

**Periodic Review Board:
Subsequent Full Review Hearing, ISN 1457 Sharqawi Abdu Ali Al Hajj**

Hearing Summary:

Three observers viewed 20 April 2021 Periodic Review Board (PRB) subsequent full review hearing for ISN 1457 Sharqawi Abdu Ali Al Hajj, representing:

- Judicial Watch, Inc.
- Indiana University
- NRC (member of the Netherlands news media)

The government described ISN 1457 as a career jihadist with close ties to Osama Bin Ladin, Khalid Sheikh Muhammad, and several other prominent Al Qa'eda members. It conceded that the detainee may not have been aware of planned operations, but stated that he was a primary financial facilitator and travel coordinator for operatives and fighters. It also reported that in October 2011, seven years after ISN 1457 arrived at GTMO, he claimed to have recruited for and facilitated the bombing of the USS *Cole*.

The personal representative explained that although he has only represented ISN 1457 for a short time, the detainee has recently expressed optimism about the PRB process in letters they have exchanged. The personal representative then read the private counsel's statement.

The private counsel stated that the detainee had deteriorated physically, having undergone repeated hospitalization due to hunger strikes, and had both threatened suicide and committed acts of self-harm. The private counsel noted that a doctor in the habeas corpus case determined that the self-harm was an attempt by ISN 1457 to accelerate change in his conditions, but such attempts could nevertheless prove fatal. This behavior worsened between 2018 and 2020, when the detainee withdrew from the PRB process citing no action from the administration. His condition has since improved as a result of the change in administration.

Counsel requested an alternative means for the detainee to answer questions other than a live hearing, which he said was highly stressful to the detainee. Counsel also asserted that the detainee should not have to answer further questions about past behavior as a condition of his release. The detainee states that he is not the same person that he was, and he does not seek to return to Yemen. His private counsel has obtained statements from his family offering both emotional and financial support in the event of resettlement.

Observations:

Though the seated detainee appeared similar in size to his personal representative, ISN 1457's hands appeared much smaller, and he sat unusually still, apart from following the proceedings on the papers in front of him. Further assessment of his physical condition was not possible because he was wrapped in a traditional white shawl or robe. The private counsel told the Board that the detainee understood and/or spoke English, but he displayed no reactions to the statements – which seemed unusual.

ISN 1457 began jihadist activity at the age of 21 in 1995 in Bosnia against the Serbians, and he continued fighting for various causes until his capture sometime between 2002 and 2004. His continuous dedication to jihadist activity weighs heavily against the Board determining him to no longer be a threat, as does his use of self-harm to manipulate his circumstances. The Board could

reasonably assess this detainee to be a significant risk for recidivism if repatriated or released under supervision to another country.

The representative from the Netherlands news media noted that the Netherlands was interested in the PRB process because it had been asked to accept some detainees, although it has refused to do so. Time-frame on the refusal is unclear, but a recent refusal would indicate that the review board is expected and possibly being pressured to approve detainees for release.