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1 CA: Representatives from the following agencies are present an
2 are members of the Board: Department of Defense, Department
3 of State, Department of Justice, Department of Homeland
4 Security, Office of the Director of National Intelligence and
5 Office of the Chairman of the Joint Chiefs of Staff
6 The following personnel are also present: Legal Advisor to
7 the Board, Case Administrators, Personal Representative
8 Private Counsel, Translators, the detainee, and the Security
9 Officer.

10 DC Translator: [Translates of above]

11 CA: The detainee's Personal Representative, Private Counsel, the
12 detainee, and one translator are located at the detention
13 facility, U.S. Naval Station Guantanamo Bay, Cuba. They are
14 attending via video teleconference. The detainee has waived
15 translation of the unclassified summary, Personal
16 Representative's statement, and the Private Counsel's
17 statement. Today the detainee intends to read aloud his
18 opening unclassified statement, as well as submit applicable
19 witness statements. The Private Counsel and Detainee opening
20 statements have been posted to the Periodic Review
21 Secretariat website. Foreign, national and local media,
22 Foreign Government Officials, and Representatives from Non-
23 Governmental Organizations are observing this session.

24 DC Translator: [Translates of above]

25 PM: This Board is convened to determine whether continued law of
26 war detention is warranted for Hani Saleh Rashid Abdullah ISN
27 841 to protect against a continuing significant threat to the
28 security of the United States. From here on forward, we will
29 refer to the detainee as Hani. This session of the hearing is
30 unclassified.

31 DC Translator: [Translates of above]

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

41 DC Translator: [Translates of above]

42 PM: The Personal Representative and Private Counsel are your
43 representatives to assist you during this process. Finally,
44 the translators ensure that everyone understands your
45 statements and that you understand what is being said during
46 the hearing.

47 DC Translator: [Translates of above]

48 PM: Personal Representative and Private Counsel, has the
49 detainee had an opportunity to review the Unclassified
50 Summary? We couldn't hear you. Is that an affirmative?

51 DC Translator: Ok.

52 PM: Do a sound test we can't hear you. Major [REDACTED]

53 PR: Yes, Sir.

54 PM: Okay, there we go. Now we can hear you. Thank you.

55 GTMO Translator: [Translates of above]

56 PM: Okay. I will now read the unclassified summary: Hani Saleh
57 Rashid Abdullah ISN-841 traveled to fight in Afghanistan in
58 June 2001, trained at al-Qa'ida's al-Farouq camp, and
59 admitted to a close association with some of the group's
60 external operations planners and senior leaders, including
61 senior al-Qa'ida operative and 9/11 conspirator Walid bin
62 Attash, better known as Khallad ISN 10014. Hani was one of
63 the Yemenis arrested during the 11 September 2002 raids in

64 Karachi, Pakistan, later labeled as the "Karachi Six," based
65 on concerns that they were part of an al-Qa'ida operational
66 cell intended to support a future attack. Based on a review
67 of all available reporting, we judge that this label more
68 accurately reflects the common circumstances of their arrest
69 and that it is more likely that the six Yemenis were elements
70 of a large pool of Yemeni fighters that senior al-Qa'ida
71 planners considered potentially available to support future
72 operations. Hani was probably intended by al-Qa'ida senior
73 leaders to return to Yemen to support eventual attacks in
74 Saudi Arabia, but he may not have been witting of these
75 plans. Does the Personal Representative or Private Counsel
76 wish to make an unclassified Opening Statement at this time?

77 DC Translator: [Translation of above]

78 PR: Yes, Sir.

79 GTMO Translator: [Translation of above]

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

86 PR: Yes, Sir.

87 GTMO Translator: [Translates of above]

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

94 DC Translator: [Translates of above]

95 PR: Yes, Sir.

96 PM: Personal Representative, please proceed.

97 DC Translator: [Translates of above]

98 PR: Good morning, esteemed Members of the Board, thank you for
99 the opportunity to present this statement on behalf of Hani
100 Saleh Rashid Abdullah, ISN 841. The intent of this statement
101 is to address any concerns previously raised by the Periodic
102 Review Board File Review process. I have served as Hani's
103 Personal Representative since May of 2018. He has been an
104 active participant throughout that period and has expressed
105 his willingness to answer questions that Board members may
106 pose. His willingness to participate, despite being coaxed
107 not to by disenchanted detainees, shows moral courage. More
108 importantly, he sees the PRB as his best chance for ventral
109 eventual release or transfer. During his detention, Hani has
110 attained an understanding for cultural and religious
111 diversity. He also realizes that if there is to be peace,
112 respecting others despite their differences is imperative.
113 Hani has always maintained an upbeat mentality. Throughout
114 the course of our meetings, Hani has been very candid
115 regarding his current mindset, and at times displays remorse
116 for embarking on the course of action that led to his current
117 predicament. Hani continues to maintain one of the lowest
118 Detainee Incident rates since his arrival in 2002. He
119 actively participates in classes and during our meetings,
120 demonstrates retained knowledge of the electrical trade he
121 learned growing up in Yemen. In anticipation of today's
122 Board, Hani felt the need to read his prepared statement in
123 addition to its submission for review. As part of his
124 submission, Hani has outlined his intent to establish a
125 complete printing company with inheritance money he received
126 from his father's passing along with help from his family.
127 During his most recent File Review, Hani's elder brother

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128 wrote a letter to the Board that expounded on his family's
129 willingness to support him in every way. Lastly, despite
130 being detained for 17 years and yearning to be reunited with
131 his family, Hani realizes that the Yemen that he left lies in
132 a state of civil unrest. Therefore, if afforded the ability
133 to be transferred or released, he is to open to other
134 possibilities outside of his homeland. Thank you for your
135 consideration.

136 PM: Private Counsel, please proceed if you have any opening
137 statement.

138 PC: I do. Thank you. Good morning. I am Charley Carpenter, an
139 attorney from Missoula Montana, and have been representing
140 Hani Saleh Rashid Abdullah prisoner number 841 since the
141 beginning of 2005. I have spent countless hours with him over
142 that time, and long ago formed the definite view that the
143 national security of the United States does not depend on his
144 continued imprisonment. He is not now, nor, as far as I can
145 tell has ever been, a dangerous ideologue. He has never
146 expressed any inclination towards violence. Nor, even, has he
147 indicated any anger at the United States. Frustration that he
148 is missing his family and his adult life, yes, but not anger.
149 He recognizes that he is here because of some bad decision he
150 made as a young man, decisions he had already come to regret
151 even before his had already come to regret even before his
152 capture and imprisonment. I have reviewed a great deal of the
153 classified material concerning him, and nothing I have seen
154 contradicts my view my impression of Hani. He has tried to
155 comply with the rules of the prison, and also to use his time
156 here to better himself. He is, in my opinion, better prepared
157 for life after Guantanamo than he was when the Board
158 considered his case three years ago. I hope the Board will

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159 recommend his transfer out of the prison. Thank you for your
160 consideration.

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

165 DC Translator: [Translates of above]

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

169 DC Translator: [Translates of above]

170 CA: We will take a short recess to prepare for the remaining
171 sessions.

172 DC Translator: [Translates of above]