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[The detainee session opened at 0950, 05 November 2014.]

PM: Personal representatives and private counsel, does Abdel Malik desire to make an oral or written statement?

PR 1: Yes, sir, he does.

PM: Is the detainee willing to waive translation of his own statement?

PR 1: Yes, sir, he does.

[Presiding member conferring with personal representative one.]

PM: Abdel Malik, during this hearing, you have an opportunity to make a personal statement or answer questions.

TRANS 1: [Translation of above.]

PM: Hold on one second, please.

[Board member conferring with the presiding member.]

PM: Abdel Malik, during this hearing, you have an opportunity to make a personal statement or answer questions. You are not required to make a statement and you will not be compelled to answer questions. The choice of whether to make a statement or answer questions is up to you. Your representatives may assist you with deciding whether to make a statement or

answer questions and may assist you in making a statement.

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

PM: Do you understand my explanation of your opportunity to make a statement and to answer questions?

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

DET: Yes, sir.

PM: Thank you.

Abdel Malik, you may now make a statement to the Board.

[Personal representative one conferring with the presiding member.]

PM: You may go with your statement, Abdel Malik.

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

DET: Good morning, honorable members of the Secretariat Review Board. Greetings and respects.

First of all, please allow me to express my sincere thanks and gratitude for giving me a second opportunity to appear before the honorable Board. I am hopeful that this time you will grant me a favorable, most positive decision. I would also like to take this opportunity to express my sincere appreciation for my previous personal representatives Lieutenant Commander [REDACTED] [REDACTED] and Lieutenant Colonel [REDACTED]. Similarly, I would also like to thank my current personal representatives Colonel [REDACTED] and Lieutenant Commander [REDACTED] for their unwavering

candor, valuable advice and helpful support. Likewise, I also would like to express my sincere appreciation to the entire PRS team, namely my private counsel Mr. David Remes and the ever capable translator Mr. [REDACTED]. I will be remiss, however, if I don't give a special thanks to the Camp Administration for their professionalism in processing the visitors' schedules, the mails and their management of the detainees' meetings.

I am hopeful this time, the honorable Board will grant me a positive decision. You are my only hope after God, who has the power to send me back to my family in order to pursue a normal life. As you may know, I have spent almost 13 years of my life separated from my family and loved ones; especially my beloved wife, who is still awaiting my return, to rebuild our future together.

Whenever I see my beloved daughter's face on the monitoring [sic] during our teleconference or when I read her e-mails, my heart trembles and aches. Throughout this entire ordeal, this innocent child was deprived from seeing or touching her father, feeling his warmth. I feel saddened for each passing day of my life living far away from her. My daughter is getting older every day and I miss the poignant feeling of parenting her, monitoring her growth and maturity. I also miss my parents, all my friends and my relatives.

Abdel Al-Malik, who is now 35 years old, is very different from the Abdel Al-Malik who was once 20 years old. All of what I am focusing on right now is the anticipation of spending the rest of my life in a loving, harmonious and peaceful existence with my loyal wife and daughter; far away from all the world's problems. I don't want infamy. I don't wish to be involved with any group, any party or any sect. I have had enough of this so-called experience that I am living in. As I stated previously, all what I want to do is to return back to live with my beloved daughter and my beloved wife.

Concerning the security situation in Ibb city in Yemen, please rest assured, I don't have any problem in relocating to another city in Yemen. However, if the security situation remains the same in Yemen as a whole, I don't mind being transferred to any other country.

Regarding my relationship with my brother-in-law, I stated -- as I stated previously in a separate affidavit, my circumstances compelled my family to seek his financial support during my incarceration. My daughter and my wife are ready to sever all family ties and any kind of relationship with him as soon as I return back to Yemen. By the way, I -- my lawyer told you before, I had phone call with my family ten days ago. They told me they left Ibb and now they are living with Ayesha's

grandparents in a village, and my brothers -- based on her situation [UNINTELLIGIBLE].

As far as I am concerned, since my detention, I have never had any contact with him nor will I in the future. This chapter of my life is over. As soon as I return back home, my family shall depend upon me and my support as the head of the family.

The honorable members of the Board, as you know, I am very much involved with my personal representatives. I attended all our scheduled meetings. I never refused to meet with them once. I always sought their support and guidance in order to obtain a positive decision for my release. Accordingly, I urge you to allow me to continue to meet with them for they give me support. They keep me alive. They put me abreast of all eventualities until my release from this detention facility.

Furthermore, I am still in full contact with the Camp Administration initiating constructive dialogues, seeking guidance and support for my fellow inmates. Therefore, for my rehabilitation, I am still attending various courses and curriculums in spite of my detention. I can't stop thinking of my reunion with my family and the lamentable security situation in my country.

