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1 CA: This Periodic Review Board hearing is being conducted at
2 0908 hours on 15 August 2023, with regard to the following
3 detainee: Muhammad Rahim (ISN 10029). As a reminder, the
4 unclassified portions of these proceedings are being
5 recorded for the purpose of generating a transcript to be
6 posted on the PRS website.

7 HQ Translator: [Translates above]

8 CA: Representatives from the following agencies are present and
9 are members of the Board: Department of Defense, Department
10 of State, Department of Justice, Department of Homeland
11 Security, Office of the Director of National Intelligence,
12 and the Office of the Chairman of the Joint Chiefs of
13 Staff. The following personnel are also present: Legal
14 Advisor to the Board, Case Administrator, Personal
15 Representative, Private Counsel, translators, the detainee,
16 and the Security Officer.

17 HQ Translator: [Translates above]

18 CA: The detainee's Personal Representative, Private Counsel,
19 the detainee, and translator are located at the detention
20 facility, U.S. Naval Station Guantanamo Bay, Cuba. They are
21 attending via video teleconference. The detainee has waived
22 translation of the unclassified summary, the Personal
23 Representative's statement, Private Counsel's statement.
24 The unclassified summary has been posted to the Periodic

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25 Review Secretariat website. Foreign, national and local
26 media, Foreign Government Officials, and Representatives
27 from Non-Governmental Organizations may be observing this
28 session.

29 HQ Translator: [Translates above]

30 PM: This Board is convened to determine whether continued law
31 of war detention is warranted for Muhammed Rahim (ISN
32 10029) to protect against a continuing significant threat
33 to the security of the United States. From here on forward,
34 we will refer to the detainee as Rahim. This session of the
35 hearing is unclassified.

36 HQ Translator: [Translates above]

37 PM: Rahim, this is your Periodic Review Board to determine
38 whether continued law of war detention is warranted in your
39 case. Continued law of war detention will be warranted if
40 it is necessary to protect against a continuing significant
41 threat to the security of the United States. The focus of
42 this hearing is on the threat you may pose to the United
43 States and its interests, if transferred or released from
44 U.S. custody. It is not on the lawfulness of your
45 detention.

46 HQ Translator: [Translates above]

47 PM: The Personal Representative and Private counsel are your
48 representatives to assist you during the process. Finally,

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49 the translators ensure that everyone understands your
50 statements and that you understand what is being said
51 during the hearing.

52 HQ Translator: [Translates above]

53 PM: Personal Representative and Private Counsel, has the
54 detainee had an opportunity to review the Unclassified
55 Summary?

56 HQ Translator: [Translates above]

57 PR: Yes, Sir.

58 [Long pause]

59 PM: Thank you, I will now read the unclassified summary.

60 Mohammed Rahim (ISN-10029) served as a translator, courier,
61 facilitator, and operative for Al-Qa'ida's senior leaders,
62 including Usama Bin Ladin. He had advanced knowledge of
63 many of al-Qa'ida's attacks, including the 9/11 attacks and
64 progressed to financing, planning, and participating in
65 Taliban, al-Qa'ida, and other anti-coalition group attacks
66 in Afghanistan against the US and coalition targets.

67 HQ Translator: [Translates above]

68 PM: Does the Personal Representative or Private Counsel wish to
69 make an unclassified opening statement at this time?

70 HQ Translator: [Translates above]

71 PR: Yes, Sir.

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72 PC: Yes, Sir.

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

79 HQ Translator: [Translates above]

80 PR: Yes, Sir.

81 PC: Yes, Sir.

82 PM: Personal Representative, please proceed.

83 HQ Translator: [Translates above]

84 PR: Mez, Members of the Board, thank you for the opportunity to
85 present this statement for Mohammad Rahim (ISN 10029). For
86 the past year Rahim has shown a complete commitment to the
87 PRB process. He routinely meets with myself and his new
88 Private Counsel, preparing for our meetings and presents us
89 with fresh ideas and strategies on how to best present his
90 case. Outside of prepping for this hearing Rahim and I
91 routinely discuss current events, politics, family events,
92 and occasionally we exchange jokes as well as impart some
93 wisdom on each other. While Rahim and I don't see eye to
94 eye on everything he has shown a great deal of respect and

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95 understanding on the topics where we do not agree. I have
96 also seen a change in his attitude on how Rahim views the
97 differences between the United States and Afghanistan.
98 During previous hearings I stated Rahim has the full
99 support from family members or members of his family.
100 Despite not having the time to provide letters of support
101 for this hearing the family has been in contact with
102 Rahim's Private Counsel still fully supporting Rahim and
103 can provide documentation on their willingness to assist
104 him. Finally, I cannot stress enough how on refreshing it
105 is to see Rahim's involvement, interest and sincerity while
106 preparing for this hearing. This is a much different Rahim
107 than the one who appeared in his past hearings. I trust
108 that you will see the difference that I have after today's
109 discussions addressing all of your concerns. Myself, Rahim
110 and his Private Counsel are here to answer any of your
111 questions.

