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**PERIODIC REVIEW BOARD FULL REVIEW, 23 JUNE 2022
MUSTAFA FARAJ, ISN 10017
PERSONAL REPRESENTATIVE STATEMENT**

Members of the Board, thank you for the opportunity to present this statement for MUSTAFA FARAJ ISN 10017.

After years of denying meeting requests and lacking participation in the Periodic Review Boards, Abu Faraj accepted one of my meeting requests. Since that initial meeting we have maintained contact through meetings and letters and messages from fellow detainees.

In our initial meeting we took some time to building rapport and trust as we began discussing the idea of engaging and participating in future PRB hearings. Even after that initial meeting Abu Faraj was still hesitant as to whether he wanted to work with me and the Periodic Review Board. On or about our third meeting he stated that he trusts me and that I had his best interest in mind. I am sure that Abu Faraj is now completely invested and engaged. During our meetings Abu Faraj is kind, courteous, and humorous and constantly takes notes and asks questions preparing for this hearing.

Abu Faraj asked about legal representation and we were able to assist securing him Private Counsel who I am in constant contact working to develop strategies. Private Counsel has reached out to his family in Europe and the Middle East where they are prepared to support Abu Faraj integration into society outside of Guantanamo.

Abu Faraj is a simple man who wishes to be released from Guantanamo and reunite with his family. I believe that Abu Faraj's drive, commitment and willingness to enter a rehabilitation program will assist with him living a successful and peaceful life upon his release.

Thank you for your time and this opportunity. We are standing by to answer your questions.

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**DEPARTMENT OF DEFENSE
MILITARY COMMISSIONS DEFENSE ORGANIZATION
1620 DEFENSE PENTAGON
WASHINGTON D.C. 20301-1620**

June 7, 2022

Via E-Mail

Periodic Review Board
c/o Periodic Review Secretariat
Arlington, VA 22202

Re: Mustafa Muhammad Masud al-Jadid al-Uzaybi AKA Abu Faraj al-Libi
(ISN 10017)

To the Periodic Review Board:

We are private counsel for Mr. Mustafa Muhammad Masud al-Jadid al-Uzaybi AKA Abu Faraj al-Libi (ISN #10017), who is currently detained at the U.S. Naval Station at Guantanamo Bay, Cuba. We respectfully submit this letter on behalf of Mr. al-Libi and in support of his Periodic Review Board hearing scheduled for June 23, 2022.

The Board should approve Mr. al-Libi for transfer. He does not pose a threat to the security of the United States. He retains no ill-will toward the United States despite the severe treatment [REDACTED] he has endured while in detention. Mr. al-Libi desires to live out his remaining days peacefully with his family, who he has not seen in over 17 years, and he awaits reintegration into civilian life. Notably, after almost two decades, the United States government has provided no indication he will ever be a target of prosecution.

I. Background and litigation status: Mr. al-Libi is not a danger to the United States

Mr. al-Libi is a Libyan national who was captured by Pakistani authorities in Pakistan on or about May 2005, and transferred to Guantanamo Bay approximately 15 months later. The United States government has alleged he was involved with al-Qaeda.

The 2016 final determination to continue Mr. al-Libi's detention was made despite his confirmed statement, made through his Personal Representatives that he wished to live a life of peace, return to his family, and he harbors no ill will toward the United States. Furthermore, the Board recognized that Mr. al-Libi has been "generally compliant" throughout his lengthy detention; importantly, there are a relatively low number of infractions in his detention record. From 2017 through 2021, there have been eight subsequent determinations to extend Mr. al-Libi's imprisonment although the dossier allegations have become less serious and fewer in number over the course of these years of reviews. The only justification for prolonging Mr. al-Libi's incommunicado imprisonment at this time is a 17-year-old allegation that he may have associated with al-Qaeda. He has not been charged with any crime. Significantly, the allegations in the government's March 2021 Guantanamo Detainee Profile of Mr. al-Libi have been reduced to a single sentence.

