

[ORAL ARGUMENT HAS BEEN CONTINUED BY THE COURT]

**UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

ABU BAKKER QASSIM, *et al.*,
Petitioners/Appellants,

v.

GEORGE W. BUSH, *et al.*,
Respondents/Appellees.

Docket No. 05-5477

**STATUS REPORT CONCERNING PETITIONERS-APPELLANTS
AND REQUEST FOR BRIEFING SCHEDULE**

Pursuant to this Court's order of May 6, 2006, counsel to Petitioners-Appellants Abu Bakker Qassim and Adel Abdu Al-Hakim ("Petitioners") submit the following status report and request that the Court establish a schedule for briefing concerning the status of the above-captioned appeal and the pending motions.

Status Report

Transfer Without Prior Notice on the Eve of Hearing. The oral argument in this appeal, as well as Petitioners' Motion for Release Pending Determination of Appeal ("Petitioners' Release Motion") and Petitioners' Emergency Motion for (i) Client Access in Camp Iguana and (ii) Reference of Other Access and Conditions Issues to Magistrate Judge Kay, were scheduled to heard by this Court at 9:30 a.m. on Monday, May 8, 2006. At 4:39 p.m. on May 5, 2006, Respondents-Appellees ("Executive") served an Emergency Motion to Dismiss as Moot ("Emergency Motion"), asserting that the Petitioners had been transferred to a "facility" in

Albania and that, therefore, the instant appeal should be dismissed as moot.

Petitioners' counsel did not learn of the reported transfer until 4:30 p.m. on Friday, May 5, when an attorney with the United States Department of Justice advised Petitioners' counsel by telephone that the Petitioners had been transported to Albania. *See* May 16 Declaration of Sabin Willett, submitted herewith (“Willett Decl.”), ¶ 5. Prior to that call, the Executive had given no notice to Petitioners' counsel that it contemplated sending the Petitioners to Albania. Although it appears that Petitioners and three other noncombatant Uighurs who had been held at Camp Iguana, Guantánamo Bay Naval Base, Cuba (“Guantánamo”) were notified by U.S. military personnel on or about May 2, 2006 that they were going to be sent to Albania, the men had no way of contacting their attorneys and the May 5 call from the Department of Justice was placed approximately one hour after a U.S. military transport plane carrying the men landed in Albania. Willett Decl., ¶¶ 4-5.

Unable to reach the Petitioners or anyone in Albania who could confirm the representations made in the Emergency Motion, Petitioners' counsel sought and obtained a continuance of the oral argument that had been scheduled for May 8, as well as a period of ten days to file a status report, with the Court to consider at that time the question of a briefing schedule concerning the merits of the Emergency Motion.

Petitioners' counsel first reached the men by telephone on May 6, 2006. Willett Decl., ¶ 6. That afternoon, counsel boarded a flight to Europe and arrived in Tirana, Albania at approximately noon on Sunday, May 7, 2006. *Id.*, ¶ 7. The Executive had advised only that the men were housed at a U.N. refugee center in a district called Babrru, located in Tirana. After traveling all but impassable unmarked dirt roads, the driver managed to find the center in Babrru, a slum approximately 3 to 5 miles from the city center featuring a river whose banks are

strewn with hills of garbage. *Id.*, ¶ 7, Ex. 1-12.

Petitioners' counsel has been informed by highly placed sources that two western governments, each of which has a Uighur expatriate population, had made substantial progress toward a resettlement of the Uighurs in those countries prior to May 5, 2006. Willett Decl., ¶ 23. Yet the Executive elected to send the men to one of the poorest country in Europe, a place with no real economic prospects for the men, and where the men have no family, friends, common language, or point of reference. *Id.*, ¶¶ 17-22.

On Monday morning, May 8, 2006, counsel learned that the Albanian Deputy Minister for Refugee Affairs had not been consulted in advance concerning the Uighurs' refugee applications but that the applications were now being processed. Willett Decl., ¶ 10. Counsel was accompanied to the Babrru center. *Id.* Later that day, after negotiation with the director of the center, counsel was admitted to the center and met with the Petitioners and the other Uighurs. *Id.*, ¶ 8. During this meeting, Petitioners advised that U.S. military representatives had told them that they could leave Guantánamo if they agreed to apply for asylum in Albania, and that they were flown to Tirana by a U.S. military transport plane and upon arrival signed the applications. *Id.*, ¶ 24.