The honorable members of the Board, I want to forget

the past. I want to embark on a peaceful and serene future. I would like to rebuild my future anew, and compensate my family for their losses, and of what they missed in life throughout my detention. I feel I caused my family a lot of problems and a lot of anguish. I want to close this chapter of my life. I wish to open my eyes and see this nightmare has ended and vanished once and for all.

I would like also to stress that I don't hold any animosity against the United States of America, nor do I hold any hatred against any other country or any other person on the planet earth. I want to live in harmony and peace with everybody. I want to live in peace and harmony with myself and my family, following the proverb that says: "Treat people as you want them to treat you."

Once more, please accept my sincere thanks and gratitude for giving me a second chance to appear before your honorable Board. My family and I, especially my wife and my daughter, are anxiously awaiting your favorable decision that will lead to my release and my reintegration with my family and my loved ones. I am waiting patiently for your decision. I dream day and night, in my sleep and while awake, of this beautiful day and this beautiful moment. I speak to myself and I wonder if this day will ever come when I return back to my family

where I will hug them and hold them in my arms until eternity. I pray to all mighty God, and I beg of you to issue on my behalf a positive and swift decision.

Thank you.

PM: Thank you.

The Board members may have some questions for the detainee. He is not obligated to answer any questions posed by the Board members.

Personal representatives and private counsel, does Abdel Malik want to answer the questions posed by the members?

TRANS: [Translation of above.]

PR 1: Yes, he does.

TRANS 1: [Translation of above.]

PM: Fine. So we will now proceed to questions.

TRANS 1: [Translation of above.]

BM: Good morning, Abdel Malik, and thank you for participating in this second hearing. We always find it helpful no matter what the outcome.

Can you -- in your written statement for the file review, you gave a statement that said that you can't change the past but you can avoid repeating the past.

What has changed about you that makes you feel that you could be successful to avoid repeating the past?

TRANS 1: [Translation of above.]

DET: [Speaking in Arabic.]

TRANS 2: I am looking for the future. I would like to live myself, live with my family, and live with this -- with my family, a new life.

DET: [Speaking in Arabic.]

TRANS 2: And I forget all the mistakes of the past and don't repeat it.

BM: Do you -- Thank you for that. Do you have any sense of kind of what tools you might employ in terms of, you know, what might tempt you towards repeating some of those mistakes and how you would deal with those temptations?

TRANS 1: [Translation of above.]

DET: [Speaking in Arabic.]

TRANS 2: I am planning to continue my education. I started to study the English language and the Spanish language. I'm also planning to work for my father as a -- in his tailor shop. So, this is what will rehabilitate me is pursuing a job with my parents and my father.

BM: Thank you.

TRANS 1: [Translation of above.]

PM: Question?

TRANS 1: [Translation of above.]

BM: Good morning, Mr. Abdel Malik.

TRANS 1: [Translation of above.]

BM: I think my question is going to be very similar to my colleague's.

TRANS 1: [Translation of above.]

BM: And maybe I can phrase it just a little bit differently.

TRANS 1: [Translation of above.]

BM: I know you've said a lot about thinking about the future and what you want to do differently in the future.

My question is: As you look back on yourself, what do you see differently now about yourself that would make you make-- that would make you choose a different path from the path that you chose 14/15 years ago?

TRANS 1: [Translation of above.]

DET: [Speaking in Arabic.]

TRANS 2: I was young, immature, and dunce. I was 20 years old. I'm 35 years old now. I'm more mature. I -- I was rehabilitated. And I think for the future -- for a better future. This is me now.

BM: Thank you.

TRANS 1: [Translation of above.]

PM: So, Abdel, I have a couple of questions about your

family. I'm just trying to sort of piece everything together from your ----

TRANS 1: [Translation of above.]

PM: ---- as we try to piece things together from your written statements and your oral statements to the Board.

TRANS 1: [Translation of above.]

PM: If I understand correctly, you said that you would like to go back and work in your father's tailor shop, that that would be your immediate employment upon return.

TRANS 1: [Translation of above.]

PM: You've also said that your brothers are now providing the financial support for your wife and daughter that was previously being provided by your brother-in-law.

TRANS 1: [Translation of above.]

PM: And if I heard correctly, you've also said that your wife and daughter are now living with her grandparents, who I assume are your wife's parents.

TRANS 1: [Translation of above.]

PM: So could you tell us where all the various members of your family live in Yemen, which cities they live in; that is, for your parents, your wife's parents, and for any brothers and sisters that you and your wife have.

Where do they live in Yemen?

TRANS 1: [Translation of above.]

DET: [Speaking in Arabic.]

TRANS 2: As you may know that my father is -- and my mother are separated.

DET: [Speaking in Arabic.]

TRANS 2: My mother is married to another man.

DET: [Speaking in Arabic.]

TRANS 2: My father lives in a village outside Ibb city.

