

PUBLIC

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**Further information on UA 189/03 (AMR 51/093/2003, 26 June 2003) Incommunicado detention / Fear of ill-treatment / Legal concern**

**USA**            **Ibrahim Habaci (m), Turkish national**  
                     **Arif Ulusam (m), Turkish national**  
                     **Faha al Bahli (m), Saudi national**  
                     **Mahmud Sardar Issa (m), Sudanese national**  
                     **Khalifa Abdi Hassan (m), Kenyan national**

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The five men named above have been released. Arrested in Malawi on 22 June, they had been secretly transferred out of the country two days later. They were reportedly taken to Harare, Zimbabwe, where they were held for almost a month. They were then transferred to Sudan, where they were released, after it was established that was no evidence linking them to *al-Qa'ida*.

The outgoing US Ambassador to Malawi has reportedly denied that US agents were involved in the detentions and transfers. This contradicts what Amnesty International was told by a Malawi government official on 26 June, in which he wrote that the arrests were carried out by members of Malawi's National Intelligence Bureau, together with US agents. He said that the US agents controlled the operation and that the US authorities had subsequently taken the men out of Malawi on a chartered aircraft. The detainees had been due to appear in court in Malawi.

In July, President Bakili Muluzi of Malawi had stated that his government had joined forces with US agents to carry out the arrests as part of Malawi's commitment to the "war on terror". In late July, after the release of the five men in Sudan, President Muluzi was reported to have met the wives of two of the detainees. In an interview, the women said that he had apologized to them for their husbands' ordeal and that he had blamed their predicament on the US authorities. A Malawian radio journalist was later sacked for broadcasting the interviews, on the grounds of "shaming the President".

Amnesty International has no further information at present, including details of the detainees' treatment while in custody, precisely who had custody of them at any time between their arrest and release, or their current condition.

**No further action is requested. Many thanks to all who sent appeals.**