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CA: This Periodic Review Board is being conducted at 0901 hours on 14 July 2015, at the Periodic Review Secretariat Headquarters, with regard to the following detainee: Salman Yahya Hassan Mohammad Rabei'i.

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;

OFFICE OF THE JOINT CHIEF OF STAFFS;

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 telephone conference, and 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 called to order. We're convened to determine whether continued law of war detention is warranted for Salman Yahya Hassan Mohammad Rabei'i, ISN 508, in order to protect against a continuing significant threat to the security of the United States. From here forward, we will refer to the detainee as Salman.

TRANS 1: **[Translation of above.]**

PM: This periodic review hearing session is unclassified. Classified documents and classified discussions relating to information shall not be presented or discussed during this unclassified session of the hearing.

TRANS 1: **[Translation of above.]**

PM: Salman, this is your periodic review board to determine whether continued law of war detention is warranted in your case.

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Your continued law of war detention will be warranted if such detention 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 in this process. And 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 Salman had an opportunity to review the Unclassified Summary?

TRANS 1: [Translation of above.] ----

PR 1: Yes, ma'am.

TRANS 1: [Translation of above.]

PR 1: Yes, ma'am, he has.

TRANS 1: [Translation of above.]

PM: Okay. Thank you.

I will read the Unclassified Summary:

Salman Yahya Hassan Muhammad Rabei'i is an al-Qa'ida recruit who trained with the group and possibly fought at Tora Bora.

He came into contact with extremists in Yemen through his brother, an al-Qa'ida operative in 1999, and traveled to Afghanistan in August 2001. He stayed at al-Qa'ida guesthouses, underwent basic extremist training, and possibly attended advanced training. He was present at Osama bin Laden's Tora Bora mountain complex in late 2001 and possibly fought against coalition forces there before the Northern Alliance captured him in December of 2001.

Salman probably retains strong anti-U.S. sentiments and sympathizes with extremist causes, judging from the statements he has made while at the Guantanamo Bay detention facility. Although he generally has been compliant with the guard force, he has been uncooperative during interviews. He repeatedly has said that the U.S. in particular and that non-Muslims in general are his enemies, and he possibly aspires to reengage in terrorist activities. He also has voiced admiration for extremists who die for their beliefs, notably his brother, Fawaz, who was killed in a shootout with Yemeni security forces in 2006.

Salman has several family members who are involved and sympathetic to extremist activities, offering him potential paths to reengagement. If Salman were repatriated to Yemen, he probably would resettle in Sanaa while possibly pursuing opportunities to relocate abroad with his family. A-Q-A-P regularly plots attacks in Sanaa, but the Yemeni Government's counterterrorism monitoring and



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disruption capabilities are higher there than in most of the rest of Yemen.

TRANS 1: [Translation of above.]

PM: Does the personal representative and private counsel wish to make unclassified opening statements?

TRANS 1: [Translation of above.]

PR 1: Yes, ma'am.

PM: All right. I would like to remind all the participants that any information shared at this time must be unclassified. If there is a concern about classification of the information, I will indicate such and the proceedings will stop until the classification issue is resolved.

TRANS 1: [Translation of above.]

PM: Has the detainee had the opportunity to review the personal representatives' and personal counsel's opening statements? And if so, does he require translation today?

TRANS 1: [Translation of above.]

PR 1: Yes, ma'am. The detainee has reviewed both the PR and the PC's opening statements. However, detainee does not require a translation of these statements.

TRANS 1: [Translation of above.]

PM: All right. Personal representatives, you may proceed with your opening statements.

TRANS 1: [Translation of above.]

PR 1: Good morning, ladies and gentlemen of the Board. We are the personal representatives for Mr. Salman Yahya Hassan Mohammad Rabei'i. We are joined by his private counselor and his translator.

Over the last three months we have met with Salman for more than 30 hours, to include several meetings during Ramadan. From the beginning, he has shown enthusiastic cooperation and genuine courtesy, respect and openness with us during all of our meeting [sic].

The information we have prepared will illustrate Salman's interests for his future. He is eager to be able to fulfill his role as a provider for his mothers [sic] and sisters. He also longs to find a job and a wife, with whom he can start a family of his own, and to live only for the future and not dwell on the past.

We will be happy to answer any questions you may have throughout this proceeding.

At this time, we would like to introduce Mr. Remes for his opening statement.

Thank you for your time and consideration.

PC: Good morning. I am David Remes, private counsel for Salman Rabei'i. I have represented Salman in the habeas litigation since July 2004. I have met with him dozens of times and have known his family nearly as long. Though Salman is quiet, even shy, there is no

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mistaking his intelligence and good humor. He is a compliant detainee. Other detainees place their trust in him. I have no sense that he bears malice to anyone. In my judgment, Salman presents no security risk to the United States and should be transferred without conditions.

All things being equal, Salman would prefer to be repatriated to Yemen to care for his ailing mother. Salman, however, wants to leave Guantanamo without delay. He realizes that transfer to Yemen is not a realistic possibility. He also perceives that Congress may close the door on further detainee transfers. Accordingly, Salman requests that the United States transfer him wherever he can be transferred soonest. Wherever he is transferred, Salman knows English and has transferable skills, and he can count on financial support from his family.

We urge the Board to recommend Salman's transfer without conditions.

PM: Thank you.

I understand that Board members may reserve questions until the detainee and witness statements have been presented in their entirety.

TRANS 1: [Translation of above.]

PM: Does any member of the Board have a question for the personal representatives or private counsel for this session?

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TRANS 1: [Translation of above.]

[No response from Board members.]

PM: All right. Given that there are no questions, this concludes this portion of the hearing. I'd 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.

[The public session closed at 0918, 14 July 2015.]

[At this point, the unclassified portion of the hearing ended.]

[END OF PAGE]



**ABBREVIATION AND ACRONYM KEY**

BM: BOARD MEMBER

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)