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CA: This Periodic Review Board is conducted at 0904 hours on 30 June 2016, with regard to the following detainee: Hail Aziz Ahmed Al-Matali **[sic]**, ISN 840.

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,

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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 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: Good morning. This Board is convened to determine whether continued law of war detention is warranted for Hail Aziz Ahmed Al-Maythuli **[sic]**, ISN 840, to protect against a continuing significant threat to the security of the United States. From here forward, we'll refer to the detainee as Hail. This session of the hearing is unclassified.

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

PM: Hail, 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 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 the process. Finally, the translators ensure that everyone understands your statements and that you understand what is being said.

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

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

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

PR: Yes, Ma'am.

PC: Yes, Ma'am.

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

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

Hail Aziz Ahmed Al-Maythu... Maythali, ISN 840, was an extremist fighter who associated with senior al-Qaeda members, but probably did not play a major role in the attack plotting in Karachi. During 2000 and 2001, he trained with al-Qaeda in Afghanistan, provided support

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to frontline fighters against the Northern Alliance, and probably acted briefly as a guard at Osama bin-Laden's compound in Kandahar. He also may have been a bodyguard to bin-Laden. Hail is one of the Yemenis arrested during the September 11, 2002 raids in Karachi, Pakistan, later labeled the "Karachi Six," based on concerns that they were part of an al-Qaeda operational cell intended to support future attack. Based on a review of all available reporting, we were judged that this label more accurately reflects the common circumstances of their arrest and that it is more likely that the six Yemenis were elements of a larger pool of Yemeni fighters that senior al-Qaeda planners considered potentially available to support future operations. Hail was probably awaiting a chance to return to Yemen when he was arrested at the Karachi safe house.

Hail has been mostly compliant with the guard force and committed a low number of infractions relative to other detainees at Guantanamo Bay. He has provided little information of value after his initial interviews and has probably sought to conceal his past involvement in terrorist activities. Hail acts as a spokesperson for other detainees on his cell block and provided interrogators with information about camp dynamics and other detainees' noncompliance.

Hail probably retains anti-American views and probably is at least sympathetic towards extremist groups, although he has been

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guarded in conveying his views on extremism and violence. He has demonstrated conservative Islamic beliefs and would probably prefer to be transferred to a Muslim country, particularly Yemen or Saudi Arabia, if released. He has maintained contact with his family, most of whom reside in Sana'a.

We assess that Hail has no close associations with terrorists outside of Guantanamo, although he and his family probably know members of al-Qaeda in the Arabian Peninsula who would be well-placed to help Hail reengage in terrorism if he returned to Yemen. Hail also probably has a close relationship with Maha El-Samanah [sic], the mother of a former Guantanamo detainee.

Do the Personal Representative and Private Counsel wish to make unclassified opening statements?

TRANS 1: [TRANSLATION OF ABOVE]

PR: Yes, Ma'am.

PC: Yes, Ma'am.

TRANS 2: [TRANSLATION OF ABOVE]

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

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TRANS 1: [TRANSLATION OF ABOVE]

PR: Yes, Ma'am.

PC: Yes, Ma'am.

TRANS 2: [TRANSLATION OF ABOVE]

PM: Great. Personal Representative, please go ahead.

TRANS 1: [TRANSLATION OF ABOVE]

PR: Good morning ladies and gentlemen of the Board. I am the Personal Representative for ISN 840. I will be assisting Mr. Hail Aziz Ahmed al-Maythali with his PRB this morning.

Hail has attended all of our meetings and is always extremely polite and cooperative. Every time I see him he is smiling and he never hesitates to answer any question I may have. While here at GTMO, he has learned English from other detainees as well as carpentry and cooking, and he has grown substantially as a person. He recognizes that he has made bad decisions in the past and he has no interest in repeating these mistakes. Hail realizes that it was a mistake to go someplace else and fight for a cause that was not his. He does not blame America for his current situation; he blames himself for his actions.

His family is more than ready and willing, and is quite capable of, providing whatever support is needed for Hail. They have already given him a share in their marketing and advertising business, and

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hope that with his English skills he can help them with importing goods from China.

He is interested in working in trade if he is transferred, but he would also like to continue his education, and he feels educa... as he feels education is very important. When discussing the qualities he prefers in a wife, he lists educated at the top, even before beautiful. Hail has encouraged all of his siblings in their education, including his older sister. Even though it is traditional for the female to drop out of school when she is married, he insisted that his sister continue her education, for which she is very grateful.

He would prefer an Arabic speaking country, but does not mind going to any... any country. It would just take a little longer to integrate, but he is more than willing to put in every effort to succeed. He also welcomes any kind of rehabilitation or reintegration program that might be available.

Based upon my time with Hail and the support of both his family and his Private Counsel, I believe that he is sincere in his desire to lead a peaceful life and obtain an honest job and he has the support and dedication that will make this possible. I honestly do not believe that Hail represents a continuing significant threat to the security of the United States of America.

