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CA: This Periodic Review Board is being conducted at 0905 hours on 25 August 2016, with regards to the following detainee: Haji Wali Muhammed, ISN 560.

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 CHAIRMAN OF THE JOINT CHIEFS OF STAFF.

The following personnel are also present:

LEGAL ADVISOR TO THE BOARD;

CASE ADMINISTRATORS;

PERSONAL REPRESENTATIVE;

PRIVATE COUNSEL;

TWO TRANSLATORS;

THE DETAINEE; AND,

SECURITY OFFICER.

TRANS 1: [TRANSLATION OF ABOVE]

CA: The detainee's Personal Representative, Private Counsel, the detainee, and one translator are located at the detention facility, U.S. Naval Station Guantanamo Bay, Cuba. They are attending via video teleconference and the detainee waived translation of the unclassified summary, and the Personal Representative's and Private Counsel's opening statements. These documents have been posted to the Periodic Review Secretariat website. This session is being observed by foreign, national, and local media, and representatives from non-governmental organizations.

TRANS 1: [TRANSLATION OF ABOVE]

PM: Good morning. This Board is convened to determine whether continued law of war detention is warranted for Haji Wali Muhammed, ISN 560, to protect against a continuing significant threat to the security of the United States. From here forward, we'll refer to the detainee as Wali Muhammed. This session of the hearing is unclassified.

TRANS 1: [TRANSLATION OF ABOVE]

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PM: Wali Muhammed, this is your Periodic Review Board to determine whether continued law of war detention is warranted in your case. Continued law of war detention will be warranted if it is necessary to protect against a continuing significant threat to the national security of the United States. The focus of this hearing is on the threat you may pose to the United States and its interests, if 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 [sic] and Private Counsel are your representatives to assist you during this process. Finally, translators ensure that everybody understands your statements and that you understand what is being said during the hearing.

TRANS 1: [TRANSLATION OF ABOVE]

PM: Personal Representatives [sic] and Private Counsel, has Wali Muhammed had an opportunity to review the unclassified summary?

TRANS 1: [BEGINS TRANSLATION OF ABOVE]...

PR: ... Yes, Ma'am.

PM: Go ahead.

TRANS 1: ... [CONTINUES TRANSLATION OF ABOVE]

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PR: Yes, Ma'am.

PC: Yes, Ma'am.

DET: Yes, Ma'am.

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

Haji Wali Muhammed, ISN 560, was an Afghan money changer who operated a currency exchange business and conducted financial transactions from the mid-to-late 1990s for senior Taliban officials before he fell out of favor with the group. Wali Muhammed had ties to other extremist organizations, such as Hezb-e Islami, and may have made some trans... transactions related to the narcotics trade.

We assess with moderate confide... confidence that Wali Muhammed conducted financial transactions for Usama bin Ladin in 1998 and 1999, either directly or through his ties to the Taliban, and he was probably motivated by financial gain. We note identifying details for Wali Muhammed have been corroborated, but there has been minimal reporting on Wali Muhammed's transactions... on Wali Muhammed's transactions completed on behalf of bin Ladin. Efforts to link Wali Muhammed to bin Ladin are complicated by several factors, including incomplete reporting, multiple individuals with Wali Muhammed's

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name, and a lack of post-capture reflections. Wali Muhammed was captured on January 24, 2002.

Since his May 2002 arrival at Guantanamo, Wali Muhammed has been highly compliant with the staff at Guantanamo and has committed a low number of infractions relative to other detainees, according to a Joint Task Force-Guantanamo compliance assessment. Wali Muhammed, during his detention, has never made statements clearly endorsing or supporting al-Qaeda or other extremist ideologies, but probably has a pragmatic view of the role that the Taliban held in Afghanistan. He most likely judged that it was prudent to work with, rather than against, the Taliban Government in the 1990s. During his detention, Wali Muhammed appears to have formed a more liberal view of politics in Afghanistan and has said that the Taliban will have to change if they want to remain viable in the country, including changing their policy on women's rights and education.