DET: [Speaking in Arabic.]

TRANS 2: And my mother, who is married now, lives in Ibb city.

DET: [Speaking in Arabic.]

TRANS 2: My in-laws live in Ibb city, too.

DET: [Speaking in Arabic.]

TRANS 2: My -- Ayesha's maternal grandmother and grandfather lives in a village outside of the City of Ibb.

DET: [Speaking in Arabic.]

TRANS 2: Currently, Ayesha and her mother moved outside Ibb city, and went to live with her grandmother and grandfather from her paternal side, outside Ibb city.

DET: [Speaking in Arabic.]

TRANS 2: Now, Ayesha is complaining that she lives in a village because of all the missing commodities that exist in the

city.

DET: **[Speaking in Arabic.]**

TRANS 2: Right now, as of yesterday, my lawyer and my personal representative Colonel [REDACTED] spoke to my daughter on the phone. And she advised them that she moved and she's living with her grandparents.

DET: **[Speaking in Arabic.]**

TRANS 2: And she is not happy very much living in the village.

DET: **[Speaking in Arabic.]**

TRANS 2: And she sends her best regard to the member of the committee, asking them for me.

PM: Thank you. That's helpful.

Can -- so that we have ----

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

PM: So that we have a spatial understanding, can you just tell us. All of these villages, how far apart are they; or how close are they? And ----

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

PM: ---- the reason I ask is --

Go ahead.

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

PM: And the reason that I ask, it's very apparent to the

Board that family is extremely important to you, and that you have a close family. So we're trying to understand how easy it is for you to see the various members of the family, and understand that they all live in villages outside of Ibb. But it's one thing if they're far away or close to each other.

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

DET: **[Speaking in Arabic.]**

TRANS 2: As you may know, the state of Yemen is very, very slow. It's -- perhaps, it is one of your state.

DET: **[Speaking in Arabic.]**

TRANS 2: Proximity of the villages through Ibb city are very close proximity.

DET: **[Speaking in Arabic.]**

TRANS 2: The village where my father lives and reside it's approximately 20 minutes from the City of Ibb. However, they just put a new road and a school, so I am foreseeing it as a little bit closer now.

DET: **[Speaking in Arabic.]**

TRANS 2: And in the village where my daughter Ayesha and her mother live in, it is about 15 minutes further down from Ibb city.

PM: Thank you. That's helpful for the Board.

So then, just one last ----

TRANS 1: [Translation of above.]

PM: ---- question ----

TRANS 1: [Translation of above.]

PM: So then just one last question from me on family.

TRANS 1: [Translation of above.]

PM: Knowing that everyone is fairly close so that you'll be able to see everyone and be able to rely on them and get their assistance as you get your ----

TRANS 1: [Translation of above.]

PM: ---- particularly, as you begin to rebuild your life with your family.

TRANS 1: [Translation of above.]

PM: How does that impact on your plans if the Government of Yemen moves you to another city far away from your family; or if the decision was to have you sent to another country, even further away from your family?

TRANS 1: [Translation of above.]

DET: [Speaking in Arabic.]

TRANS 2: We, in Yemen, we are accustomed to this kind of separation. My father's shop in -- the tailoring shop is located in Sana'a City, the capital of Yemen. My brother has a restaurant in Maarib City. And -- but we always as warm and connected family, we find ways to contact and to meet.

DET: [Speaking in Arabic.]

TRANS 2: Some of my brothers live in the City of Ibb and some others live in Sana'a. And we find a way to contact each other.

PM: Thank you.

TRANS 2: [Translation of above.]

BM: Abdel -- Abdel Malik, I'd like to talk for a minute about your brother-in-law Rashad.

TRANS 1: [Translation of above.]

BM: Could you tell the Board how long you've known him.

TRANS 1: [Translation of above.]

BM: And how you met him.

TRANS 1: [Translation of above.]

BM: And what he's doing now in Yemen.

TRANS 1: [Translation of above.]

You mean his occupation?

BM: Yes.

TRANS 1: [Translation of above.]

DET: [Speaking in Arabic.]

TRANS 2: Rashad's father was a friend of my father. They arranged the marriage and he married the -- my sister.

DET: [Speaking in Arabic.]

TRANS 2: And I married his sister.

DET: [Speaking in Arabic.]

TRANS 2: And that is -- all this took place in the year 2000.

DET: [Speaking in Arabic.]

TRANS 2: So I got to know Rashad through this union, this relation.

DET: [Speaking in Arabic.]

TRANS 2: I was living then in the village, and he was living in Ibb.

DET: [Speaking in Arabic.]

TRANS 2: This -- the whole perimeter of this relation is about ten-month period. After that, I traveled.

DET: [Speaking in Arabic.]

TRANS 2: Then I came to Guantanamo Bay where I'm residing for the past 13 years.