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ATTORNEY-CLIENT PRIVILEGED AND ATTORNEY WORK PRODUCT**

Mr. al-Libi has a pending federal habeas case challenging the legality of his detention. Because that case is ongoing, because after almost two decades the government has not charged him with any crime, and to protect his rights under the Constitution and international law, at the direction of counsel, Mr. al-Libi will not personally answer any questions about any allegations against him or other matters related to his pending habeas petition. Mr. al-Libi's participation in this proceeding is based on his singular focus on a peaceful future as a free person surrounded by his family.

Mr. al-Libi's law-abiding nature is exemplified by his clean criminal history record¹ and the relatively low number of infractions in his detention record. Among many others, Mr. al-Libi's uncle has written this Board to attest that Mr. al-Libi did not engage in "undesirable or violent" acts and he writes "to reassure you that Abu Al-Faraj is a human being just like any other person and he is a very good person." Looking forward, Mr. al-Libi seeks a simple and peaceful life as a husband and father. In his statement to this Board, he says: "It is my greatest desire to be reunited with my family and to live the rest of my life in peace." Mr. al-Libi reveals his inner-most thoughts about whether he poses a future risk:

"Since I know myself and what is in my mind now and what I intend and what I intend and aim in the future, I am certain that I will not represent any danger to the United States if I will be released. Because I have no desire or even ability to do so, and I am fully responsible for my words."

II. Mr. al-Libi has suffered permanent damage due to his mistreatment by the United States government

A guiding principle in the United States' interrogation program—and specifically the interrogation of Mr. al-Libi—was that individuals were to employ interrogation techniques "if warranted and medically safe." His experiences while in custody, which yielded no useful information, [REDACTED]

¹ See Criminal status certificate dated April 28, 2022 (indicating that a criminal background check revealed "no precedents").

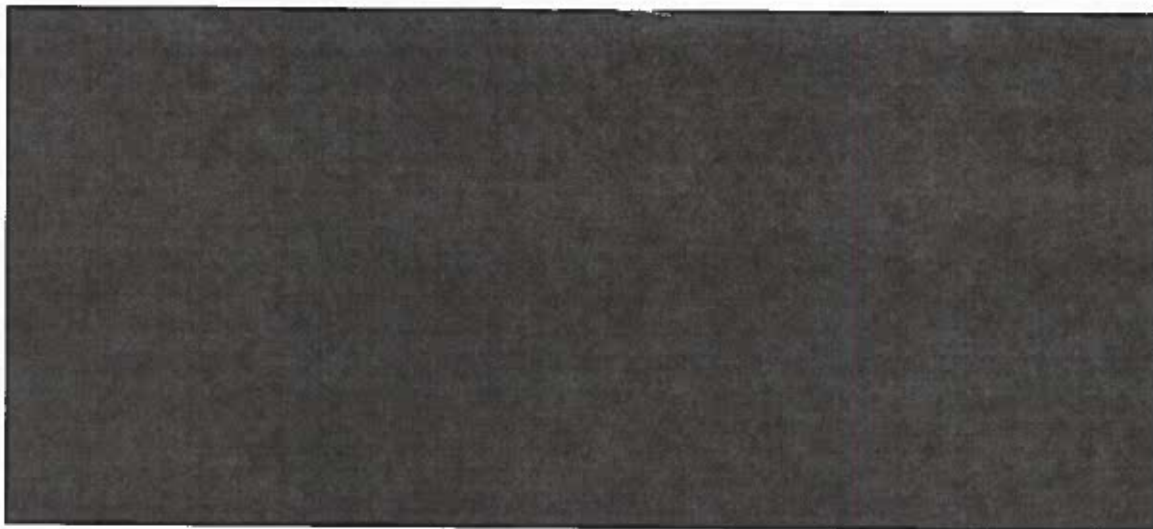
² The Senate Report reveals the interrogation techniques of Mr. al-Libi yielded no useful intelligence: "Despite the repeated and extensive use of the CIA's enhanced interrogation techniques on Abu Faraj al-Libi, CIA Headquarters continued to insist throughout the summer and fall of 2005 that Abu Faraj al-Libi was withholding information and pressed for the renewed use of the techniques. The use of the CIA's enhanced interrogation techniques against Abu Faraj al-Li bi was eventually discontinued because CIA officers stated that they had no intelligence to demonstrate that Abu Faraj al-Libi continued to withhold information, and because CIA medical officers expressed concern that additional use of the CIA's enhanced interrogation techniques "may come with unacceptable medical or psychological risks."⁸⁹⁴ After the discontinuation of the CIA's enhanced interrogation techniques, the CIA asked Abu Faraj al-Libi about UBL facilitator Abu Ahmad al-Kuwaiti for the first time.⁸⁹⁵ Abu Faraj al-Libi denied knowledge of al-Kuwaiti." SSCI Report at 148.

