

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

<p>IN RE:</p> <p>GUANTANAMO BAY DETAINEE LITIGATION</p>	<p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p>	<p>Misc. No. 08-442 (TFH)</p> <p>Civil Action No. 05-1509 (RMU)</p> <p>Civil Action No. 05-1602 (RMU)</p> <p>Civil Action No. 05-1704 (RMU)</p> <p>Civil Action No. 05-2370 (RMU)</p> <p>Civil Action No. 05-2386 (RMU)</p> <p>Civil Action No. 05-2398 (RMU)</p>
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UIGHUR PETITIONERS' STATUS REPORT

Petitioners Abdul Nasser, Abdul Sabour, Abdul Semet, Hammad Memet, Huzaifa Parhat, Jalal Jalaldin, Khalid Ali, and Sabir Osman in *Kiyemba v. Bush*, Civil Action No. 05-1509 (RMU), Petitioner Edham Mamet in *Mamet v. Bush*, Civil Action No. 05-1602 (RMU), Petitioners Bahtiyar Mahnut and Arkin Mahmud in *Kabir v. Bush*, Civil Action No. 05-1704 (RMU), Petitioners Abdul Razakah and Ahmad Tourson in *Razakah v. Bush*, Civil Action No. 05-2370 (RMU), Petitioners Abdul Ghaffar and Adel Noori in *Mohammon v. Bush*, Civil Action No. 05-2386 (RMU) and Petitioners Ali Mohammad and Thabid in *Thabid v. Bush*, Civil Action No. 05-2398 (RMU) (collectively, the “Uighur Petitioners”) respectfully submit this status report pursuant to the July 11, 2008 Scheduling Order issued by Judge Hogan in this litigation.

Each Uighur Petitioner was eventually classified as an “enemy combatant” by a Combatant Status Review Tribunal (“CSRT”). As we will show, these classifications were erroneous and unlawful. The government has produced some portion or all of the CSRT record for all but one of the Uighur Petitioners.<sup>1</sup>

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<sup>1</sup> As to Petitioners Abdul Sabour, Bahtiyar Mahnut, and Arkin Mahmud, the government has made only the unclassified portion of the CSRT record available to security-cleared counsel. The government has refused to provide Petitioner Adel Noori’s CSRT record to his counsel.

We are informed and believe that each Uighur Petitioner has been cleared for release by an Annual Review Board (“ARB”). Nevertheless, six of the Uighur Petitioners are incarcerated in Guantanamo’s Camp VI,<sup>2</sup> while the other eleven are currently held in Camp IV.

### **Status of Individual Uighur Petitioners**

1. Petitioner Abdul Nasser (ISN 278) is currently being held in Camp IV. He is cleared for release. The government produced his classified CSRT record in his Detainee Treatment Act (“DTA”) case.

2. Petitioner Abdul Sabour (ISN 275) is currently being held in Camp IV. He is cleared for release. The government has produced the unclassified portion of his CSRT record in his DTA case.

3. Petitioner Abdul Semet (ISN 295) is currently being held in Camp IV. He is cleared for release. His classified CSRT record has been produced by the United States in his DTA case.

4. Petitioner Hammad Memet (ISN 328) is currently being held in Camp VI. We are informed and believe that he is cleared for release. The government produced his classified CSRT record in his Detainee Treatment Act (“DTA”) case. On or about November 15, 2004, Mr. Memet’s CSRT determined that he was not an enemy combatant. The Tribunal reconvened on November 24, 2004, and reclassified Mr. Memet as an enemy combatant.

5. Petitioner Huzaifa Parhat (ISN 320) is currently being held in Camp IV. He is cleared for release, and the government produced his classified CSRT record in his DTA case. On June 20, 2008, the United States Court of Appeals for the District of Columbia Circuit entered judgment in favor of Mr. Parhat in his DTA case, finding, among other things, that the

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<sup>2</sup> The dire conditions of Camp VI have been described in numerous court filings, including the January 20, 2007 Declaration of Sabin Willett filed in *Kiyemba v. Bush*, No. 05-1509.

evidence could not support his classification as an enemy combatant. *Parhat v. Gates*, \_\_\_ F.3d \_\_\_, 2008 U.S. App. LEXIS 13721 (D.C. Cir. June 20, 2008) (ordering the government to “release or to transfer [Parhat], or to expeditiously hold a new CSRT consistent with this opinion”).

6. Petitioner Jalal Jalaldin (ISN 285) is currently being held in Camp IV. He is cleared for release. The government produced his classified CSRT record in his DTA case.

7. Petitioner Khalid Ali (ISN 280) is currently being held in Camp VI. He is cleared for release. The government produced his classified CSRT record in his DTA case.

8. Petitioner Sabir Osman (ISN 282) is currently being held in Camp IV. He is cleared for release. The government produced his classified CSRT record in his DTA case.

9. Petitioner Edham Mamet (ISN 102) is currently being held in Camp VI. He is cleared for release. The government produced his classified CSRT record as the return in his habeas action.

10. Petitioner Bahtiyar Mahnut (ISN 277) is currently being held in Camp VI. He is cleared for release. The government only made available the unclassified portion of his CSRT record to his security-cleared counsel.

11. Petitioner Arkin Mahmud (ISN 103) is currently being held in Camp VI. He is cleared for release. The government only made available the unclassified portion of his CSRT record to his security-cleared counsel.

12. Petitioner Abdul Razakah (ISN 219) is currently being held in Camp IV. He is cleared for release. The government produced his classified CSRT record as a factual return in his habeas action.

13. Petitioner Ahmad Tourson (ISN 201) is currently being held in Camp IV. He is cleared for release. The government produced his classified CSRT record as a factual return in his habeas action.

14. Petitioner Abdul Ghaffar (ISN 281) is currently being held in Camp IV. He is cleared for release. The government produced his classified CSRT record in his DTA case.

15. Petitioner Adel Noori (ISN 584) is currently being held in Camp VI. He is cleared for release. The government has never produced his classified CSRT record or any unclassified parts thereof.

16. Petitioner Ali Mohammad (ISN 250) is currently being held in Camp IV. He is cleared for release. He has had two CSRTs, the first finding him not to be an enemy combatant and the second finding him to be an enemy combatant. The government produced both of his classified CSRT records as a factual return in his habeas action.

17. Petitioner Thabid (ISN 289) is currently being held in Camp IV. He is cleared for release. The government produced his classified CSRT record as a factual return in his habeas action.

### **Motions**

Petitioners' counsel filed today a classified motion to allow the use of the CSRT records that have been produced in the DTA actions to be used in these habeas actions.

Petitioners' counsel will also be filing motions to require these innocent men to be released into the United States or for such interim rulings as may be necessary for such relief.

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