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1 CA: Okay, attention all members, the Periodic Review Board will  
2 commence momentarily. Please be advised that the audio and  
3 video feed is now active. This periodic review board is being  
4 conducted at 0909 hours on 30 July 2019, with regard to the  
5 following detainee: Mohammed Abdul Malik Bajabu (ISN 10025). As  
6 a reminder, the unclassified portions of these proceedings are  
7 being recorded for the purpose of generating a transcript to be  
8 posted on the PRS website. Representatives from the following  
9 agencies are present and are members of the Board: Department of  
10 Defense, Department of State. Department of Justice, Department  
11 of Homeland Security, Office of the Director of National  
12 Intelligence and Office of the Chairman of the Joint Chiefs of  
13 Staff. The following personnel are also present: Legal Advisor  
14 to the Board, Case Administrators, Personal Representative. The  
15 detainee's Personal Representative is located at the detention  
16 facility, U.S. Naval Station Guantanamo Bay, Cuba. He is  
17 attending via video teleconference. The detainee has chosen not  
18 to attend. This session is being observed by foreign, national  
19 and local media; Foreign Government Officials and  
20 Representatives from Non-Governmental Organizations.

21 PM: Good morning, this Board is convened to determine whether  
22 continued law of war detention is warranted for Mohammed Abdul  
23 Malik Bajabu (ISN 10025) to protect against a continuing  
24 significant threat to the security of the United States. This  
25 session of the hearing is unclassified. Personal Representative  
26 has the detainee had an opportunity to review the Unclassified  
27 Summary?

28 PR: Yes, Sir.

29 PM: Thank you. I will now read the UNCLASSIFIED SUMMARY:  
30 Mohammed Abdul Malik Bajabu (ISN-10025) was inspired by a  
31 radical imam to leave Kenya in 1996 to receive extremist  
32 training in Somalia, where he developed a close relationship  
33 with members of the now-defunct Al-Qa'ida in East Africa (AQEA),

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34 including senior operational planners such as Harum Fazul.  
35 Bajabu became an AQEA facilitator and was closely involved in  
36 the preparation and execution of the attacks in Mombasa, Kenya,  
37 in November 2002 against the Paradise Hotel and an Israeli  
38 aircraft. In February 2007, Kenyan authorities arrested Bajabu  
39 for his involvement in the Mombasa attacks and transferred him  
40 to the United States custody a few weeks later. Does the  
41 Personal Representative wish to make unclassified Opening  
42 Statement at this time?

43 PR: Yes, Sir.

44 PM: I would like to remind all participants that any information  
45 shared at this time must be unclassified. If there is a concern  
46 about the classification of the information, I will indicate as  
47 such and will stop the proceedings until we resolve the issue.  
48 Has the detainee had the opportunity to review your statements?

49 PR: Yes, Sir.

50 PM: Personal Representative, please proceed.

51 PR: Good morning, esteemed Members of the Board. I am the  
52 Personal Representative to Abdul Malik Bajabu, ISN 10025. Since  
53 my appointment as his Personal Representative, I have scheduled  
54 thirteen meetings of which he attended five. . The last meeting  
55 he attended was on the 30th of January 2019. At that meeting  
56 which lasted approximately one hour and forty-five minutes,  
57 Abdul Malik outlined his desire to stop attending our meetings.  
58 He referenced that there were detainees who were purportedly  
59 cleared by the board yet share the same space months after their  
60 respective decisions. Although I pointed out that every  
61 detainees' circumstance was unique in nature, he remained  
62 steadfast that his Board would not garner a unique, positive  
63 result under the current Administration. Prior to the conclusion  
64 of our meeting, I told Abdul Malik that I will continue to  
65 schedule meetings with hopes that he resumes his participation.  
66 Since that date, I scheduled meetings on February 27th, March

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67 25th, April 16th, June 19th and June 24<sup>th</sup>, July 24<sup>th</sup>, July 26th  
68 and July 29<sup>th</sup> - all of which resulted in a refusal on his part.

69 Although Abdul Malik's actions indicate that he has no desire to  
70 participate, I will continue to schedule meetings in the event  
71 that he decides to change his mind.

72 PM: Thank you. Since the detainee has not provided a statement,  
73 Board Members may reserve questions until detainee and witness  
74 statements have been presented in their entirety? Does the  
75 board have any questions at this time for the Personal  
76 Representative?

77 With no questions, this concludes this portion of the hearing. I  
78 ask that all remain seated until further instructed by the Case  
79 Administrator.

80 CA: We will take a short recess to prepare for the classified  
81 portion of the hearing.