DET: [Speaking in Arabic.]

TRANS 2: I currently have no relation whatsoever with Rashad. I don't know him. I don't know what does [sic] he do. However, my private counsel, Mr. Remes, told me once that Rashad is a member -- or a head of a political party that I don't know what it is.

DET: [Speaking in Arabic.]

TRANS 2: During our telephone conversation or my

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correspondence with my family, I never had any contact with Rashad even once, never had a contact with him.

DET: **[Speaking in Arabic.]**

TRANS 2: That is why, quite frankly, I can conclude, I don't know Rashad.

DET: **[Speaking in Arabic.]**

TRANS 2: I don't know what does [sic] he do here.

PM: Follow up? Other question?

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

BM: Good morning, and thank you for participating with the Board this morning.

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

BM: I wanted to talk a little bit more about your family relationships and what you would do if you were returned to Yemen.

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

BM: You told the Board that should you go back to Yemen you would plan on supporting yourself by working in your father's tailor shop ----

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

BM: ---- which I understand is in the capital of Sana'a.

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

BM: Where would you plan on living if you went back to

Yemen?

TRANS 1: [Translation of above.]

DET: [Speaking in Arabic.]

TRANS 2: As you may know that the Yemeni government are [sic] looking to find a location for the detainees who were here in Guantanamo Bay. Wherever the Yemeni government will put me, whether it will be in Ta'izz, Ibb or Sana'a, I will follow. I will go wherever they send me.

DET: [Speaking in Arabic.]

TRANS 2: Conversely, I will do what my father does. My father, for example, he lives in Ibb but he works in Sana'a. I can live there too, and go to Sana'a to work.

DET: [Speaking in Arabic.]

TRANS 2: And also, I can live in Sana'a and work in Sana'a.

BM: Thank you.

TRANS 1: [Translation of above.]

BM: Where is your daughter currently going to school?

TRANS 1: [Translation of above.]

DET: [Speaking in Arabic.]

TRANS 2: Due to my circumstances, my daughter was banned from one school to another. But now, she is in Al-Bahani school in the city.

DET: [Speaking in Arabic.]

TRANS 2: And she just finished her middle school, and she is on her way to -- from the primary school. And she is on her way to middle school.

DET: **[Speaking in Arabic.]**

TRANS 2: Thanks, peace to God, she passed. And she was the second of her class this year.

BM: Congratulations.

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

BM: And I understand that your wife and daughter recently moved to live with your wife's grandparents.

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

BM: And that recently your brothers began supporting your wife and daughter.

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

BM: Can you tell us a little bit about how that came about, what led to that happening.

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

DET: **[Speaking in Arabic.]**

TRANS 2: Previously, the entire family used to support my daughter, together.

DET: **[Speaking in Arabic.]**

TRANS 2: Since the decision of the Periodic Review Board, the last decision that they took, concerning the involvement of

my family, with Rashad. The entire family decided to ban and not to make any contact with Rashad, because he is the cause of my incarceration. So, all of us, we don't want to have anything to do with him.

DET: **[Speaking in Arabic.]**

TRANS 2: And please believe me, even he is banned from making and from coming to the teleconference or making any phone conversation with us.

DET: **[Speaking in Arabic.]**

TRANS 2: As my daughter and my wife informed me, we settled all relations with Rashad. We have no relation with him whatsoever.

DET: **[Speaking in Arabic.]**

TRANS 2: If I knew that his relation or involvement with my family will cause me such hardship, I wouldn't have stayed in contact with him whatsoever.

DET: **[Speaking in Arabic.]**

TRANS 2: I give you my solemn promise I would never have contact with Rashad ----

BM: In this ----

TRANS 2: ---- at all.

BM: And just so we can get a sense of timing. When did the severing of ties occur? I know it's been some time since we last

spoke. So what I'm interested in finding out is, when did the severing of ties happen with Rashad?

TRANS 1: [Translation of above.]

DET: [Speaking in Arabic.]

TRANS 2: Of course it goes without saying that the relation has been -- that there were no relation since my incarceration. However, the relation has been cut off from Rashad literally soon after the -- your decision.

BM: Can you give us ----

DET: [Speaking in Arabic.]

TRANS 2: Most recently, my daughter was ill and she had to go to the hospital for minor surgery. The -- my brother [sic] are the one who paid all the medical expenses for my daughter.

BM: And again, my question is going to when the family cut off the ties with Rashad.

Can you let us know when your wife and daughter moved, how long ago that was?

TRANS 1: [Translation of above.]

TRANS 2: Hanan, give me a second, please.

TRANS 1: [Speaking in Arabic.]

[Translator 2 conferring with detainee.]

DET: [Speaking in Arabic.]

TRANS 2: In my telephone conversation, the last one that

took place ten days ago, I was informed that the relation has been severed.

