Periodic Review Board: Subsequent Full Review Hearing, ISN 1453 Sanad Al Yislam Al Kazimi

Hearing Summary:

The subsequent full review PRB for ISN 1453 Sanad Al Yislam Al Kazimi convened on 24 August 2021 and was observed by Judicial Watch.

The government summary described ISN 1453 as a bodyguard for Osama Bin Laden, who provided logistical support for Al Qa'eda and possibly financial coordination in Yemen. The government noted that the detainee may not have had detail-level knowledge of the attacks planned.

The personal representative's statement was very short. He noted that he was assigned to ISN 1453 in mid-2021, but the detainee did not engage with the personal representative or the PRB process until a week before the scheduled hearing.

Observations:

ISN 1453 appeared engaged in the hearing, actively nodding as the hearing was translated and occasionally making comments to the linguist or the personal representative. At the same time, he assumed several postures that appeared to communicate boredom (such as resting his chin on his right palm when leaning on the table). Given his refusal to participate in the PRB process since 2016, his decision to participate in this hearing was extraordinary and may have been prompted by something other than his reading of the U.S. political climate.¹

The government's note that the detainee may not have had detailed knowledge of attacks was at odds with its long-held assertion that he provided logistical support within Al Qa'eda. Prior detainees alleged to have provided logistical support were noted to be involved in moving jihadists across national lines to provide training, warfighters, and attack specialists where necessary, as well as supplying food, identities, and armaments where needed for operations. Logistical roles required detailed knowledge of attacks to ensure proper movement of personnel or supplies.²

The personal representative, having only interacted with the detainee for a week, was ill-equipped to provide any assessment of the detainee's outlook or mental state. ISN 1453's interactions with the Board during the closed session would have to make up for this, or it may be incumbent upon the Board to return a "continuing threat" determination.³

¹ The Periodic Review Board (PRB) authorized ISN 1453 for transfer on 7 October 2021. This authorization was unusual in that the detainee could only be transferred to Oman "in accordance with the detainee's desires." With transfer having been authorized, these behaviors align with an assumption of prior knowledge that he would be determined to no longer be a threat.

² With the detainee's authorization for transfer, this misalignment of messages may indicate either inter-agency disagreements, or an attempt to justify an intended outcome.

³ The detainee's authorization for transfer cited that he had been candid in 2016 and stated that he had recently been more cooperative with the detention personnel. That the detainee was permitted to don a wristwatch and a rope to keep his glasses in place, may be indicative of improved cooperation, as both items could be used by the detainee to harm himself or the guard force. However, the detainee's candidness in 2016 was never enough to authorize transfer, and this authorization did not address ISN 1453's long-term communication with terrorists, which had been a factor in prior determinations.