

UNCLASSIFIED
Approved for Public Release

CA: This Periodic Review Board is being conducted at 0904 hours on 26 April 2016, with regard to the following detainee: Uthman Abd al-Rahim Muhammad Uthman, ISN 27.

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]

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,

SECURITY OFFICERS.

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 waived translation of the unclassified summary, and Personal Representatives' and Private Counsel's opening statements. This session is being observed by representatives from non-governmental organizations.

TRANS 1: [TRANSLATION OF ABOVE]

PM: Good morning. This Board is called to order. The Board is convened to determine whether continued law of war detention is warranted for Uthman Abd al-Rahim Muhammad Uthman, ISN 27, to protect against a continuing significant threat to the security of the United States. From here forward, we'll refer to the detainee as Uthman. This session of the hearing is unclassified.

TRANS 1: [TRANSLATION OF ABOVE]

PM: Uthman, 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 protect against a continuing significant threat to the national

UNCLASSIFIED
Approved for Public Release

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 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. Finally, the translators are here to 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 the detainee had an opportunity to review the unclassified summary?

TRANS 1: [TRANSLATION OF ABOVE]

PR 1: Yes, Ma'am.

PM: All right. Thanks.

TRANS 2: [TRANSLATION OF PR 1 STATEMENT]

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

Uthman Abd al-Rahim Muhammad Uthman, ISN 27, left Yemen to participate in jihad in Afghanistan, where he was later selected to be a bodyguard for Osama bin Laden. He fought at... in the Tora Bora Mountains of Nangarhar providence... Province in Afghanistan, probably

UNCLASSIFIED
Approved for Public Release

against coalition forces. He fled to Pakistan after fighting in Tora Bora, where he was detained in December 2001.

Uthman has been mostly compliant at the Guantanamo Detention Facility, according to Joint Task Force Guantanamo. He has committed less than 80 infractions since his arrival. It's a low number relative to other detainees. The majority of his infractions have been non-violent failures to comply with the guard force. In interviews, Uthman has never admitted to being part of al-Qaeda or being a bin Laden bodyguard, and has maintained that he was in Afghanistan to teach Islamic law.

Uthman's statements while at Guantanamo suggest that he retains anti-U.S. sentiment and is sympathetic to extremist causes. If Uthman were repatriated to Yemen, he probably would resettle in al-Burayqah district in Aden government... governorate. Uthman has received one letter from a former detainee suspected of reengaging in terrorist activities, but he did not respond.

Do the Personal Representatives and Private Counsel wish to make unclassified opening statements, at this time?

TRANS 1: [TRANSLATION OF ABOVE]

PR 1: Yes, Ma'am.

PC: Yes, Ma'am.

TRANS 2: [TRANSLATION OF ABOVE]

UNCLASSIFIED
Approved for Public Release

PM: I'd like to remind all the participants that any information shared at this time, must be unclassified. If there's a concern with the classification of information, I will indicate as such and stop the proceedings until we resolved 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: Great. Personal Representatives, please proceed.

TRANS 1: [TRANSLATION OF ABOVE]

PR 1: Ladies and gentlemen of the Board, good morning. We are the Personal Representatives for Uthman Abd al-Rahim Muhammad Uthman, ISN 027. In our submission, we have provided you with information that demonstrates mister... Mr. Uthman does not pose a continuing significant threat to the security of the United States. His family is ready to provide support after his transfer, and most importantly, he is willing to attend a rehabilitation program and live his life in peace.

As Uthman's Personal Representatives, we've met with him face to face on several occasions over the past months. Throughout our interactions, we have found him to be polite, sincere and pleasant. He has proven that he has a well-developed set of ethics and a sharp

UNCLASSIFIED
Approved for Public Release

sense of right and wrong. He has stated to us on many occasions that he harbors no ill will to the United States for his detention and has a mutual respect for all countries.

Uthman's Personal Counsel, David Remes, has had reger... regular contact with Uthman's family members. Uthman's family, including his mother, sister and two brothers living in Saudi Arabia, are ready and willing to support him on his homecoming. In addition, you have documents from Uthman detailing his desire to start a sesame oil business which he has explored in detail, to include diversifying into a roadside food cart business.

Last month he lost his brother-in-law to the war in Yemen. He was a member of the Yemeni Army. Uthman has told us, that he views his time in Guantanamo as a learning experience. In Yemen, and subsequently in Afghanistan, he stated that he did not have access to television or newspapers like he does now, which caused him to have a distorted view of the world.

Uthman has demonstrated that he is open minded and willing to change when he sees hope of a better future. He is 36 years old and wishes to begin to live his life again as soon as possible and start a family of his own. He wishes to put all this behind him and build a normal, healthy life... he wishes... outside of GTMO. Accordingly, we

UNCLASSIFIED
Approved for Public Release

do not believe that it... Uthman is continuing significant threat to the security of the United States.

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

TRANS 1: [TRANSLATION OF ABOVE]

PC: Good morning. My name is David Remes. I'm Private Counsel for Uthman Abd al-Rahim Muhammad Uthman, ISN 27. I have represented Uthman in his habeas corpus case since July 2004. I have met with him countless times. As I will explain, I hope that the Board will approve Uthman for transfer, with a recommendation that he be repatriated to Yemen.

Uthman would return to a stable, tightly-knit family centered on the mother, the family's beating heart. He would return to a family with a means to support him, while he gets his bearings. His brother assumed the role of bread-winner 30 years ago, after their father died in a bitter civil war. He's not earned merely a "decent living," as the translation of Uthman's statement puts it. At the oil company where he has worked for 25 years, his brother, in fact, is both highly regarded and highly paid. The family is relatively affluent. Should Uthman be resettled in Saudi Arabia, his relatives there also have the means to sustain him.

UNCLASSIFIED
Approved for Public Release

There is no question that Uthman will hit the ground running. Before he went to Afghanistan, Uthman was a successful designer and manufacturer of women's... of men's and women's clothing wear. He knew his market and catered to it with the trendiest fashions. Uthman's quick mind and his easygoing and good-humored temperament, destine him for happiness and success in anything he tries to do.

Uthman's immediate objective is to reunite with his mother and family. Obviously, that means repatriating him. I have absolutely no concern that Uthman would quote "rejoin the fight" unquote, whether he is repatriated to Yemen or resettled anywhere else. Just as important, he would return not to Aden but itself... but to Little Aden. Separated from Aden by the wide Al-Tawahi Harbor, Little Aden has been relatively undisturbed by the turmoil in Aden. Even in Aden, the forces of President Abdrabu Mansur Hadi appear to have the upper hand.

In repatriating Uthman to Yemen, the United States would not only be reuniting a strong, loving family, it would be returning a young man, still in his prime, who can succeed and actually contribute to the community around him. He should be approved for transfer. Thank you.

UNCLASSIFIED
Approved for Public Release

PM: The Board Members may reserves their questions until detainee and witness statements have been presented in their entirety. Does anyone have a question for unclassified session?

(NON-VERBAL RESPONSE FROM CA)

TRANS 1: [TRANSLATION OF ABOVE]

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]

[The public session closed at 0923, 5 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)