DET: **[Speaking in Arabic.]**

TRANS 2: Consequently, I urged my lawyer to contact them, and he did so yesterday. And he asked them that very same question. And they asked -- they answered him by saying, "We don't have any relation with Rashad, and we are right now residing in the village."

PM: Any follow up? Other questions?

BM: Good morning, Abdel Malik.

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

DET: Good morning.

BM: You stated that part of your rehabilitation would be pursuing a job with your parents as a tailor. If you are not able to be a tailor for some reason, do you have other skills or interests in jobs that you've been thinking about?

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

DET: **[Speaking in Arabic.]**

TRANS 2: I -- of course I just finished -- I finished high school and I have a certificate to be a teacher. I can ----

DET: **[Speaking in Arabic.]**

TRANS 2: ---- and I used to teach prior.

DET: **[Speaking in Arabic.]**

TRANS 2: This is number one.

DET: **[Speaking in Arabic.]**

TRANS 2: Now, thanks be to God and due to my incarceration, I learned the English language. And as you know, the English language will open doors to me -- for me in Yemen.

DET: **[Speaking in Arabic.]**

TRANS 2: If you recall, we talked about this big project, but it was hope -- and we hope always to come up with idea and to get into any opportunity that can make me a successful person.

BM: You mentioned earlier that you had taken some Spanish language classes.

What do you hope to obtain from that study?

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

DET: **[Speaking in Arabic.]**

TRANS 2: They recently opened the school to teach the Spanish language. And there were some understanding that perhaps they will relocate some of the detainees to a Spanish speaking country in South America. And I thought perhaps I can be a candidate for that. And I would like to be able to use the language and speak it once I'm released, perhaps, in one of those countries.

BM: How have those classes been going for you?

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

DET: **[Speaking in Arabic.]** and gracious.

TRANS 2: I am learning and I like what I'm studying. And I think I'm excited.

BM: Thank you very much.

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

DET: De nada.

BM: Abdel Malik, can we just go back to some of the answers you've given so far. I just wanted to get some clarification.

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

BM: Can you explain what your father's tailor shop does exactly. Is he a tailor? Are you a tailor? Do you have those skills?

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

DET: I understand.

TRANS 1: Okay. Go ahead.

DET: **[Speaking in Arabic.]**

TRANS 2: My father is a tailor.

DET: **[Speaking in Arabic.]**

TRANS 2: And he is an owner of a tailoring shop. I was an apprentice at my father's shop. I know how to sew clothes. However, I need some brushing [sic]; since my incarceration, I did not practice.

DET: **[Speaking in Arabic.]**

TRANS 2: As you know, my father, in his affidavit, he affirmed that he is a tailor and he is in need of my help in his shop.

BM: Thank you for that.

So how does that ----

TRANS 1: [Translation of above.]

BM: ---- work ----

TRANS 1: [Translation of above.]

BM: ---- living in Ibb and having a shop in Sana'a? Kind of -- I just kind of don't understand how the business operates.

DET: [Speaking in Arabic.]

TRANS 2: This is really a known fact about the way of living in this part of the world. People go to work a few months in Saudi Arabia, for example, and come back ----

DET: [Speaking in Arabic.]

TRANS 2: ---- and support the family.

My father goes to Sana'a, he works for two, three months and then he come back. It's a necessity of life.

DET: [Speaking in Arabic.]

TRANS 2: My father too; in order to help in life and the needs of the family, he work in Saudi Arabia for a few months a year and he come back to Ibb to be able to be a good provider. He goes to Sana'a, work for a few months, and he come back for a

few weeks with a check.

DET: **[Speaking in Arabic.]**

TRANS 2: Similarly, my in-laws and my close relative do work in Saudi Arabia and come back from time to time.

BM: Thank you for that.

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

BM: Now, to clarify kind of another set of answers. Can you ----

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

BM: Can you describe your wife's relationship with your parents and your brothers and sisters. Specifically, I think we're interested in knowing how your wife ended up living in Rashad's house in the first place.

TRANS 1: His wife's relationship with ----

BM: ---- with his father and his mother and his brothers and sisters.

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

DET: **[Speaking in Arabic.]**

TRANS 2: The relationship between my wife and my mother is rather a very strong relation. They both used to be in the city. And they used to visit each other. My wife used to come -- to go to my mother's house, clean the house, help her to cook and do all the domestic work for her.

DET: [Speaking in Arabic.]

TRANS 2: As far as my father [sic] relationship with my wife, he goes to visit them every now and then. So he goes every -- once or two months to give them some support, financial support, and then ----

DET: [Speaking in Arabic.]

TRANS 2: And whenever I have telephone call, the entire family arrange to meet with each other, and they come to attend the call session.

BM: Thank you.

But -- so, is it normal for your wife to live with her brother instead of your father or your mother?