The government has declassified and made public the fact that Mr. al-Libi was subjected to the CIA's enhanced interrogation techniques from at least May 28, 2005 to June 2, 2005, then from June 17, 2005 to June 28, 2005. He was subjected to additional questioning through at least September 2005. As admitted to by the United States government, Mr. al-Libi was subjected to the following: (1) dietary manipulation, (2) nudity, (3) attention grasp, (4) walling, (5) facial hold, (6) facial slap or insult slap, (7) abdominal slap, (8) cramped confinement, (9) wall standing, (10) stress positions, (11) water dousing, and (12) sleep deprivation (more than 48 hours). Mr. al-Libi was detained and interrogated by the CIA for over 460 days before he was transported to Guantánamo Bay where he has been detained for over 17 years.

A. The government caused Mr. al-Libi's [REDACTED] conditions

Interrogators implemented "enhanced techniques" even as Mr. al-Libi was losing his hearing and when he complained about his inability to hear they "repeatedly [told] him to stop pretending he could not hear well." Mr. al-Libi was aware of his hearing loss happening and was unable to convince the interrogators to stop; instead it continued. The military fitted him with a hearing aid almost immediately after he arrived at Guantánamo Bay in late 2006.

Mr. al-Libi has repeatedly described [REDACTED] effects of such mistreatment to medical professionals, including the medical staff at Guantánamo Bay who have documented [REDACTED] medical issues. Mr. al-Libi has also reported his condition to the International Committee of the Red Cross staff and his attorneys. He suffers the following [REDACTED] medical problems:



All these [REDACTED] ailments began after Mr. al-Libi was detained by the United States government and subjected to "enhanced interrogation techniques" such as walling.

B. Mr. al-Libi has no prior history of these ailments before his capture and detention

Multiple people from Mr. al-Libi's past have come forward to attest to his healthy childhood and young adulthood. A close member of Mr. al-Libi's family has submitted a written statement—under the oath of Allah—attesting to his good health from birth until the time he left Libya:

I want to inform you that in my full free will, that declare under the oath of Allah that my son Mustafa did not have any medical [REDACTED] problems since his birth. He did not face any accident or injury ...

He was in in good health and was excellent in his education. He was also extraordinary in all school extracurricular activities, and he did not have any deficiencies. He was very active in life

[He] is free from any diseases or injuries since birth until he left the country.

Another close family member and friend of Mr. al-Libi, provided a letter for this Board describing Mr. al-Libi's character and good physical health. Regarding Abul Faraj's love of physical activities, this close friend recalls:

