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CA: This Periodic Review Board is being conducted at 0911 hours on 21 April 2016, with regards to the following detainee: Said Salih Said Nashir, ISN 841.

As a reminder, the unclassified portion of these proceedings is 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,

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,



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**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 teleconference and the detainee waved translation of the unclassified summary, the Personal Representatives' and Private Counsel's opening statements. This session is being observed by a representative from a Non-Governmental Organization.

TRANS 1: [TRANSLATION OF ABOVE]

**(PM AND TRANS 1 CONFERRING)**

PM: All right, good morning. This Board is called to order. The Board is convened to determine whether law... continued law of war detention is warranted for Said Salih Said Nashir, ISN 841, to protect against a continuing significant threat to the security of the United States. From here forward, we'll refer to the detainee as Hadi... excuse me, Hani. This session of the hearing is unclassified.

**(TRANS 1 CONFERRING WITH PM)**

TRANS 1: [TRANSLATION OF ABOVE]

PM: Hani, 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



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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 during this process. And finally, the translators will ensure that everybody ensure... everyone understands your statements and that you understand what is being said during the hearing.

TRANS 1: [TRANSLATION OF ABOVE]

PM: For the Personal Representatives and Private Counsel, has the detainee had an opportunity review the Unclassified Summary?

TRANS 1: [TRANSLATION OF ABOVE]

PR 1: [INTERRUPTS TRANSLATION] Yes, Ma'am.

TRANS 2: [TRANSLATION OF ABOVE]

PM: Sorry, go ahead.

TRANS 1: [TRANSLATION OF ABOVE]

PR 1: Yes, Ma'am.

TRANS 1: [TRANSLATION OF ABOVE]

(PM CONFERRING WITH TRANS 1)



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PM: All right, thank you. I'll now read the Unclassified Summary:

Said Salih Said Nashir, ISN 841, traveled to fight in Afghanistan in June 2001, trained at al-Qaeda's al-Farouq camp, and admitted to a close association with some of the group's external operations planners and senior leadership, including senior al-Qaeda operatives and 9... excuse me, senior al-Qaeda operative and 9/11 conspirator Walid bin Attash, better known as Khallad, ISN 10014. Hani was one of the Yemenis arrested during the 11 September 2002 raids in Karachi, Pakistan, later labeled as the "Karachi Six," based on concerns that they were part of an al-Qaeda operational cell intended to support a future attack. Based on a review of all available reporting, we judge that this label more accurately reflects the common circumstances of their arrest and that it is more likely the six Yemenis were elements of a larger pool of Yemeni fighters that senior al-Qaeda planners considered potentially available to support future operations. Hani was probably intended by... by senior al-Qaeda leaders to return to Yemen to support eventual attacks in Saudi Arabia, but Hani may not have been witting of these plans.

While in Guantanamo, Hani has committed less than 70 infractions since his arrival in 2002 until March 2015. This is a low number



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relative to other detainees; however, Hani has repeatedly attempted to minimize his role within al-Qaeda, evade questions, and manipulate interrogators. He has also expressed continued support for jihad against "legitimate" military or government targets, has celebrated the idea of Muslims killing invaders, and has requested, on occasion, to see news footage of past al-Qaeda attacks. Hani has continued to defend terrorist attac... tactics and violence to overthrow un-Islamic governments, repel invaders, or to seek revenge.

Hani has said he is willing to go anywhere and participate in a rehabilitation program to leave Guantanamo. He says he ran a small business and was experien... an experienced electrician in Yemen; skills that could potentially help him gain employment outside of Guantanamo. As of 2015... August 2015, he was attending all available life skill courses at Guantanamo Bay.

Hani would have avenues for reengagement in jihad if he returned to Yemen, particularly given his sister's marriage to the brother of a current detainee, Khalid Ahmed Qasim, ISN 242, and USS Cole conspirator Yasser Ahmed Qasim. Hani's family is believed to be living in al-Burayqah, an area reported to have a strong al-Qaeda in the Arabian Peninsula presence.

PM: Do the Personal Representatives or Private Counsel wish to make unclassified opening statements at this time?



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TRANS 1: [TRANSLATION OF ABOVE]

PR 1: Yes, Ma'am.

TRANS 2: [TRANSLATION OF ABOVE]

PM: I'd like to remind all participants that any information shared at this time must be unclassified. If there's concur... concern with the classification of the information, I'll indicate as such. We'll stop the proceedings to resolve the issue. Has the detainee had the opportunity to review your statements?

TRANS 1: [TRANSLATION OF ABOVE]

PR 1: Yes, Ma'am.

TRANS 2: [TRANSLATION OF ABOVE]

PM: All right, thank you. Personal Representatives, please proceed.

TRANS 1: [TRANSLATION OF ABOVE]

PR 1: Good morning ladies and gentlemen of the Board. We are the Personal Representatives for ISN 841, Mr. Hani Saleh Rashid Abdullah. We will be assisting Mr. Abdullah with his case this morning, along with the assistance of his Private Counsel.