TRANS 1: [Translation of above.]

DET: [Speaking in Arabic.]

TRANS 2: This is really rather the situation I am in. My father is divorced with my mother. And I have a lot of brothers that lives [sic] with my father. And my mother has a brother of her own, sons of her own. So what happened, my wife feel [sic] shy. And she is rather timid between another family, so she decided to be with Rashad.

TRANS 1: He mentioned my -- he said -- when he mentioned the elder brother, that means in their custom when they are grownup, the wife of the brother, she feels shy or she is too old

to communicate with them when she stay with them in a very close area.

BM: Thank you for that explanation.

Can you tell me, did she live only with Rashad and Rashad's wife and children? Or were other members -- were her other brothers or other members of the family in the house when she lived with Rashad?

TRANS 1: [Translation of above.]

DET: I did understand.

TRANS 1: Okay. Sorry.

DET: [Speaking in Arabic.]

TRANS 2: What I heard that she used to live with Rashad and his wife and his kids.

BM: Can you tell us if -- so, if you were to return to Ibb, would there be space for you and your wife and your daughter, with your father or with your brothers?

TRANS 1: [Translation of above.]

DET: [Speaking in Arabic.]

TRANS 2: Our house is rather large. We do have a house that consists of three floors. And I provided to the honorable council pictures of the house that shows how big it is. However, I am also [sic] would like to be independent and hopefully one day I will be living on my own.

BM: Thank you for that.

TRANS 1: [Translation of above.]

BM: You described the family banning Rashad, and your wife and your daughter have moved out of his home.

In your first hearing, your brother-in-law Sadeq was a great supporter of yours. And he's Rashad's brother. How has your wife's family taken this banning of Rashad? And are they -- what is their relationship with your family like now?

TRANS 1: [Translation of above.]

DET: [Speaking in Arabic.]

TRANS 2: I don't think the relation and the banning Rashad interest my -- our relation with Sadeq. Sadeq still continue to support and help as much as he can [sic] the family.

DET: [Speaking in Arabic.]

TRANS 2: He always accompany them to the conference calls.

DET: [Speaking in Arabic.]

TRANS 2: I really don't know the extent of his support, whether it is financial or otherwise.

BM: Thank you.

TRANS 1: [Translation of above.]

PM: Abdel Malik, I have some good news for you.

TRANS 1: [Translation of above.]

PM: My next questions are not about your family or your job

interests. I would like to talk to you about politics.

TRANS 1: [Translation of above.]

PM: So when we had your first hearing we talked about politics. And we agreed that in Yemen everyone talks politics. That's what you do. It's the one thing that everyone talks about in politics; at the shops, at the restaurants, at your family's home, at the mosque. Everyone talks politics.

TRANS 1: [Translation of above.]

DET: Particularly, when they chew khat.

PM: Particularly, when they chew khat. That's correct.

So -- and I know that while you're at Guantanamo that you and the detainees also talk politics and that you follow events on the news very closely as you talk politics.

TRANS 1: [Translation of above.]

PM: So I'm going to assume that you are fairly current on politics in Yemen ----

TRANS 1: [Translation of above.]

PM: ---- both from news from your family but also from news that you see on the television and the newspapers.

TRANS 1: [Translation of above.]

PM: So can you talk a little bit, just your views, about the current government in Yemen and their efforts to try to improve the country, and whether they're being successful or not,

and how well they're doing -- how well you think they're doing at providing security for the people of Yemen.

TRANS 1: [Translation of above.]

DET: [Speaking in Arabic.]

TRANS 2: Quite frankly, when you told me you had good news for me, I was so elated and happy.

DET: [Speaking in Arabic.]

TRANS 2: I thought you will release me and you will tell me that you're back with your family. And I hope that will happen soon.

DET: [Speaking in Arabic.]

TRANS 2: Concerning the situation in Yemen, as you well know, the sources of information are limited at best and cloudy.

DET: [Speaking in Arabic.]

TRANS 2: I was quite happy when I heard -- and I informed you that in the first -- on our first encounter when I spoke with you about the conference of reconsideration that took place in Yemen at the time.

DET: [Speaking in Arabic.]

TRANS 2: I thought Yemen will finally see these in security and the economical and security situation will stabilize.

DET: [Speaking in Arabic.]

TRANS 2: But what recently took place in Yemen disappointed

me and upset me.

DET: **[Speaking in Arabic.]**

TRANS 2: In my opinion, those are conflicts between -- political conflicts between the old regime and the new regime.

DET: **[Speaking in Arabic.]**

TRANS 2: I heard recently, there is -- they are trying to form a partnership government, and -- that is rather contained quality and know how -- have an expertise of an individuals who can run the country.

DET: **[Speaking in Arabic.]**

TRANS 2: And I wish them all the best.

