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CA: This Periodic Review Board is being conducted at 0902 hours on 2 June 20 2016, with regards to the following detainee: Mohamedou Ould Slahi, ISN 760.

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. 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 REPRESENTATIVES;**

**PRIVATE COUNSEL;**

**TWO TRANSLATORS;**

**THE DETAINEE; AND,**

**SECURITY OFFICER.**

The detainee's Personal Representatives, Private Counsel, the

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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 entire hearing. This session is being observed by foreign, national, and local media; foreign government officials and representatives from non-governmental organizations.

PM: Good morning. This Board is convened to determine whether continued law of war detention is warranted from [sic] Mohamedou Ould [sic] Slahi, ISN 760, to protect against a continuing significant threat to the security of the United States. From here on, we will refer to the detainee as Mohamedou. This session of the hearing is unclassified.

Mohamedou, 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. The Personal Representatives and Private Counsel are your representatives to assist you during this process.

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Finally, if needed, translators are available to ensure that everyone understands your statements and that you understand what is being said during this hearing.

Personal Representatives and Private Counsel, has the detainee had an opportunity to review the Unclassified Summary?

PR 1: Yes, Sir.

PC: Yes.

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

Mohamedou Ould Slahi, ISN 760, traveled from Germany to Afghanistan in 1991 and again in 1992 to join the Mujahideen in their fight against the Afghan communist regime. There, he trained at al-Qaeda Farouq camp, swore bayat to al-Qaeda, and prepared to fight at the Battle of Gardēz. Between trips, he recruited for the Afghan jihad. For the next nine years, Mohamedou lived mostly in Germany, spending time in Canada and Mauritania, and recruited primarily for the Bosnian and Chechen jihads. He facilitated the travel of future 9/11 operative coordinator Ramzi bin al-Shibh, ISN 1013 [sic], and two future 9/11 hijackers to Chechnya via Afghanistan in 1999. He was arrested in Senegal in January 2000 and moved to Mauritania, where he was arrested again in November 2001. Throughout this time,

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Mohamedou worked as an engineer at various technological companies and developed extensive electronics and computer skills.

Throughout his detention, Mohamedou has maintained his support for jihad, but clarifies that his notion of jihad neither condones the killing of innocent people nor supports bin Laden's version of justice. He also has criticized U.S. policies several times, but notes that his complaints are directed at the American Government, not at the American people. On several occasions, Mohamedou has expressed to interrogators his intention to pursue a non-extremist life after Guantanamo, preferably back in Germany.

If repatriated to Mauritania, Mohamedou probably would reunite with his family, take care of his sisters, and start a business. If the Mauritanian Government did not restrict Mohamedou's travel, he probably would travel internationally to promote his book *Guantanamo Diary*, which was released in January of 2015. He might also pursue relocation to Germany if he was not satisfied with his reintegration assistance in Mauritania.

Mohamedou established a broad network of terrorist contacts while living in Germany, Canada, and Mauritania. Although most of his extremist contacts have since been detained or killed, Mohamedou's relation to Abu Hafs al-Mauritani, a former guan... al-

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Qaeda senior leader currently residing in Mauritania, could provide him with an avenue to reengage, should he decide to.

Do the Personal Representatives and Private Counsel, wish to make unclassified opening statements at this time?

PR 1: Yes, Sir.

PC: Yes.

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

PR 1: Yes, Sir.

PC: Yes, he has.

PM: Great. Thank you very much. Personal Representatives, you may now proceed.

PR 1: Thank you. Good morning, ladies and gentlemen of the Board. We are the Personal Representatives for ISN 760. Thank you for the opportunity to present Mr. Mohamedou Ould Slahi's case.

During his time at Guantanamo Bay, Mohamedou has been one of the most compliant detainees with the detention staff. His conduct has continuously been exceptional. Ever since he arrived at Guantanamo Bay, Mohamedou has been an advocate for peace. On several occasions,

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Mohamedou expressed that his intention is to live a life free of violence, where he can be a provider for his adopted children and teach them not to make the same transgressions he has made.

Mohamedou understands his past mistakes and during detention has pursued a new direction in life. He believes what al-Qaeda has done is wrong and wants nothing to do with the organization or its members. Mohamedou strongly desires peace and denounces any violence [sic] form of jihad. For him, jihad means to simply uphold your responsibilities and to take care of your family.

Mohamedou is uniquely talented and can speak multiple languages very well, including English. He has been extremely productive in taking advantage of the numerous learning and life improvement opportunities provided to him. He is self-educated in multiple subjects and has technical computer skills he can rely on for employment. Some of his greatest suffering at Guantanamo has been from the fact he cannot provide for his family while in detention. In this regard, Mohamedou plans to pursue a small business and write books to support himself and other family members. Additionally, his family has expressed a desire to help support him as necessary and enable him to lead a simple life after detention. Multiple family members and friends have also pledged to provide financial support. Mohamedou's brother, who works as a computer engineer, will support

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him financially whether he is released to live in Germany, Mauritania or any other location the Board sees fit.

We are certain that Mohamedou's intention [sic] after Guantanamo are genuine, that he possesses sound judgment, and that he is good for his word. We firmly believe he does not represent a continued significant threat to the United States of America. Mohamedou is open to transfer to any country, but would prefer Mauritania or Germany where he can be a productive member of society and care for his dependent children.

Thank you for your time and attention. We are pleased to answer any question you may have throughout these proceedings.

