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December 20, 2021

Periodic Review Board
Hassan Muhammad Ali bin Attash
ISN 1456

By email

Private Counsel Statement

Dear Periodic Review Board,

I request your favorable consideration of my client, Hassan bin Attash (ISN 1456). Specifically, I request that the Board concludes that Hassan does not present a significant threat to the security of the United States and the Board should recommend that Hassan be released from the detention camp at the U.S. Naval Station at Guantanamo Bay, Cuba. The statements in this Private Counsel Statement are based on my years of experience representing Guantanamo detainees including, but not limited to, Hassan.

I have represented Hassan for the last four years of his detention in Guantanamo as habeas counsel and I am Hassan's Private Counsel before the Periodic Review Board. I am also close friends with Hassan's prior counsel who had represented Hassan for over a decade, both as habeas counsel and as Private Counsel before the Periodic Review Board, and had to stop representing Hassan due to his own health reasons.

Hassan, a citizen of Yemen, was born and raised in Saudi Arabia. When Hassan was 13 years old, an older brother took him from Saudi Arabia and brought him to Pakistan. At only 17 years old, Hassan was captured in Pakistan, imprisoned for two years (and tortured) before being brought to Guantanamo in 2004 when he was still just 19. Hassan is believed to be the youngest detainee transferred to Guantanamo and the youngest detainee still at Guantanamo.

Hassan arrived at Guantanamo with only an elementary school education and did not know the English language. Hassan has now spent his entire adult life in Guantanamo. During this time, Hassan has matured into an adult and demonstrated an optimistic outlook towards his life after Guantanamo. He is now fluent in English (in addition to his native Arabic and self-taught Pashto) and is committed to furthering his education. Hassan has been very compliant with few disciplinary infractions, which the camp and guards recognize and appreciate. In fact, he has been a block leader for several years, and is thus now responsible for solving daily routine issues between other detainees

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and the guards. He is also well known for his cooking skills and takes great care of his health, often working out several hours a day.

Elements of the U.S. Government have previously alleged that Hassan has committed or conspired to commit certain militaristic acts that justify Hassan's detention at Guantanamo. However, he has never been charged with a crime. To my knowledge, the U.S. Government has no intention of ever doing so. Like many men who wear scars of a misguided youth, Hassan recognizes that his childhood can be scrutinized but is focused on his future, including building a family, furthering his educational development, and utilizing his fluency in the English language to become a translator. I have never heard Hassan deprecate the American people or American values, or express extremist views. While Hassan appreciates the Board's interest in his past, it is in the U.S. Government's best interests to ask Hassan questions about his plans for his future life after Guantanamo and assess Hassan's ability to reintegrate into the outside world.

I have met with Hassan scores of times including, most recently, in August. He is ready to move on from his life in Guantanamo. Hassan does not present a significant security threat to the national security interests of our country. The Board should recognize that Hassan is making a credible effort to allow the Board to assess his current mindset and level of threat by meeting with his personal representative, submitting a personal statement, and deciding to participate in the Board's hearing.

I hope that the Board concludes, as I have, that Hassan is no threat to the security of the United States. Hassan is more than willing to participate in a rehabilitation program and open to a transfer to a country that is willing to accept him and ensure security measures can be met. The Board should approve him for release. I welcome any questions about Hassan. Thank you in advance for your time and consideration of this request.

Most respectfully,



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It is important for the Board to recognize that I have personally assisted in the cooperation between the U.S. government and a foreign government with respect to resettling released Guantanamo detainees. I was counsel for two Uyghurs, Anwar Hassan (ISN 250) and Dawut Abdurehim (ISN 289), that were detained in Guantanamo and later released to Palau in 2009. I, and others at my firm, assisted in the relocation for Anwar and Dawut and I have continued to ensure that their resettlement needs are met. This includes staying in touch with them and supporting them when they moved to yet a third country. Both men are now solid and productive members of society (for instance, both men are married and Dawut has four young children who are exceling at school, happy, and positive). Similarly, I, and others at my firm, assisted in communications and support regarding the resettlement of Ahmed al-Darbi (ISN 768) to Saudi Arabia.

Similarly, I will take an active role in ensuring that Hassan's resettlement needs are met. I will help lobby the foreign country to ensure whatever cooperation the U.S. government requests (including financial assistance, employment opportunities, and reintegration into society) from that country is met. I will visit Hassan and will assist in his integration personally just as I did for Anwar and Dawut. Notably, my firm, Baker & McKenzie LLP, has offices around the world, including in locations where Guantanamo detainees have previously been released.

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I hope that the Board concludes, as I have, that Hassan is no threat to the security of the United States. The Board should approve him for release. I welcome any questions about my plans to ensure that Hassan's resettlement needs are met. Thank you in advance for your time and consideration of this request.

Most respectfully,



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