The Babrru Center. The five men are housed in a four-room flat with a bathroom. Willett Decl., ¶ 11, Ex. 13-15. The flat is clean and sparsely furnished with beds, tables, chairs, and bureaus, and the men have access to an outdoor compound. *Id.* The windows are barred, and the walls of the compound are topped with barbed wire. *Id.* Although the center is referred to as a U.N. center, the Albanian police presence inside the center is pervasive, *see id.* Ex. 15, and Albanian and U.N. representatives have advised that the center is within the jurisdiction and control of the Albanian government. *Id.*, ¶ 12. On May 7, 2006, a guard refused him admittance. *Id.*, ¶ 8. The men later advised that they were also

prohibited from leaving the center that day. *Id.* On the afternoon of May 8, counsel was given permission to take the men out to a restaurant, escorted in a van by the center director, who insisted on collecting the men approximately 2-1/2 hours later. *Id.*, ¶ 13. After lunch and a visit to an Albanian optometrist to obtain badly needed glasses for Petitioner Qassim, the men were returned to the center. *Id.* As discussed further below, the men have not left the Babrru center since.

It appears that there are no Uighurs in Albania other than the men themselves. During and since the arrival of the men in Tirana, which was widely publicized in local media (as discussed below), counsel has learned of no person in Albania who speaks the Uighur language or has any Uighur contacts. Willett Decl., ¶ 21. According to another refugee at the Babrru center, with whom Petitioners were able to communicate in Chinese, some people in the center have been there for more than two years. *Id.*, ¶ 16. There simply is no indication that the men can successfully be resettled in Albania.

There was considerable confusion about the men's rights to come and go from the Babrru center. Willett Decl., ¶ 15. According to Albanian regulations, as well as advice from the Albanian Deputy Minister, as "asylum seekers" the men are free to come and go under Albanian law. *Id.* The Deputy Minister also advised that the security measures at the U.N. center were for the protection and privacy of the asylum seekers. *Id.* In a mid-day meeting on May 8, 2006, however, the center director advised counsel that the men were not free to go "for the time being," and that they would receive such liberty only after certain "permits" were issued. *Id.* Over the three days of counsel's visit, the men were not free to leave the center. *Id.* Although we are informed that the men have since been offered the opportunity to go outside the center, the men have not been afforded any access to money or work and there is nowhere for them to go. *Id.*, ¶ 22.

The Chinese Diplomatic Crisis. Petitioners have significant and well-founded concerns for their safety and are afraid to leave the center. The arrival of the five “Chinese Muslims” (as the men were called in the local press) provoked a sensation in Albania. Willett Decl., ¶ 25. It was reported on Albanian television as early as Friday evening, May 5, 2006 and, thereafter, the local press camped outside the Babrru center and telephoned counsel constantly for comments. *Id.* The press attention quickly escalated into a diplomatic crisis. On Monday, May 8, 2006, China demanded that the Albanian government hand over the men. *See id.* Ex. 16-17.

On May 9, 2006, as counsel met with the men at the center, the diplomatic crisis deepened. The Chinese government issued another statement, this time condemning the United States and Albania for violating international law by treating “suspected East Turkestan terrorists” as refugees. *See* Willett Decl., Ex. 18. This statement was widely reported on local television stations and Albanian newspapers. Willett Decl., ¶ 27. In fact, it appears that the Albanian foreign minister met with the Chinese ambassador to Tirana regarding the statement, and Albania has pledged to investigate the Chinese terrorist allegations with “great seriousness.” *Id.*, Ex. 17.

Later in the day on May 9, 2006, Mr. Willett was advised (and the information was subsequently confirmed by the U.S. Embassy in Albania) that at least one minister in the Albanian Parliament had given a floor speech urging that the Uighurs be deported to China. Willett Decl., ¶ 28. In fact, it was reported the same day that several members of the Albanian Parliament were actively campaigning for the extradition of the men to China and that the Albanian government had not yet decided whether it would do so. *See id.*, Ex. 19. Throughout May 8 and 9, 2006, numerous Albanian newspapers and television reporters contacted counsel, asking why the United States had dumped its

“terrorists” on Albania and why, if the men are not terrorists (as counsel stated), the United States had not given the men refugee status itself. *Id.*, ¶ 29. Press accounts concerning a growing diplomatic crisis continue to swirl around the matter. *Id.*, Exs. 20-26. We believe that the Chinese protest and local media coverage has created a broad-based hostility and suspicion in Albania concerning the men. *Id.*