Wali Muham... Wali Muhammed probably has a complicated family situation. He has multiple wives and multiple children split between Afghanistan and Pakistan. Should Wali Muhammed be repatriated to Afghanistan, we assess he would attempt to return to Pakistan to reunite with his family who still reside there,

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possibly trying to return his Afghan-based family to Pakistan at the same time.

Wali Muhammed has communicated extensively with his family, and does not have current communications with any known or suspected terrorists. We judge that Wali Muhammed's familial connections to Hezb-e Islami leader Gulbuddin Hekmatyar, his half-brother, Haji Wakil, was married to Hekmatyar's niece, and his half-sister was married to Hekmatyar's nephew, may serve as a potential avenue for him to be drawn back into extremism. There are no indications that Wali Muhammed's family members are engaged in terrorist activity.

Do the Personal Representatives [sic] or Private Counsel wish to make unclassified opening statements at this time?

TRANS 1: [TRANSLATION OF ABOVE]

PR: Yes, Ma'am.

PC: Yes, Ma'am.

TRANS 2: [TRANSLATION OF ABOVE]

PM: All right. Personal Representatives, please proceed.

PR: Good morning, ladies and gentlemen of the board. I am the representative... Personal Representative for ISN 560. Thank you for the opportunity to present the case for Haji Wali Muhammed.

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Wali Muhammed was a businessman since a very young age. His interests and relationships back home were always very focused on his career as a currency exchanger, which is a common occupation in that region. In this capacity, he executed an investment with the Afghan Central Bank while the Taliban were in power. However, he was never a member of the Taliban and was never an extremist. At times in the currency exchange you may have competitors, creditors, and others that owe you money. Unfortunately for Wali Muhammed, he made an investment that turned out poorly. At that time, there were others that owed him money, a significant amount, and he would then use to pay some of his debts. This was all understood by the tribal elders, which spurred a tribal council to determine the outcome. During this council period, just as the results looked favorable for Wali Muhammed, he was quickly arrested at his home.

It is no surprise that Wali Muhammed has been a highly compliant detainee. Although he has been through many difficult times, he still maintains an excellent attitude and his personality shines vibrantly. In each meeting, our conversations always included a story from him ending in laughter for us all. This is because he allows his true self to be known, which is a jovial person that enjoys the company of

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others. His detention has been truly difficult in this regard as he longs to reunite with his family. His children are the light in his life and their memory occupies his thoughts.

It is not Wali Muhammed's nature to hide his feelings, which makes me confident he plans to do what he says after detention. The rest of his days will consist of significant family time and watching the Afghanistan cricket team he is so very proud of. He will certainly use the knowledge he gained at Guantanamo, such as the value of healthy living and an open world view, to instill in his children. Although he could support himself, he has a family that pledged to allow him to retire upon his return, which he plans to do. His family members are peaceful and he also desires a non-political and peaceful existence.

Wali Muhammed is open to any country for transfer and would attempt to relocate his family as necessary and permitted by the host nation. I am pleased to answer any questions you may have.

PM: Thank you. Private Counsel, you may proceed with your unclassified opening statement.

(PM CONFERRING WITH TRANS 1)

PC: Thank you very much. Thank you very much. Good morning. My name is Peter Ryan.

Over more than 14 years in detention, and hundreds of interrogations since his 2002 arrest [REDACTED] [Redaction], Haji Wali Mohammed's account of his life and business dealings has never varied. The Detainee Profile states that Mr. Mohammed was judged to be completely reliable and honest in his reporting on events about to take place in the camps at Guantanamo. It would be reasonable for the Board to consider the possibility that Mr. Mohammed has been completely reliable and honest in all that he has said since his arrest. We urge the Board to do so.

Mr. Mohammed made one significant mistake of judgment, and he has been very unlucky most of all in having an extremely common name.

[PM INTERRUPTS PC]

PM: I am sorry. I think we have to pause. I'm sorry we're paused here.