Hani has been overjoyed and eager to participate in the Periodic Review process since we first met... met with him in mid-March 2016. When we explained why we were meeting with him, not only did he express his happiness, but it was obvious by the way his face lit up.



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He has maintained his positive attitude throughout all of our meetings and has always been gracious and respectful towards us. What... what is probably the most amazing is that he is almost always smiling. Even when discussing hardship, he maintains his humor. He tells his stories much in the same way one might tell of a terrible situation where, with time, the memory of has become a little less painful. Perhaps even to the point where one might be able to see at least a small amount of humor in it.

During our meetings, Hani has expressed his desire to return home to reunite with his family, although he does realize that it is not likely that he would be transferred to Yemen. He is open to transfer to any country, but would prefer an Arab speaking country, if possible. He's willing to participate in any rehabilitation or reint... reintegration program as well. He looks forward to getting married after his transfer from Guantanamo Bay, and starting his own family. He also hopes that at some point his sisters and brothers could visit him and he could get to know the youngest members of his close knit family who were born during... during his detention. His 10 years of experience as an electrician, as well as the classes he has taken while here at GTMO, will help him to find employment regardless of where he is transferred.



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Hani has been a compliant detainee and has taken advantage of the many educational opportunities at the detention facility. He has learned basic computer skills including how to use Photoshop, and has taken classes in art, life skills, and English. He has done well in all his courses and his teachers speak highly of him. By being exposed to so many people of various cultural and religious backgrounds here at GTMO, Hani has also had a chance to better understand and appreciate their beliefs and customs which will also serve him well wherever he is transferred.

We are confident that Hani's desire to pursue a better way of life if transferred from Guantanamo Bay is genuine and that he bears no ill will towards anyone. We remain convinced that Hani does not pose a significant threat to the security of the United States or its allies. Thank you for your time and attention and we look forward to answering any questions you may have during this Board.

PM: Thank you. Private Counsel, you may proceed with your Unclassified Opening Statement.

TRANS 1: [TRANSLATION OF ABOVE]

PC: Good morning ladies and gentlemen of the Board. I am Charley Carpenter, and I'm here as Private Counsel to ISN 841. Thank you for the opportunity to address you today.



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I'm a member of the bars of Montana, Idaho, Maryland, and the District of Columbia, and together with Stephen M. Truitt, have been representing Hani Saleh Rashid Abdullah, ISN 841, since January of 2005. I have visited Abdullah more than a dozen times over the years, and have come to know him well.

We were first engaged to represent Abdullah by his sister, who lives with her husband in Bahrain. Abdullah's family had learned from the Red Crescent that he was in U.S. captivity, and wanted a lawyer to represent him in a petition for a Writ of Habeas Corpus.

We first visited Abdullah in June of 2005. He described for us his brief experience in Afghanistan prior to fleeing that country in late 2001, and his efforts to get home to Yemen for the next 10 months or so. He also described the horrendous treatment to which he was subjected in the "Prison of Darkness" after his arrest in Pakistan. It was particularly striking to me that he seemed, less than three years after that ordeal, to be nearly without rancor, and to have a fairly positive outlook on life.

My experiences with him over the ensuing 11 years have borne that out; through the ups and downs and the delays of this case and the changes in the conditions at the prison, Abdullah has remained optimistic and focused on the future. From the beginning, he's asked us about educational opportunities, and has had us find written



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materials to supplement the classes he's been taking at the prison. He's maintained a healthy sense of humor; sometimes a little dry, but always fairly positive. He's never seemed angry, nor motivated to do harm.

Abdullah has been devoted to his family throughout our representation of him. He was always as interested in family news as in the progress in our case, and has always expressed the hope that he would remain... be reunited with them, sorry. Mr. Truitt and I visited with Abdullah's oldest brother in Yemen in 2008, and I met Abdullah's father at the time. They were, and... and... and remain, devoted to helping Abdullah rebuild his life once he is released. Neither Abdullah nor his family has ever expressed to me any sentiment that could be called either political or religious extremism, nor do they seem inclined in that way in any sense.

Similarly, Mr. Truitt and I stand ready to help Abdullah reintegrate to the extent that we can. Our post-Guantanamo work with our other client, ISN 519, has been rewarding for us and helpful for him. Thanks again for the opportunity to speak with you. I'll be happy to answer any questions.

PM: Thank you. Board Members may reserve questions until the detainee and witness statements have been presented in their



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entirety. Does any Board Member have a question for the Personal Representatives or Private Counsel in this unclassified session?

TRANS 1: [TRANSLATION OF ABOVE]

(AUDIO/VISUAL CONNECTION LOST)

(BMs CONFERRING)

(CONNECTION RESTORED)

TRANS 1: [RE-TRANSLATION OF ABOVE]

(NO VERBAL RESPONSE FROM BMs)

PM: All right. With no questions, this concludes this portion of the hearing. I ask that 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 sessions.

TRANS 1: [TRANSLATION OF ABOVE]

PM: All right, thanks.

[The public session closed at 0932, 21 April 2016.]

[END OF PAGE]



ABBREVIATION AND ACRONYM KEY

BM: BOARD MEMBER

CA: CASE ADMINISTRATOR

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)