During a telephone conference on May 12, 2006, Petitioner Qassim expressed his deep and continued concern that the growing pressure from the Chinese will result in deportation of the men to China, and that, even if that does not happen, the men will be unable to establish the necessary contacts to work and support themselves in Albania. Willett Decl., ¶ 32. Petitioner Qassim advised that journalists had scaled the roof of the Babrru center compound in an attempt to photograph the men. *Id.* He said he had been advised that the men were now able to leave the compound when escorted by a government-provided Chinese interpreter, but that he and the other men are afraid to do so. *Id.*

**Request for a Briefing Schedule Concerning the Merits of the Emergency
Motion**

Fed. R. App. P. 23(a) expressly prohibits the transfer of petitioners in *habeas* proceedings without prior authorization from the Court. The Petitioners’ Release Motion, brought pursuant to Fed. R. App. P. 23(b), was pending before the Court, and the Executive simply ignored it. Its express intention, as its Emergency Motion shows, was to deprive the Court of jurisdiction. With respect, we submit that this effort did not succeed, and certainly should not be rewarded.

Since *Rasul v. Bush*¹ was decided almost two years ago, the strategy of

¹ 542 U.S. 466 (2004).

seeking stays and then transferring detainees on the eve of those rare occasions when substantive hearings are to occur, has been a constant tactic of the Executive. In this way for almost two years it has prevented appellate courts from guiding the lower courts as to the management of these cases. Thus issues not only capable of repetition, but precisely repeated, continue to evade review. For example, there are at least four non-combatants still held at Camp Iguana more than a year after their non-combatant determination, whose cases would have been controlled by the result of this appeal. In addition, there are believed to be an additional twelve Uighurs still imprisoned at Guantánamo, all of whom were with Petitioners Hakim and Qassim when sold to U.S. forces and at all relevant times, and whose cases therefore should also be controlled by the outcome in this case. For these and other reasons, we believe the Executive will not be able to carry its burden to justify dismissal of the appeal.

Hasty rendition to Albania has placed in danger two guiltless Petitioners who were parties before this Court. A diplomatic crisis now swirls around them. The impoverished country where they were dumped without community, common language, family, or prospects is ill-suited long to withstand the strident demands of the most powerful communist dictatorship on earth. These men never wronged the United States in any way. What has happened is shameful.

In view of the foregoing, we respectfully request as follows:

1. The Court should establish a schedule for briefing on the substance of the Emergency Motion, and require that the Executive file the first brief, explaining the basis for its contention that the appeal is moot. We also respectfully ask that the Court set a date for hearing on the Emergency Motion. If the Court agrees with the Petitioners that this appeal should not be dismissed, a new date for oral argument on the appeal should be set.

2. In order to ensure the safety of the men in the interim, we request that

the Court promptly schedule a hearing on Petitioners' Release Motion. In lieu of a sanction against the Respondents, we believe that as a practical matter Respondents will be able to cure their violation of Rule 23(a) by arranging that the Petitioners be brought to Washington, D.C. Here the Petitioners should be released to the custody of the Uighur community until resolution of the appeal. The precise contours of an order on the Release Motion could be addressed at hearing.

Respectfully submitted,

Dated: May 16, 2006

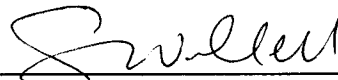
ABU BAKKER QASSIM and ADEL
ABDU AL-HAKIM

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CERTIFICATE OF SERVICE

I, Sabin Willett, have this 16th day of May 2006, served the foregoing Status Report Concerning Petitioners-Appellants and Request for Briefing Schedule by FedEx on counsel for the Respondents:

Robert Mark Loeb, Esq.
U.S. Department of Justice
Civil Division
950 Pennsylvania Avenue, NW
Room 7268
Washington, DC 20530-0001



Sabin Willett

**UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

<p>ABU BAKKER QASSIM, <i>et al.</i>, Petitioners/Appellants, v. GEORGE W. BUSH, <i>et al.</i>, Respondents/Appellees.</p>

Docket No. 05-5477

**MAY 16, 2006,
DECLARATION OF SABIN
WILLETT IN
CONNECTION WITH
STATUS REPORT
CONCERNING
PETITIONERS-
APPELLANTS AND
REQUEST FOR BRIEFING
SCHEDULE**

Pursuant to 28 U.S.C. § 1746, I, Sabin Willett, declare under penalty of perjury that the following is true:

1. I have personal knowledge of the facts stated herein, except those stated on information and belief, and, if called upon, could and would testify competently to them.

