

**Periodic Review Board:
Full Review Hearing, ISN 3148 Haroon Al Afghani**

Hearing Summary:

Five observers attended the 29 June 2021 Periodic Review Board (PRB) full review hearing for ISN 3148 Haroon Al Afghani, representing:

- Judicial Watch, Inc.
- Indiana University
- Pop Smoke Media
- ARD (German news media)
- *The Telegraph* (United Kingdom news media)

The government first noted that it would refer to the detainee as “Assad”¹ and acknowledged that ISN 3148 had been a commander in Hezb Islami Gulbuddin (HIG) and was responsible for leading attacks against coalition forces, coordinating with Al Qa'eda, serving as a courier for ISN 10026 Hadi Al Iraqi, and logistically supporting HIG and Al Qa'eda fighters. The detainee was reportedly arrested in Pakistan in 2007.

The personal representative stated that ISN 3148 is optimistic about the PRB process. However, as the last Afghani remaining at GTMO, he feels culturally isolated. In support of transfer approval, the personal representative noted that HIG is now part of the Afghan peace process, indicating that the detainee's release would be diplomatically positive.

The private counsel introduced himself as Mark Mayer, associated with a charity group named “Reprieve.”² He assessed the detainee as “intelligent, warmhearted, and thoughtful.” He reported that the detainee maintained a very close relationship with his (detainee’s) 14-year-old daughter, helped her with her homework during their phone conversations, and encouraged her in her desire to become a doctor. The private counsel noted that ISN 3148 is university-educated in economics, with an interest in politics. He desires to see Afghanistan update its infrastructure, move towards democracy, and prosper. His private counsel stated that the government of Afghanistan had filed an amicus curiae brief encouraging his transfer, reiterating that HIG (acronym modified to HIA) is now part of the Afghan government. The detainee intends to live with his wife, daughter, brother, and brother's wife in Kabul and operate a honey farm. The private counsel said the detainee was volunteering for security arrangements, should it make transfer more likely.

Observations:

ISN 3148 attended his full review hearing. Though he appeared small in stature (that may have been due to the fact that he was seated significantly farther from the camera than his counsel and linguist), he seemed to be in good health. He spent the session actively skimming through papers. He did not react to statements by either the government or his private counsel, only glancing up one time in response to a procedural translation that discussed the end of the public session.

¹https://www.prs.mil/Portals/60/Documents/ISN3148/FullReview2/210310_U_FOUO_ISN3148_FR6_Detainee_Summary_UPR.pdf and several others, two of ISN 3148's kunyas are “Asadullah Abd Al Gafar” and “Assadullah Haroun Afghani.”

² Reprieve is a legal charity which supports prisoners on death row in the US and has acted on behalf of Guantánamo detainees, <https://reprieve.org/us/>.

The government elected to label this a Full Review hearing for ISN 3148, despite Subsequent Full Review hearings held previously for this detainee. Procedural reasons for this are unclear.

The private counsel's appeal to ISN 3148's close relationship and tutelage of his young daughter was a rather obvious attempt to invoke sympathy and to characterize ISN 3148 as a moderate in his support of his daughter's ambitions to become a doctor. It came across, however, as more of a desire to exert control over her future. Similarly, the verbal assurance that the formerly terrorist group, HIG, was now a legitimate part of the Afghan government and no longer a concern for recidivism, was expressed in more of a threatening tone that warned of diplomatic problems if the detainee was not released.

Counsel's appeal to detainee's intelligence and university education did not address reasons why ISN 3148 would no longer consider militant over peaceful solutions if released. The voluntary security arrangements the detainee offered would be arrangements the U.S. would likely negotiate as requirements for transfer to the recipient country. At best, the private counsel's argument for ISN 3148's release is sympathetic but insubstantial – at worst, it was a calculated insult to members of the Board who previously ruled against the detainee's release but are now feeling pressure to reconsider.