PM: So expanding beyond Yemen's borders, what are your thoughts on what's happening in Syria and Libya today?

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

DET: **[Speaking in Arabic.]**

TRANS 2: It saddens me immensely when there is [sic] problems anywhere in the world. And I wish, hope and peace and prosperity for the world.

PM: So again, we're just chewing khat here, talking at the tailor shop.

Can you tell me what you think about Syria and Libya and the situation there?

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

DET: **[Speaking in Arabic.]**

TRANS 2: What's taking place in Syria, in my opinion, it's a civil war. It's a sectarian war between -- within one country. And that is a definition for a war.

PM: So that's a very helpful answer. And it brings us back to sort of the first questions that we asked at the very beginning of the session. And that is, that, you know, when you're having conversations with individuals and they talk about the need for other countries' people to go and join the fight in Syria, to join sides on that sectarian violence, join sides in that civil war, what would your advice to them be?

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

DET: **[Speaking in Arabic.]**

TRANS 2: There is [UNINTELLIGIBLE] news. I advise them not to go. This is a local issues [sic], and it will -- it doesn't lead to an end.

PM: Thank you.

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

PM: I enjoyed our conversation.

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

PM: Another question here, please.

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

BM: I'd like to understand better what your preferences are

if you were to be transferred out of GTMO. Mr. Remes' statement says you don't want to go back to Yemen. It's not the impression I'm getting from our conversation. So could you talk a little bit about what your preferences are?

TRANS 1: [Translation of above.]

DET: [Speaking in Arabic.]

TRANS 2: When I learned about the security situation in Yemen and all this political nuances that I'm hearing, I rather decided to move or to be transferred to another country.

DET: [Speaking in Arabic.]

TRANS 2: And especially, when I learned that the Periodic Review Board is worried about the security situation in Yemen that's -- I tell them perhaps if this is an obstacle, I would like to be transferred to another country.

PM: Any questions?

TRANS 1: [Translation of above.]

BM: When my colleague asked you about the events in Syria, you said that you viewed it as a civil war or sectarian war.

As you know, there are others who are saying that what is happening there is the first steps in creating a caliphate. What is your response to that?

TRANS 1: [Translation of above.]

DET: [Speaking in Arabic.]

TRANS 2: Quite frankly, I am totally, emphatically against it. And I see the situation as a civil war no more.

DET: **[Speaking in Arabic.]**

TRANS 2: And it's a sectarian war.

BM: Thank you.

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

BM: Just a follow up to my previous question.

If you were to be transferred to a third country, is it essential that your wife and daughter be placed there as well? What would happen if they were not able to join you in this third country?

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

DET: **[Speaking in Arabic.]**

TRANS 2: Of course, I would like my family to join me wherever I go. But it's a false measure. It's something that is beyond me. And I learned to be patient and try to understand.

DET: **[Speaking in Arabic.]**

TRANS 2: Of course, I hope that this situation will become sooner better, but I learned to be patient, to understand.

DET: **[Speaking in Arabic.]**

TRANS 2: Of course, I'm not going to get married again, or I will get married with another woman. My beloved wife was loyal, patient ----

DET: **[Speaking in Arabic.]**

TRANS 2: ---- and she waited for 13 years for my release.

BM: How do you envision setting up your life in a third country? Have you thought about what you would do? And have you thought about what countries you would prefer to go to?

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

DET: **[Speaking in Arabic.]**

TRANS 2: First of all, wherever I go, I will acclimate myself to the rule and regulation of this country, and I'll follow their condition and culture.

DET: **[Speaking in Arabic.]**

TRANS 2: And quite frankly, I learned a lot of trade during my incarceration. I can paint. I can draw pictures. I have my languages.

DET: **[Speaking in Arabic.]**

TRANS 2: And why not. I can be a tailor there, too.

BM: Thank you. Just to revisit -- And if you could refresh my memory; how old were you when Ayesha was born?

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

DET: **[Speaking in Arabic.]**

TRANS 2: I was 21 years old.

BM: Twenty-one. Thank you.

And you've talked about not wanting infamy and you not

wanting to be part of any group, any party or any sect.

To follow up on my colleague's question. You know, if you were to go back to Yemen, there is a -- the Houthis are in Sana'a. How -- you're going -- I can't imagine that you would not be able to talk about that with people. How do you view the Houthis; and how -- and if you were called to support groups that are anti the Houthis, how would you handle that?

TRANS 1: [Translation of above.]

His support to them or?

BM: I guess there have been calls for people to fight the Houthis. How would he respond to such calls?

TRANS 1: [Translation of above.]

DET: [Speaking in Arabic.]

TRANS 2: What's taking place in Yemen with the Houthis, it's -- it worries me. However, I am not a politician. I am not a fighter. I am not going to get involved with any group. And I don't think I will advise anybody or I will answer a call from anybody to engage in any fight. I leave that to the government.