112 PM: Thank, Private Counsel please proceed.

113 HQ Translator: [Translates above]

114 PC: My name is James Connell, Private Counsel for Muhammad
115 Rahim. I have been traveling to Guantanamo since 2008, and
116 have spent well over 500 days on the island. I have held a
117 TS//SCI clearance for fourteen years, and have worked

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118 primarily for the Department of Defense since 2011. Of
119 course, I speak here only for myself and Rahim, nothing I
120 say is the official position of the Department of Defense.
121 Rahim is one of only three remaining Guantanamo detainees
122 who are neither charged in a military commission nor
123 cleared for release. Having met many current and former
124 Guantanamo detainees, I suggest that Rahim's position as
125 uncleared detainee is an anomaly, probably a result of the
126 circumstances which brought him here. As you know, Rahim
127 was the last prisoner transferred out of the Rendition,
128 Detention, and Interrogation Program to Guantanamo. But
129 Rahim is a poor candidate to be one of the last uncleared
130 detainees. Rahim is not alleged to have been directly
131 involved in 9/11 or any other attack on the United States
132 or its allies. Rahim is not alleged to have personally
133 committed any acts of violence against any person. In the
134 four current military commission cases, the Office of the
135 Chief Prosecutor has named nearly 100 co-conspirators in al
136 Qaeda attacks, not a single case names Rahim as a co-
137 conspirator, which casts significant doubt on the
138 allegation that Rahim played any significant role in al
139 Qaeda. The same factors which mean that Rahim will never be
140 charged with a crime support a determination that he does
141 not represent a threat to the United States. From my long-

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142 time personal involvement with Guantanamo, and my personal
143 experiences with Rahim, I can offer three observations.
144 First, there are many sources of frustration at Camp 5, and
145 before it, Camp 7. Camp 7 was decrepit and plagued by many
146 physical problems that would anger any person, such as
147 sewage backup into the cells. Not long after the transfer
148 of Rahim and others to Camp 5, Camp 7 was condemned such
149 that no one is allowed to visit it even for documentation
150 purposes. Camp 5 has its own share of serious problems,
151 including HVAC issues which led to both high heat and
152 humidity and disruption of prison life during repairs.
153 Particularly for aging detainees with increasing health
154 problems like Rahim, such conditions can exacerbate sleep
155 issues and worsen their health, causing great frustration.
156 [Pause] Despite these challenges, Rahim has not had any
157 serious disciplinary issues for well over five years.
158 Second, I have personally visited Rahim's brother and
159 respectfully suggest that concerns about him are misplaced.
160 I visited his home, spoke to him for hours, and shared a
161 meal with him. He lives a humble and respectable life. But
162 he also lives a life designed to give authorities no cause
163 for concern. I did not observe anything that would weigh
164 negatively against Rahim or his family, but rather the
165 opposite. Rahim's brother is a person who can be relied

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166 upon to help Rahim live a productive life after release,
167 assuming that the United States eventually decides to
168 release Rahim to a country with security and safety
169 guarantees. Third, and on a lighter note, it has been my
170 privilege to eat food prepared by many of the men in Camp 7
171 and now in Camp 5. I can tell you that Rahim is the best
172 cook among a field of good cooks. Working with limited
173 equipment and supplies, Rahim prepares a wonderful array of
174 dishes drawing on a range of cuisines. His spinach curry is
175 the best anywhere. After release, if Rahim has a food truck
176 or restaurant, I can tell you that I would be first in
177 line. With the benefit of contact with many Guantanamo
178 detainees over the year, years, I am confident that the
179 care and hospitality that Rahim puts into sharing his food
180 with us, and even those he doesn't know well, reflects his
181 sincere desire to build relationships without
182 discrimination. If cleared, Rahim will seek resettlement in
183 a country that can offer both modern health care and
184 appropriate guarantees of safety and security. Thank you.

185 PM: Board Members may reserve questions until detainee and
186 witness statements have been presented in their entirety.

187 However, does anyone have any questions at this time?

188 HQ Translator: [Translates above]

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189 PM: With no questions, this concludes this portion of the
190 hearing. I ask that all remain seated until further
191 instructed by the Case Administrator.

192 HQ Translator: [Translates above]

193 CA: We will take a short recess to prepare for the remaining
194 sessions. Time now 0924.

195 HQ Translator: [Translates above]

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