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CA: This periodic review board is being conducted at 0916 hours on 01 December 2015, at the Periodic Review Secretariat headquarters, with regard to the following detainee: Mustafa Abd al-Qawi Abd al-Aziz al-Shamiri, ISN 434.

As a reminder, the unclassified portions of these proceedings are being recorded for the purpose of generating a transcript to be posted on the PRS website.

TRANS 1: [TRANSLATION OF ABOVE]

CA: Representatives from the following agencies are present and are members of the Board:

DEPARTMENT OF DEFENSE;

DEPARTMENT OF STATE;

DEPARTMENT OF JUSTICE;

DEPARTMENT OF HOMELAND SECURITY;

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE; AND,

OFFICE OF THE CHAIRMEN OF THE JOINT CHIEFS OF STAFF.

The following personnel are also present:

LEGAL ADVISOR TO THE BOARD;

CASE ADMINISTRATOR;

PERSONAL REPRESENTATIVES;

TWO TRANSLATORS;

THE DETAINEE; AND,

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SECURITY OFFICER.

TRANS 1: [TRANSLATION OF ABOVE]

CA: The detainee's personal representatives, the detainee, and one translator are located at the detention facility, U.S. Naval Station Guantanamo Bay, Cuba. They are attending via video teleconference. This session is being observed by foreign, national, and local media; foreign government officials, and representatives from non-governmental organizations.

TRANS 1: [TRANSLATION OF ABOVE]

PM: Good morning. Does the detainee wish to waive translation for the entire hearing, to include written statements provided by the personal representatives, and the detainee himself?

TRANS 1: [TRANSLATION OF ABOVE]

PR 1: No, Ma'am.

PM: Okay. This Board is called to order. The Board is convened to determine whether continued law of war detention is warranted for Mustafa Abd al-Qawi Abd al-Aziz al-Shamiri, ISN 434, in order to protect against a continuing significant threat to the United States. From here forward, we will refer to the detainee as Mustafa. This periodic review board hearing is unclassified.

TRANS 1: [TRANSLATION OF ABOVE]

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PM: Mustafa, this is your periodic review board to determine whether continued law of war detention is warranted in your case. Your continued law of war detention will be warranted if such detention is necessary to protect against a continuing significant threat to the United States. The focus of the hearing is on the threat you may pose to the United States and its interests if you are transferred or released from U.S. custody. It is not on the lawfulness of your detention.

TRANS 1: [TRANSLATION OF ABOVE]

PM: The personal representatives are your representatives to assist you during the process. And, finally, the translators ensure that everyone understands your statements and that you understand what is being said here during your hearing.

TRANS 1: [TRANSLATION OF ABOVE]

PM: Personal representatives, has the detainee had an opportunity to review the unclassified statement?

TRANS 1: [TRANSLATION OF ABOVE]

PR 1: Yes, Ma'am.

PM: I will now read the unclassified Summary. Mustafa Abd al-Qawi Abd al-Aziz al-Shamiri, ISN 434, fought in several jihadist theaters and associated with al-Qa'ida members in Afghanistan. It was previously assessed that Mustafa was also an al-Qa'ida

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facilitator or courier, as well as a trainer, but we now judge that these activities were carried out by other known extremists with names or aliases similar to Mustafa's.

Fragmentary reporting links Mustafa to fighting in Bosnia in 1995, and he told interrogators that he fought in Yemen's civil war in 1996, and in Afghanistan for the Taliban from 2000-2001, including against the Northern Alliance and U.S. forces before his capture near Mazar-e-Sharif. Mustafa probably took explosives training at a camp in Afghanistan, and he may have been co-located [sic] at a safehouse in Yemen with operatives who plotted the USS Cole bombing; although there are no other indications that he played a role in that operation.

We have little insight into Mustafa's current mindset. He has been largely compliant with the guard force at the Guantanamo Bay detention facility and has conveyed complaints about the guard force through proper channels, but has mostly been uncooperative with interrogators, suggesting that he sees little value in either acting out or cooperating.

Fragmentary and dated information suggests that Mustafa was supportive of fighting to protect other Muslims, but not of global jihad, and there are no indications that his views have changed. He has boasted that he is willing to remain in detention indefinitely,

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and has expressed no plans for the future apart from a desire to get married and a willingness to work at his family's shop in Sana'a, Yemen.