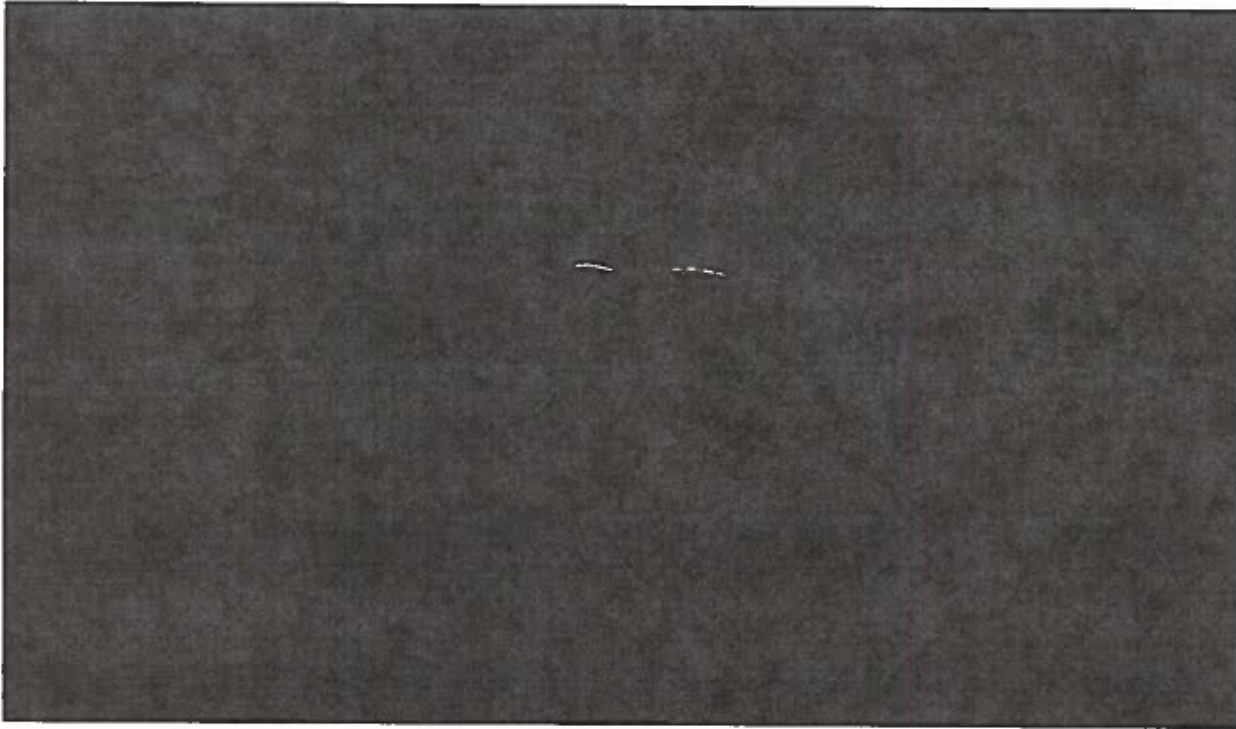
He used to participate with his classmates in all competitions, activities and games that used to take place at the school or the neighborhood. He used to do this because he was healthy and in excellent physical condition and did not have any health problems except [REDACTED]. It was difficult to win over him in running, he was very fast. He loved walking for long distances.

Mr. al-Libi's wife states that "until the time he was detained, he never had any health issues or problems. Rather to the contrary, he was in excellent health[.]" Mr. al-Libi "exercised regularly" and he followed a healthy diet. His wife says, "[h]e always used to urge us to take care of our health and to make sure our food was healthy." He did not have any injuries or wounds.

C. Mr. al-Libi's health is declining and he needs medical care that is not available at Guantánamo Bay

Each day, Mr. al-Libi experiences [REDACTED] conditions which were completely foreign to him before he was abducted in May 2005 and subjected to a multitude of nightmarish, tortuous conditions and treatments. Mr. al-Libi's medical problems have been exacerbated by the high turnover in medical providers aboard Guantánamo Bay, which leads to inconsistent care. It is undisputed that he has not received the care and rehabilitation required and he will not receive such care as long as he remains imprisoned in Guantánamo Bay.

One expert who evaluated Mr. al-Libi noted that he is:



III. Mr. al-Libi has a path to a peaceful and productive life post-transfer

[REDACTED]
[REDACTED] Mr. al-Libi has a large and supportive network of family and friends, with individuals located in Morocco, Turkey, and the United Kingdom, who can help him transition to free society. For example, if Mr. al-Libi is released, one close family member writes: "I will open my heart for him and help him in whatever he might be in need of." Another family member avows: "I am ready to stand by him and help him in all his circumstances and provide him with full support materially and morally[.]." Mr. al-Libi has also expressed an interest in the [REDACTED] and he would comply with the security requirements these host countries would impose.

