

Periodic Review Board:
ISN 10016 Zayn Al Ibadin Muhammed Husayn, Subsequent Full Review
June 27, 2024

Events:

On June 27, 2024, ISN 10016 Zayn Al Ibadin Muhammed Husayn, kunya Abu Zubaydah, underwent his third Subsequent Full Review (SFR) in the continuing PRB process. This review was either triggered by a time requirement since his last SFR or a request by private counsel, not an intervening File Review indicating new evidence for consideration. The private counsel's statement required last-minute changes, so both the "Detainee Representative's Statements" and the transcript of the public session are undergoing additional security review prior to being posted to the Periodic Review Secretariat (PRS) website.

A new personal representative has been assigned to the detainee, and he has also retained a different private counsel. This private counsel's statement focused on the prospects for ISN 10016 supporting himself if transferred to a non-U.S. country. Statements chronicling abuse suffered by the detainee were minimized. The following offers were made by counsel to assuage U.S. security concerns in an effort to secure the detainee's release:

- Detainee's willingness to live surveilled and under a parole-like reporting system.
- Detainee's willingness to allow external oversight of the Euros awarded by international courts, upon which the detainee intends to live.
- Some form of pre-publication supervision over the memoirs that ISN 10016 intends to write.

The private counsel stated that Abu Zubaydah has many times asserted that he has no interest in the ongoing conflict in Gaza/Palestine and intends to be peaceful and espouse peace when he is given the opportunity.

The personal representative indicated continued meetings with and cooperation by the detainee, as well as polite conduct at all times.

Observations:

Unusually, ISN 10016's last File Review published to the PRS website occurred on 15JAN2021, which was six months following the previous SFR on 15JUN2021. File Reviews are mandated to occur every six months or sooner, if requested by private counsel. File Reviews for other detainees have also been on hiatus or slowed down to once a year. No explanation has been given for this change. It may be that the few remaining detainees have made no effort to cooperate with their personal representatives or provide evidence of any change that would make them less likely to recidivate if transferred. A File Review serves no purpose if no changes or additional information is presented.

This detainee's proffers of oversight and expressed disinterest in the Israel-Palestine conflict appear to indicate that he and/or his personal and private counsel believe that the ongoing violence there is directly impacting his chances for being approved for transfer. Though ISN 10016's nationality is listed as Palestinian, the war and the high opportunity for recidivism would prevent any attempt at repatriating him to countries near the conflict zone or with easy accessibility to the surrounding areas. Perhaps the offer to extend oversight of financial transactions is an effort to show that the detainee is not interested in even funding any form of Muslim conflict.

The shift from a focus on ISN 10016's initial experience in U.S. custody to a focus on how he might conduct a future life, may be what the Board requires for authorization of transfer, because it represents a change in detainee attitude away from modes that might lead him to recidivate and be a security threat against the U.S.