

PERIODIC REVIEW BOARD INITIAL HEARING, 03 MAY 2016
KARIM BOSTAN, ISN 975
PERSONAL REPRESENTATIVE OPENING STATEMENT

Good morning ladies and gentlemen of the Board. We are the Personal Representatives of Karim Bostan and will be assisting Mr. Bostan this morning with his case.

Mr. Bostan has been overjoyed and eager to participate in the Periodic Review Process since we first met with him in late February 2016. Once we explained why we were meeting with him he began to smile. He expressed his pleasure in attending future meetings with us.

Karim has been gracious and respectful during each scheduled meeting. During these meetings, we found out that Karim is a loving father and grandfather who dreams daily of returning home to reunite with his family. He has two daughters and four sons. Karim has yet to meet his youngest son as he was born after his detention. He has also never met his grandchildren.

Karim is one of the older detainees in Guantanamo Bay. He is over 48 years old and only wants to return home to enjoy his family in peace during the years he has left.

Karim has taken advantage of the educational opportunities here at the detention center and learned how to read and write in Pashto. Karim told us numerous times how he can't wait to tell his family the importance of literacy in today's world. He is very proud of his writing skills. Karim also owns a wedding rental store that his son-in-law now manages. Additionally Karim has learned the importance of daily exercise which has greatly improved his physical fitness. So much so that when he returns he plans to purchase a treadmill to continue his exercise regime.

We are confident that Karim's desire to pursue a better way of life if transferred from Guantanamo Bay is genuine. Karim is willing to answer any questions you may have. He is open to transfer to any country, but would prefer to return to Afghanistan if possible.

We remain convinced that Karim does not pose a significant threat to the security of the United States or any of its allies.

Thank you for your time and attention. We look forward to answering any questions you may have during this Board.

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KARIM BOSTAN, ISN 975

PRIVATE COUNSEL

STATEMENT

Good morning. My name is Paul Rashkind. I am an Assistant Federal Public Defender in the Southern District of Florida. In 2005, I was appointed by a federal judge to represent Karim Bostan in court proceedings seeking his release. I have been privileged to represent Mr. Bostan for over a decade. Because I have been his only legal counsel during this time, I am also serving as Private Counsel in this Periodic Review Board proceeding.

Please do not consider my physical absence from this hearing of the Board as a sign of disrespect. The Office of the Federal Public Defender is funded by the U.S. Government. The rules governing Periodic Review Board proceedings require that Private Counsel serve "at no expense to the U.S. Government." Because I cannot travel to this hearing, from Florida to Guantanamo Bay Naval Station, without expense to the U.S. Government, I am unable to attend this important hearing in person. I have, however, conferred with Mr. Bostan and his Personal Representatives to assist them in preparation for today's proceeding.

Karim Bostan is a loving father and grandfather, a shopkeeper, and deeply reverent man. He embraces a dream to return to his home in Afghanistan, to live out his life with his children and grandchildren, and to assist in his family flower shop, a business he started and ran for many years.

To truly understand Mr. Bostan, one must consider the life he has lived. He was born over 48 years ago in a village of the Tanai tribe in Afghanistan. But he lived most of his formative years as a refugee in Pakistan, after being forced into exile during the Soviet Union's invasion and occupation of his country. He lived his childhood and teenage years in refugee camps. His formal education was virtually nonexistent.

Mr. Bostan returned to Afghanistan in the early 1990's, after the Soviet's military and political occupation ended. He started a new life. He married and had a family - two daughters and four sons. Another daughter died in infancy. His children are a source of great pride. His eldest daughter, age 25, is now married and has three children of her own - Mr. Bostan's grandchildren. He has only been able to visit with his grandchildren during video-calls arranged by the International Committee for the Red Cross. His eldest son is an excellent student who aspires to be a doctor. His younger children are also in school. He has never seen his youngest son, in person,

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because he was born shortly after Mr. Bostan's detention.

When he returned to Afghanistan in 1993, Mr. Bostan started a business. He opened two modest flower shops in the Khost Bazar. The shops rent and sell flowers, artificial flowers, decorations, and all the accoutrements for local weddings, including pots, pans, cooking supplies and freshly cooked meals. His shops became very popular and the business continues to be run by family members in his absence. The current proprietor is his son-in-law, the husband of his daughter and father of his grandchildren. His son-in-law visits with Mr. Bostan by video nearly every month, and he has told us that he and the family welcome Mr. Bostan's repatriation.

Mr. Bostan has accepted his detention with a quiet grace. By all accounts, he has been a compliant detainee. He speaks only Pashto. Before he was detained, he had not learned to write, and could read very little. But he has devoted his time here to learning to write and read the Pashto language. He has taken classes, when available, and is very proud of his writing skills. As the Pashto-speaking population of detainees has been reduced, he and those who remain have formed a close community – to the extent permitted, they live communally, cooking and eating together.

I have visited with Mr. Bostan many times over the past decade. As one might expect, I have seen a range of emotions. One encounter has always stood out. It was shortly after we first met. Our Pashto interpreter, a young woman, was speaking with him in a private moment during a break between sessions. I could see tears in his eyes so I inquired. She explained that he told her she could be a daughter to him and seeing her reminded him how very much he missed his own family. She said his eyes welled with tears as he told her how much his family means to him and how difficult the years have been without them. This poignant moment offered more insight into Mr. Bostan than any interview or hearing might ever reveal. Far and away from a hearing room, I could see that family is, and has been, an important emotional bond for him. So, when he says today that he regrets the turmoil that caused his detention, and that he seeks nothing more than a quiet life with his family, I know his words are heartfelt and credible.

Mr. Bostan yearns for a life without the turbulence that has engulfed most of his years. He seeks to return to a simple life, with children and grandchildren, and the village he left behind. He looks forward to this opportunity to address the Board. And he prays that the Board will recommend his release, so he may rejoin his family as a proud father and grandparent.