Undersigned counsel, Dana Chavis, has met family members of Mr. al-Libi. She has spoken with his family in Libya. She spent a couple days and shared a meal with more of his family in the United Kingdom. Family and friends speak fondly of "Mustafa," the second-born son, as a loving person with high ethical values, who excelled in his studies, and whose mission in life was to assist others. For example, he made toys out of milk cartons and shared them with other children. Mr. al-Libi's close friend puts it like this:

Abu Al-Faraj was a loving person by his classmates, and he was humble with them. He would not make you feel that he is better and more successful over others. Rather he used to mix with all of them and assist them. He did not have hostilities and he would not differentiate with the weaker, that even within the neighborhood.

This was his nature, as he is a social person, loved team work voluntarily. He would join others in their happy times and grieve with them in their sad times. He respected all, both male and female.

The family prays for their son, brother, nephew, and cousin to be freed and the void in their lives to be filled again by the gentle and kind presence of their loved one, Mustafa. In a letter provided to this Board, Mr. al-Libi's wife discusses the difficulties of raising three children who were under the age of 5 at the time he was taken into U.S. custody:

Since my husband was detained, I have been suffering from many pressures and burdens, and that because of his absence from his home and his family. These pressures have affected me as a mother psychologically; because of the difficulties in raising the children by myself and provide them with their psychological and material needs, that because of the absence of their father being with them to a point that we have reached the condition of depression.

My children are in extreme need of him in order to get support for them and to make it easy for them to face the difficulties of life. In particular that have they missed this support in their childhood; that is the most important stage of a person in order to live a normal life.

Now they are passing through the most difficult stage of life that of the adolescence stage. They always ask when our father will return to live with us. Therefore we are in utmost need more than ever, in particular because all those who are around them have their fathers with them. I and my children are in need to live a normal life like any other family that consists of a father, a mother and the children. We are in extreme need of him in order to make it easy for us to have the material, psychological and physical needs and difficulties of life.

"Even today, a lot of his friends keep asking about him and wish that he will be released soon and return to his family, his wife, and his children, and in particular his daughter who wishes to see her father in person." Mr. al-Libi's wife asks for the return of her husband and her children's father:

Our extreme hope is that I and my children spend the rest of his life with us, maybe we might be able to make up the remaining little amount of the past that we have lost. I plead you to help and assist him and extend the hand of assistance to enable him to get released from this detention that has destroyed our lives. We are in extreme need of him, his family and all his relatives who love him.

Mr. al-Libi has told undersigned counsel how blessed he is to have a devoted wife and family. He shared with counsel the story of their meeting and his proposal. Through those stories he revealed the depth of love and admiration he has for his wife. The forced separation from his wife and children have taken a terrible toll on his psyche and soul, yet, he has hope for healing upon reuniting with his loved ones.

IV. Conclusion: Mr. al-Libi should be cleared for transfer

Mr. al-Libi has suffered [REDACTED]

He lost his hearing. [REDACTED]

[REDACTED] The U.S. has held him almost 20 years without charge. During this time, the justification for continued detention has grown steadily weaker. But so has Mr. al-Libi's health.

Through this prolonged detention, Mr. al-Libi has treated his undersigned counsel with nothing but respect and dignity. Undersigned counsel Michael Murali has been meeting Mr. al-Libi since 2018 and knows him to be thoughtful, considerate, and compassionate. He has expressed no animosity towards the United States and has repeatedly told all his counsel that his only desire is to live his remaining days in peace with his family. He wishes to be productive, if he is able, and to provide for them by working in a shop. Family and friends are ready to welcome and support Mr. al-Libi unconditionally. It is time to release him.

We look forward to answering your questions during the hearing on June 23rd.

Sincerely,

Michael J. Murali
Dana C. Hansen Chavis
Counsel for Abu Faraj al-Libi