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

PC: Thank you. My name is Theresa Duncan and I am Private Counsel for Mohamedou Ould Slahi. I've represented Mohamedou for over a decade. In that time, I have come to know Mohamedou well, having spent hundreds of hours meeting with him. I also know members of his family well, as I have spoken with them many times and visited them for two weeks in Mauritania in 2014.

Mohamedou does not present any threat to the United States nor has he ever taken any hostile action against our country. In all the years I have known him, Mohamedou has never even expressed

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quote, "there is absolutely no evidence that Mr. Slahi ever engaged in any acts of hostility towards the United States."

Second, the allegations regarding Mohamedou's travels to and actions in Afghanistan in the early 1990s must be considered in their historical context. To this end, we have submitted a report from an expert in the field of terrorism. This expert sent... spent seven years as a case officer with the CIA, most of which was devoted to supporting the Afghan insurgency against the communists in the 1980s and 1990s. He explains the differences between al-Qaeda in the early 1990s, when it and the United States were aligned, and the al-Qaeda that came into being much later, with which Mohamedou played no part.

Mohamedou has had no disciplinary infractions at Guantanamo. None. But perhaps what is most striking about Mohamedou's interactions with detention staff are the meaningful relationships he has developed with individual people. Over the years, military personnel have given him books, movies, clothing, and other souvenirs to mark those relationships. I have personally witnessed the warm interactions between Mohamedou and the men and women who guard him. Included in the materials we have submitted to the Board is a letter from a former guard who writes that, based on his interactions with Mohamedou at Guantanamo, he would like eventually... to eventually see



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Mohamedou again and quote, "would be pleased to welcome," end quote, Mohamedou into his home.

Mohamedou has also developed deep and enduring relationships with his lawyers. As my co-counsel, Nancy Hollander, writes in her submission to you, "If I could invite him to my home in the U.S., I would gladly have him stay with me as long as he wished." I feel the same way. Mohamedou has become a dear friend to me and to Nancy. Before I visi... visited Mauritania, Mohamedou told his family about me to help them prepare for my visit. I was touched by the special meals his family... the family prepared at Mohamedou's request and by the care I was shown throughout my visit. It reminded me of the care Mohamedou has always shown Nancy, me, and others during our visits with him.

At Guantanamo, moha... Mohamedou has continued his education and worked to stay abreast of developments in cu... computer technology. At his request, detention staff and counsel have provided Mohamedou with computer programming books. For years, he had access to a computer that he used to practice his skills. He has perfected his English and learned Spanish and Turkish. He reads voraciously, writes fiction and poetry, and has begun studying art as a way to keep his mind active. Mohamedou is a natural teacher. Over the years, he has helped guards and other detainees with their studies.

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During his phone calls with his family, Mohamedou encourages his nieces and nephews to continue their education and I know he looks forward to helping them with their studies when he is released.

Mohamedou has a large support network committed not just to his peaceful reintegration after release, but to helping him achieve personal and professional success, either in Mauritania, his home country, or in Germany, where he once lived and still thinks of as a home. We have provided a letter confirming that the Mauritanian government will welcome him home if he is returned there. Mauritania has a history of successfully reintegrating former Guantanamo prisoners, having done so twice before. We have included declarations from two former Guantanamo detainees describing their positive experiences upon their return to Mauritania. Mohamedou's friends and family have committed to provide him with personal support. Two friends, one who works for the Mauritanian government and another who is a respected physician, have committed to help him secure employment. Mohamedou's oldest brother can provide him employment as an accountant in his retail business. His youngest brother is a German citizen who would provide housing and other support should Mohamedou be released to Germany. Mohamedou also wants a career as a writer regardless of where he lives. The

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American editor of his book has committed to work with Mohamedou on future literary projects.

Mohamedou's legal team is fully committed to providing whatever assistance is necessary to assure his success. Nancy and I intend to travel to wherever Mohamedou is sent and to stay as long as necessary to help him restart his life. Our co-counsel at the ACLU will visit him, too, and will provide reintegration support, including through their connections with the international... within the international NGO community. A board-certified psychiatrist, who is a retired Brigadier General, has submitted information to you about Mohamedou's resilience and positive capacity for reintegration. To help ensure a successful transition from years of detention, he has agreed to travel to wherever Mohamedou is sent and to spend several weeks with him to assist in his transition.

The unclassified profile expresses a concern that Mohamedou's relation to Abu Hafs al Mauritani could provide him with an opportunity to reengage, should he decide to do so. This concern is misplaced. There is no evidence that Mohamedou seeks to do anything other than live a peaceful, productive life after his release from Guantanamo. And as Abu Hafs explains in the declaration we submitted to you, he cooperated with American authorities upon his return to Mauritania in 2000 and 12, meeting with members of the FBI over the

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course of two months. Since then, he has had no contact with law enforcement and lives a peaceful life in Mauritania.

In conclusion, Mohamedou will not pose any threat to the United States, if he is released. He is poised to contribute to his family and his community. He has the support of his family and friends, including those of us who have gotten to know him at Guantanamo. I hope that you'll understand why that is when you talk with him today. We ask you to approve Mohamedou's transfer from Guantanamo. Thank you.

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

**(NON-VERBAL RESPONSE FROM BMS)**

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

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

**[The public session closed at 0919, 2 June 2016.]**

**[END OF PAGE]**

**ABBREVIATION AND ACRONYM KEY**

BM: BOARD MEMBER

CA: CASE ADMINISTRATOR

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)