BM: Thank you.

TRANS 1: [Translation of above.]

BM: So one last question.

TRANS 1: [Translation of above.]

BM: You said in your statements that you do not want

infamy. I'm curious what you meant by that, "infamy."

TRANS 2: Hanan, I'll take that. Hanan, I'll take that.

TRANS 1: Okay.

TRANS 2: [Translation of above.]

DET: [Speaking in Arabic.]

TRANS 2: All what I hope and I want to do in this life is to return back to my family. I don't want to get involved with Libya. I want to -- I don't want to talk to any political affiliation. I don't want to talk with anybody concerning anything. I decided that is not my call. I'm returning back to my family.

PM: Thank you.

TRANS 1: [Translation of above.]

PM: Let me ask one last -- Any other questions from any Board member?

TRANS 1: [Translation of above.]

[No verbal response from the board members.]

PM: Okay. That concludes all the questions from the Board members at this time.

Before we proceed, Abdel Malik, do you affirm that you do not have any objections with your statement and questions and answers from this session being posted to the PRS public website?

TRANS 1: [Translation of above.]

DET: I don't have any problem.

TRANS 2: He doesn't have any objection or any problem.

PM: Thank you.

Personal representatives and private counsel, do you have any final questions for Abdel Malik?

PR 1: Mr. Remes does, sir.

PM: You may proceed with your questions, Mr. Remes.

PC: With all that you have -- Thank you. Sorry.

With all that you have in Yemen, especially where you live, going for you, your relatives, your father, the job, a home. Why do you strongly prefer to go to another country?

TRANS 2: **[Translation of above.]**

DET: **[Speaking in Arabic.]**

TRANS 2: I am resorting to go to a third country because I see that the honorable Board are [sic] very worried about the situation in Yemen. Furthermore, the security situation in Yemen was mentioned several times.

DET: **[Speaking in Arabic.]**

TRANS 2: In addition to what's taking place right now in Yemen, I'd rather be released and go to anywhere in the world.

PC: If it was safer in your view to raise your daughter and to be with your wife in another country than it would be in Yemen -- Well, I guess my question is: If that's the case, would you

prefer to go to Yemen or would you prefer to go to the other country? That is if you could protect their safety better, even though it would mean leaving the other things that you have behind.

TRANS 2: [Translation of above.]

DET: [Speaking in Arabic.]

TRANS 2: Are you saying the security in Yemen is safe or not safe?

BM: No. What I meant to say is, if you concluded that it was safer to have your wife and daughter in a third country, rather than in Yemen ----

DET: I understand.

BM: ---- would that be a factor in your consideration even though you have these other things that you could go back to?

TRANS 2: [Translation of above.]

DET: [Speaking in Arabic.]

TRANS 2: Of course I would rather for the safety of my family, given what you mentioned, I'd rather go to a third country. Of course.

PM: Okay. I believe that concludes all questions from the personal representatives and private counsel.

TRANS 1: [Translation of above.]

PM: Personal representatives, it's the understanding of

this Board that you also have exhibits to present which has been cleared for this unclassified venue; is that correct?

PR 1: That is correct, sir. I think the exhibits have been included in your packet there, as far as his test results and the courses he has taken.

PM: Yes, they've been included and the Board members have reviewed them.

PR 1: Okay. And also, as Mr. Remes brought up, detainees Abdel Malik's done as well, last minute decision as far as using those as exhibits as well, his painting capabilities.

PM: Yes. And we also received some copies of paintings and pictures as well as part of his exhibits for the Board's books, so thank you.

Does the Board have any questions regarding any of these exhibits?

TRANS 1: [Translation of above.]

[No verbal response from the board members.]

PM: So seeing none, Abdel Malik, do you have anything further that you would wish to say for the Board?

TRANS 1: [Translation of above.]

DET: What I can say, I'm glad to see you again. And thank you for the second opportunity. Thank you.

PM: Thank you.

Abdel Malik, this concludes your participation in this hearing. The Board will now continue in a classified session. Your personal representatives and private counsel will remain and attend the classified session, and will continue to advocate on your behalf.

TRANS 1: [Translation of above.]

PM: The Board will deliberate to determine whether continued law of war detention is warranted in your case. Your personal representatives will advise you of the results.

TRANS 1: [Translation of above.]

PM: Request all members remain seated until further instructed by the case administrator.

TRANS 1: [Translation of above.]

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

PM: Thank you.

[The detainee session closed at 1117, 05 November 2014.]

[END OF PAGE]

ABBREVIATION AND ACRONYM KEY

BM: BOARD MEMBER
DET: DETAINEE
PC: PRIVATE COUNSEL
PM: PRESIDING MEMBER
PR: PERSONAL REPRESENTATIVE
TRANS: TRANSLATOR