

PUBLIC

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**Further information on UA 356/03 (AMR 51/147/2003, 04 December 2003) and follow-ups (AMR 51/029/2004, 13 February 2004; AMR 51/044/2004, 1 March 2004; and AMR 51/090/2004, 25 May 2004)  
– Fear of forcible return/Fear of torture/Fear of execution**

**USA                      Around 22 Uighurs held in Guantánamo Bay, names unknown  
Seven detainees from the Russian Federation transferred from Guantánamo: Ruslan Odizhev (m), aged 30; Rasul Kudaev (m), aged 22; Shamil Khashiev (m); Ravil Gumarov (m); Ravil Mingazov (m); Airat Vakhitov (m); Rustam Akhmiarov (m) and Timur Ishmuratov (m)**

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On 12 August, US Secretary of State Colin Powell said that the ethnic Uighurs in US military custody in Guantánamo Bay, Cuba, will not be returned to China. In a briefing with Japanese journalists, he said: “the Uighurs are a difficult problem and we are trying to resolve all issues with respect to all detainees at Guantánamo. The Uighurs are not going back to China, but finding places for them is not a simple matter, but we are trying to find places for them. And we are trying to find places for them, and, of course, all candidate countries are being looked at.”

Amnesty International welcomes Secretary Powell’s assurances, as the organization had feared that the Uighur detainees were at risk of forcible return to China or to third countries where they might face return to China. Any Uighurs suspected of “separatist” or “terrorist” activities would be at risk of serious human rights violations, including unfair trials, torture and execution, if forcibly returned to China. Amnesty International will continue to monitor the situation of the Uighur detainees in Guantánamo Bay.

In the last update to this Urgent Action, Amnesty International reported that it had received credible allegations that a Chinese government delegation visited Guantánamo in September 2002 and participated in interrogations of the Uighur detainees. It is alleged that during this time, the detainees were subjected to intimidation and threats, and to “stress and duress” techniques such as environmental (temperature) manipulation, forced sitting for many hours, and sleep deprivation, some of which is alleged to have been on the instruction of the Chinese delegation. Asked about these allegations, Army General James T. Hill would only confirm that various government delegations “have come and they have talked to their detainees”, but stated that “we don’t talk about what countries come” to Guantánamo. He said that foreign government delegations talk to their nationals “following our rules and under our direct supervision”. There have been numerous allegations that detainees have been ill-treated in Guantánamo Bay.

The seven detainees from the Russian Federation transferred from Guantánamo Bay to continued detention in Russia in late February were released in late June. A spokesperson for the Office of the Procurator General is reported to have said that “the case against them is closed”. At the time of the transfer to the Russian Federation, the US State Department said that “The United States has transferred seven Russian nationals detained at Guantanamo to the control of the Government of Russia to face criminal charges relating to their terrorist activities during an armed conflict. The transfer is the result of discussions between our two governments over the past year, including assurances that the individuals will be detained, investigated and prosecuted, as appropriate, under Russian law and will be treated humanely in accordance with Russian law and obligations.” Soon after the detainees arrived in Russia, prosecutors filed criminal charges against them, including of having links with “illegal armed gangs”. However, the case against the men reportedly fell apart because of the lack of evidence against them. The US authorities are said to have been taken by surprise by the men’s release.

**No further action by the UA Network is requested. Many thanks to all who sent appeals.**