2. I am a partner with Bingham McCutchen LLP, counsel of record for Petitioners-Appellants Abu Bakker Qassim and Adel Abdu Al-Hakim (“Petitioners”) in the above-captioned appeal.

3. The oral argument in this appeal, as well as Petitioners’ Motion for Release Pending Determination of Appeal and Petitioners’ Emergency Motion for (i) Client Access in Camp Iguana and (ii) Reference of Other Access and

Conditions Issues to Magistrate Judge Kay were scheduled to heard by this Court at 9:30 a.m. on Monday, May 8, 2006.

4. Based on information I received on May 8, 2006, from Petitioner Al-Hakim in Tirana, Albania, I am informed and believe that Petitioners and three other noncombatant Uighurs who had been held at Camp Iguana, Guantánamo Bay Naval Base, Cuba (“Guantánamo”), were notified on or about May 2, 2006, by U.S. military personnel that they were going to be sent to Albania. Our firm was not advised of this, and Petitioners had no way to contact us.

5. On Friday, May 5, 2006, at approximately 4:30 p.m., I was advised by telephone by an attorney with the Department of Justice that the Petitioners had been moved to Albania. Prior to that call, the government had given no notice to our firm that it contemplated sending the Petitioners to Albania. (According to information I later saw in the Albanian press, I am informed and believe that this call was placed approximately one hour after the U.S. military transport plane touched down at the airport in Tirana.)

6. On Friday evening, May 5, 2006, I was unable to reach the Petitioners, or anyone in Albania who could confirm any information concerning the Petitioners. At 7:22 a.m. on Saturday morning, May 6, 2006, I received from the Justice Department a telephone number for our clients. Together with counsel for the other Uighurs who had been sent to Albania, and a Uighur interpreter reached by telephone, we had a conference call with our clients later that morning.

7. I boarded a flight for Europe on Saturday afternoon, May 6, 2006, and arrived in Tirana at approximately noon on Sunday, May 7, 2006. The government had advised only that the men were housed at a U.N. refugee center in a district called Babrru, located in Tirana. It gave no street address. After hiring a taxi, I located Babrru, a slum approximately 3 to 5 miles from the city center. Attached to this declaration as Exhibits 1-12 are photographs I took of Babrru on May 9,

2006. In this neighborhood, there is a river whose banks are strewn with hills of garbage. Exs. 4-6. The unmarked dirt roads are passable by automobile only with great difficulty. Exs. 8-9.

8. I reached the center for the first time at approximately 4:00 p.m. on May 7, 2006. I observed a walled compound with barred windows. High metal doors block the entrance. A guard appeared and refused me admittance. I sought to get a note into the camp. The guard refused my request.

9. Later that evening, through the intercession of an Albanian N.G.O. (non-governmental organization) I had contacted by email, I was able to reach the Interior Minister for Albania, Mr. Oldashi, who agreed to meet with me. After a brief conversation, he promised to give me access to the Deputy Minister for Refugee Affairs the next morning.

10. On Monday morning, May 8, 2006, I met with the Deputy Minister for Refugee Affairs. She advised that her office had not been consulted in advance concerning the Uighurs' refugee applications, but that the applications were now being processed. She introduced me to a cabinet minister who accompanied me to the Babrru center.

11. Late on May 8, 2006, after some negotiation with the director of the Babrru center, I was admitted to the center and met with the Petitioners and the other Uighurs. Inside the center the five men are housed in a four-room flat with a bathroom. The windows are barred, and the walls of the compound are topped with barbed wire, as shown on Exhibits 13-15, photographs that I took from inside the men's quarters. The rooms are sparse but clean. They have beds, tables, chairs, and bureaus. There is an outdoor compound to which the men have access.

12. Although the center is referred to as a U.N. center, Albanian and U.N. representatives advised me that the center is within the jurisdiction and control of the Albanian government. Inside the center, the Albanian police presence is

pervasive, as shown in Exhibit 15, a photograph taken from inside the men's quarters.

13. In the afternoon I was given permission to take the men out to a restaurant. The center director escorted us in a van and insisted on collecting us approximately 2-1/2 hours later. After lunch and a visit to an Albanian optometrist to obtain badly needed glasses for Petitioner Qassim, the men were returned to the center.

14. On May 9, 2006, I met with the men at the center. In light of the diplomatic crisis that had by then arisen (described below), we were encouraged not to leave the center.

