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CA: This Periodic Review Board is being conducted at 0907 hours on 21 August, 2018, with regard to the following detainee: Ismael Ali Faraj Ali Bakush.

As a reminder, the unclassified portions of these proceedings are being recorded for the purpose of generating a transcript... transcript to be posted on the PRS website. 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; and

ONE TRANSLATOR, at the moment;

The detainee's Personal Representative, and would of had a translator, are located at the detention facility, U.S. Naval Station Guantanamo Bay, Cuba. They are attending via video teleconference. The unclassified summary, and Personal Representative's opening

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statement 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.

PM: The Board is convened to determine whether continued law of war detention is warranted for Ismael Ali Faraj Ali Bakush, ISN 708, to protect against a continuing significant threat to the security of the United States. From here on forward, we will refer to the detainee as Ismael. This session... this session of the hearing is unclassified.

This is Ismael's Periodic Review Board to determine whether continued law of war detention is warranted. Continued 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 that Ismael may pose to the United States and its interests if transferred or released from U.S. custody. It is not on the lawfulness of Ismael's detention.

The Personal Representative is Ismael's representative to advocate for him during this process. I will now read the unclassified summary.

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Ismael Ali Faraj Ali Bakush, ISN 708, was a Libyan Islamic Fighter Group explosive expert, who trained al-Qa'ida members and probably provided operational support to key al-Qa'ida figures. He consistently was denied... has denied his close association with al-Qa'ida and expertise with explosives; however, we assess that Bakush played a greater role in the al-Qa'ida operations than he admits.

Does the Personal Representative wish to make an unclassified opening statement at this time?

PR: Yes, sir.

PM: I'd like to remind all participants that any information shared at this time must be unclassified. If there is a concern about the classification of the information, I will indicate such and will stop the proceedings until we resolve the issue. Personal Representative please proceed.

PR: Members of the Board, thank you the opportunity to present this opening statement for Ismael Ali Faraj Ali Bakush, ISN 708.

Mr. Bakush has refused scheduled meetings with two separate Personal Representatives for the last six months. We will continue to schedule meetings with Mr. Bakush in the hopes that he will change his mind and resume participation in the Periodic Review process.

Mr. Bakush recently retained Private Counsel, Ms. Shelby Sullivan-Bennis, she wanted me to confirm that Reprieve has taken the

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case, but she declined to submit a statement for this board. Thank you.

PM: And I would like to thank the Personal Representative for advocating on his behalf during this... this hearing. We'll have to respond or take into account the Personal Representative's information that she provides, as well as the intelligence has provided to us today. It's unfortunate that the detainee and the Personal Represent... and the Personal Counsel did not show this morning, but we look forward to their representation at his next hearing.

Does any member of the board have a question at this particular time? Okay, seeing that there are no questions, this concludes this portion of the hearing. I ask that all remain seated until further instructed by the Case Administrator.

CA: Take a 5-minute recess to prepare for the remaining sessions.

[The public session closed at 0910, 21 August 2018.]

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ABBREVIATION AND ACRONYM KEY

BM: BOARD MEMBER
CA: CASE ADMINISTRATOR
PM: PRESIDING MEMBER
PR: PERSONAL REPRESENTATIVE

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