CA: We're going to take a short pause.

PC: Okay.

[PUBLIC SESSION PAUSED FOR TECHNICAL DIFFICULTIES 0917]

[PUBLIC SESSION RESUMED 0940]

PM: Alright, thanks. Sorry for the technical problem. Private Counsel, could you just restart your statement? We'll start from there.

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PC: [Inaudible]...

PM: ... All right, thank you.

PC: Over more than 14 years in detention, and hundreds of interrogations since his 2002 arrest in Pakistan, Haji Wali Mohammed's account of his life and business dealings has never varied. The Detainee Profile states that Mr. Mohammed was judged to be completely reliable and honest on his reporting on events about to take place in the camps at Guantanamo. It would be reasonable for the Board to consider the possibility that Mr. Mohammed has been completely reliable and honest in all that he has said since his arrest. We urge the Board to do so.

Mr. Mohammed made one significant mistake of judgment, and he has been very unlucky most of all in having an extremely common name. He is, however, an honest man.

Wali Mohammed's business was currency exchange. He bought and sold currency in Pakistan and the UAE with the aim of capitalizing on differences in exchange rates. As he has freely admitted, in late 1997 and early 1998, he entered into a partnership to pursue such a currency arbitrage with the Central Bank of Afghanistan then under the control of the Taliban government. As Wali Mohammed has said, and as an expert on his behalf confirmed, such partnerships were commonplace before,

during, and after the Taliban regime. Wali Mohammed described, and the expert confirms, the sudden and significant volatility in the value of the Pakistani rupee in 1998.

The result was a catastrophic loss, roughly a half-million of the 1.5 million dollars the Central Bank had invested. After the Taliban government learned of the loss, investigators fired the head of the Central Bank, threatened Wali Mohammed with prison, actually imprisoned his cousin, and forced the entire loss on him in violation of the terms of the deal. This is not the kind of treatment one would expect of someone who was part of or of any importance to the Taliban.

The disastrous failure of the Central Bank transaction also makes it implausible that Wali Mohammed conducted financial transactions for Osama [sic] bin Ladin thereafter; leaving aside that Mr. Mohammed speaks little Arabic and bin Ladin spoke no Pashto. Two intelligence experts on behalf of Mr. Mohammed, one, the former Director of Human Intelligence Collection for the DIA; and the other, a former DIA intelligence analyst, identities expert, and, after the 9/11 attacks, a CIA contractor and charter member of the Terrorist Threat Integration Center, the National Counter Terrorism Center, and the Advanced Analytics Team, have shown, consistent with the Detainee

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Profile, that the identification of Mr. Mohammed is problematic. Even the late Taliban leader, Mullah Akhtar Mansour, reportedly carried a passport bearing the name "Wali Mohammed."

Mr. Mohammed's attenuated marital connections to relatives of Gulbuddin Hekmatyar did not constitute a threat. Mr. Mohammed is deeply devoted to the welfare of his own family and children. He has no interest in politics, or in engaging in dealings in any way connected to the Taliban or any other extremist group. We respectfully ask that the Board find that Wali Mohammed is not a threat to the security of the United States.

PM: Thank you. Board Members may reserve questions until detainee and witness statements have been presented in their entirety. Does anyone have a question at this time?

(NON-VERBAL RESPONSE FROM BMs)

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

PM: All right. 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.

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TRANS 1: [TRANSLATION OF ABOVE]

[The public session closed at 0945, 25 August 2016.]

[END OF PAGE]

ABBREVIATION AND ACRONYM KEY

BM: BOARD MEMBER

CA: CASE ADMINISTRATOR

DET: DETAINEE

PC: PRIVATE COUNSEL

PM: PRESIDING MEMBER

PR: PERSONAL REPRESENTATIVE

TRANS 1: TRANSLATOR ONE (LOCATED AT PRS HQ)

TRANS 2: TRANSLATOR TWO (LOCATED AT GUANTANAMO BAY)