academic experts whose focus is the geopolitics of the region in which he grew up. I've familiarized myself with his personal history, family life, as well as, the government's case against him. I've filed a habeas case in his name; requested, received, and reviewed both unclassified and classified factual returns produced by the government and upon which it relies to justify his detention. I write this statement now with the full weight of that information behind me. Haroon does not pose a threat to the security of our country.

Haroon had never had an attorney before he met me; had never appeared before a single review board for any type of hearing before the one in which you met him. You first met him in a circumstance where he was admittedly intimidated and blatantly scared. We are grateful today for another bite at this all important apple.



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We will aim to fill in any gaps you perceived at Haroon's last hearing. We have a plan for the future, an open explanation of the past, and several existing resources that were not presented previously.

An educated man, Haroon uses his time in Guantanamo as wisely as one can, learning. For his File Review, you will have seen his nearly hundred-page business proposal that he has spent the last couple of years researching. For this hearing, he submits yet another proposed project; an addendum, if you will, to his original plan for a honey bee farm named after his daughter. With these submissions comes an important revelation. Haroon is productively and actively thinking about how to help himself up from a place that we can all agree is quite low. He is not embittered, he is determined.

While Haroon's plan for a honey bee farm may rely on his location, his plan for sustaining himself by using the information and resources available to him to build an independent future will work no matter where he is. Further to that, Reprieve has the unique capacity to follow Haroon after he's released, to wherever he may land, and facilitate the start-up capital to make his business dreams



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a reality. We have done this in the past for former detainees and we are well-positioned to do the same for Haroon in the future.

As far as there being any possibility that Haroon would join a hostile organization or become a threat to the nation, I think a simple look through his communications over the past nearly 10 years will assuage those fears. A reflective man, the Haroon that I know talks of little else besides his daughter and the guilt he feels at having left her effectively fatherless. If the Board does not believe, as I do, that Haroon would reject violence for his own sake, it is clear he would do so for hers.

Thank you for your consideration and for the opportunity to change your minds.

PM: Thank you. Board Members may reserve questions until detainee and witness statements have been heard 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 that we all stay seated until further instructed by the Case Administrator.

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



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

TRANS 1: [TRANSLATION OF ABOVE]

[The public session closed at 0926, 28 March 2017.]

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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)