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Thank you for your time and attention. I am happy to answer any questions you may have throughout these proceedings.

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

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

PC: Good morning. I am Jennifer Cowan of Debevoise & Plimpton LLP, counsel for Hail al-Maythali. For the past eleven years, I have represented Hail and have gotten to know him well through numerous conversations and meetings. I strongly believe that Hail's detention is not necessary to protect against a continuing significant threat to the security of the United States, and I urge the PRB to approve him for transfer.

Hail was young when he came to Guantanamo and I will be candid in recognizing that at times, Hail's detention has been difficult for him and he has been angry about his treatment at Guantanamo. But I think that with many years to consider his actions, he regrets the choices that he made before he was captured and detained at Guantanamo. In addition, during the past eleven years, and especially in recent years, I have witnessed him become more mature, open-minded, self-reflective and focused on the future.

I would like to give you one example of a way in which Hail has matured during his time at Guantanamo. When I first met Hail, he was

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very uncomfortable with the idea of a female lawyer representing him, and very uncomfortable, generally, with the idea of speaking to a woman who was not a member of his family. In those first years, at his request, I covered my hair during our meetings and we would not shake hands. I would sit toward the back of the meeting room while a male interpreter and my male colleagues sat at the table. Hail would not speak directly to me and, instead, spoke only to the men in the room.

Over time, these limitations disappeared. When I meet with Hail now, I do not cover my hair. We shake hands warmly, and we sit at the table together and engage in direct conversation, now partially without interpretation, due to his remarkable progress in learning English. Our conversations cover many topics; Hail is smart and curious and is interested in hearing my perspective on issues and interested in better understanding the views of others.

On many occasions, Hail and I have talked about his hopes for his life after he is released from Guantanamo. Those hopes will be familiar to many people. Most of all, he wants to marry and start a family of his own. As you can see from the letters of support written for the PRB, Hail is very close with his parents, his siblings, and his nieces and nephews. He misses them terribly and he worries about them, and he looks forward to seeing them and speaking

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with them during videoconferences. On many occasions, he ex... he has expressed to me his regret at not being part of their lives because of his detention at Guantanamo, especially as his siblings and nieces and nephews grow up, and he has expressed his regret that he has not had children of his own who could grow up with their se... with their cousins. Hail very much wants to make up for lost time as quickly as possible and to become a father. He frequently asks about my children and what new experiences they have had, and at each meeting, Hail reiterates his invitation for me and my family to attend his wedding, whenever and wherever that may be.

Hail is clear-eyed about the work that he will need to do if he is released from Guantanamo. He has taken advantage of the educational opportunities available to detainees at Guantanamo, but recognizes that he will need to complete additional training and/or education in order to have the skills necessary to support himself and his family, and he also understands that he may need to learn a new language. He is fully committed to taking the necessary steps and doing the work to create a new life for himself. He is open to any type of training and any type of job, but he is particularly interested in running a small business because his family has a small business in Yemen and they can provide guidance for that endeavor.

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As you can see from the letters submitted to the PRB, Hail's family will support him in every way possible if he is released from Guantanamo. If he were to return to Yemen, he would pro... be provided with a home and partial ownership of his family's business. However, Hail's family recognizes that even if he is released from Guantanamo, he is unlikely to be transferred to Yemen and, therefore, they are prepared to support him wherever he settles, to assist him in finding a wife, and to help prepare him to start a job or a business so that he can support his family. I am also personally committed to providing whatever assistance I can to help Hail establish himself if he is released from Guantanamo, though the nature of that support will depend in large part on the country to which he is transferred.

In their letters to the PRB, members of Hail's family and community provide specific examples... providing examples of specific instances in which Hail provided assistance and support to them. These stories are consistent with my knowledge of Hail's activities at Guantanamo. In my conversations with him, Hail has always expressed concern and been protective of other detainees at Guantanamo. One of my other clients here was seriously ill and, when they were housed together, Hail would assist him in negotiating life at Guantanamo and when they were not housed together, Hail would regularly ask me about how my client was feeling and ask me to convey

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his concern and best wishes. I understand that Hail has also taken a similar interest in and provided assistance to other detainees who needed his help and, on occasion, has acted as liaison between detainees and the guards in the detention facility.

I am confident that if Hail is released from Guantanamo, he will use his intelligence and focus, his determination and fortitude, and his caring and thoughtfulness to create a new life for himself and become a productive and well-integrated member of whatever community he settles in. I urge the PRB to clear Hail for release so that he can take the lessons he has learned at Guantanamo and use them to start a new chapter in his life.

PM: Thank you. Board Members may reserve questions until detainee and witness statements have been presented in their entirety. Anyone have a question for this session?

(NON-VERBAL RESPONSE FROM BMS)

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

PM: All right. With no qu... with no questions, this concludes this portion of the hearing. I'd ask we all remain seated until further instructed by our Case Administrator.

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

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

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[The public session closed at 0922, 30 June 2016.]

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ABBREVIATION AND ACRONYM KEY

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