Mustafa has corresponded with former Guantanamo detainees who would be well-placed to facilitate his reengagement in terrorism should he choose to return to jihad. We have no reason to believe Mustafa has discussed terrorism, regional conflicts, or violence in general. If Mustafa returned to Yemen, he would probably seek out opportunities to rejoin his family in Sana'a, where AQAP and other Sunni extremists frequently conduct operations against Houthis and the Yemeni Government. There are, however, no indications that Mustafa's family members are engaged in terrorist activity.

TRANS 1: **[TRANSLATION OF ABOVE]**

PM: Do the personal representatives wish to make an unclassified opening statement at this time?

TRANS 1: **[TRANSLATION OF ABOVE]**

PR 2: Yes, Ma'am.

PM: All right. I'd like to remind all participants that any information shared at this time must be unclassified. If there's a concern about classification of the information, I will indicate as such and the proceedings will stop until the classification issue is resolved.

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TRANS 1: [TRANSLATION OF ABOVE]

PM: Has Mustafa had the opportunity to review your statement?

TRANS 1: [TRANSLATION OF ABOVE]

PR 2: Yes, Ma'am.

PM: Okay. Personal representatives please proceed with your opening statements.

TRANS 1: [TRANSLATION OF ABOVE]

PR 2: Ladies and Gentlemen of the Board, we are the Personal Representatives for ISN 434. Thank you for the opportunity to present Mustafa Abd al-Qawi Abd al-Aziz al-Shamiri's case.

From our initial encounter and all subsequent meetings, Mustafa has been very cooperative, enthusiastic, and supportive in the preparation for his Periodic Review Board. From the onset, he has demonstrated a consistent positive attitude towards life after GTMO. He has a strong desire to obtain an education in order to provide for a future spouse that his family has already located for him.

In his approximate thirteen years at GTMO, Mustafa has been compliant, receiving few disciplinary infractions. During his recent time as a block leader, he was regularly commended by the Officer in Charge for solving routine daily detainee issues. Mustafa will show you today that he is not a continuing significant threat to the

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United States of America. He is earnestly preparing for his life after GTMO.

During his time in detention, he has attended English and Art classes, in addition to acquiring carpentry and cooking skills. During the last feast, Mustafa generously took the time to prepare over thirty plates of pastries for his fellow detainees. When I asked him why he would make pastries for his fellow detainees, he said it's because it makes him feel like he can give back and share with people.

Mustafa does have remorse for choosing the wrong path early in life. He has vocalized to us that while he cannot change the past, he would definitely have chosen a different path. He wants to make a life for himself. He is aware that Yemen is not an option and he is willing to go to any country that will accept him. As he has a large family that has been waiting for his release since his arrival in GTMO, where even the women work outside of the home, he will have family support wherever he is located whether it is emotional, spiritual, or financial. He is prepared to begin life outside of GTMO.

We are here to answer any questions you may have throughout this proceeding.

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PM: Okay, and there is no Private Counsel for these proceedings?

PM: So, we understand that Board members...

PR 2: Yes, Ma'am.

PM: Okay. We understand Board members may reserve questions until the detainee and witness statements have presented in their entirety.

TRANS 1: [TRANSLATION OF ABOVE]

PM: Does any member of the board have a question for the personal representatives or detainee in this session?

TRANS 1: [TRANSLATION OF ABOVE]

[No verbal response from the members.]

PM: Okay. With no questions, this concludes this portion of the hearing. I ask that we all remain seated until further instructed by the case administrator.

TRANS 1: [TRANSLATION OF ABOVE]

CA: We will take a 15-minute recess to prepare for the remaining sessions.

[The public session closed at 0929, 01 December 2015.]

[END OF PAGE]

ABBREVIATION AND ACRONYM KEY

BM: BOARD MEMBER
DET: DETAINEE
PC: PRIVATE COUNSEL
PM: PRESIDING MEMBER
PR 1: PERSONAL REPRESENTATIVE ONE
PR 2: PERSONAL REPRESENTATIVE TWO
TRANS 1: TRANSLATOR ONE (LOCATED AT PRS HQ)
TRANS 2: TRANSLATOR TWO (LOCATED AT GUANTANAMO BAY)