15. During my visit to Tirana, there was considerable confusion about the men's rights to come and go from the Babrru center. According to Albanian regulations (which I reviewed in translation), as well as advice from the deputy minister, the men, as "asylum seekers," are free to come and go under by Albanian law. The minister advised that the security measures at the U.N. center were for the protection and privacy of the asylum seekers. In a mid-day meeting on May 8, 2006, however, the center director advised me that the men were *not* free to go "for the time being," and that they would receive such liberty only after certain "permits" were issued. Over the three days of my visit, the men were not free to leave. As noted, guards prohibited me from entering or communicating with the men on May 7, 2006. The men advised me that they were also prohibited from leaving that day.

16. Petitioners advised me that they had met other refugees at the center, and had been able to communicate with one of them in Chinese. They told me that they had been advised that there were people in the center who had been there for more than two years.

17. So far as I know, the men have not been afforded any access to money or work. As discussed below, in light of the diplomatic developments concerning their arrival in Albania, they have significant, well-founded fears for their safety outside the center.

18. As a model for successful resettlement of political refugees, Albania shows none of the usual indicia for success. The nation has few resources, a fragile economy, and little opportunity for work. In fact, Albania is regarded as the poorest nation in all of Europe. FED. RESEARCH DIV., THE LIBRARY OF CONG., A COUNTRY STUDY: ALBANIA CH. 3 (Raymond E. Zickel & Walter R. Iwaskiw eds., 2d ed. 1994), *available at* [http://lcweb2.loc.gov/cgi-bin/query/r?frd/cstdy:@field\(DOCID+al0063\)](http://lcweb2.loc.gov/cgi-bin/query/r?frd/cstdy:@field(DOCID+al0063)) (“Europe’s poorest nation by every economic measure, Albania has been isolated and underdeveloped for centuries.”). “According to the World Bank’s November 2003 Poverty Assessment, average per capita income [in Albania] was U.S. \$1,230 in 2002. The official unemployment rate is 16%, and 30% of the population lives below the poverty line.”). U.S. DEP’T OF STATE, BACKGROUND NOTE: ALBANIA (2006), <http://www.state.gov/r/pa/ei/bgn/3235.htm> (“STATE DEPARTMENT REPORT”).

19. According to reports, Albania is still suffering from an economic collapse that, in 1997, brought the country to the brink of anarchy. *See* STATE DEPARTMENT REPORT (“[In the 1990s] unscrupulous investment companies defrauded investors all over Albania using pyramid schemes. In early 1997, several of these pyramid schemes collapsed, leaving thousands of people bankrupt, disillusioned, and angry. Armed revolts broke out across the country, leading to the near-total collapse of government authority. During this time, Albania’s already inadequate and antiquated infrastructure suffered tremendous damage, as people looted public works for building materials.”).

20. In the past fifteen years, the United States has donated more than half a billion dollars to Albania to spur its troubled economy. *See* STATE DEPARTMENT REPORT (“Since FY 1991, the U.S. has provided more than \$531 million in assistance -- not counting U.S. Department of Agriculture (USDA) food aid -- to Albania to facilitate its transition from the most isolated and repressive communist state in Europe to a modern democracy with a market-oriented economy, and to support long-term development.”).

21. Upon information and belief, there is no Uighur community in Albania. *See* STATE DEPARTMENT REPORT (identifying Albania’s ethnic population as consisting of Albanians (98.6%), Greeks (1.17%) and Vlachs, Romas, Serbs, Montenegrins, Macedonians, Egyptians, and Bulgarians (0.23%)). During and since the arrival of the Uighurs in Tirana, which was widely publicized in local media (as discussed below), I have learned of no person in Albania who speaks the Uighur language or has any Uighur contacts.

22. The men speak no Albanian. They have no family, friends, common language or point of reference in Albania.

23. I am informed and believe, based on discussions with highly placed sources, that two western governments, each of which has a Uighur expatriate population, had made substantial progress toward a resettlement of the Uighurs in those countries prior to May 5, 2006.

24. During our meeting on May 8, 2006, Petitioners advised that U.S. military representatives had told them that they could leave Guantánamo if they agreed to apply for asylum in Albania. They were flown to Tirana by a U.S. military transport plane and upon arrival signed the applications.

25. The arrival of the five “Chinese Muslims,” as the men were called in the local press, provoked a sensation in Albania. So far as I am aware, their arrival was reported on television as early as Friday evening, May 5, 2006. Thereafter,

local press camped outside the Babrru center and telephoned me constantly for comments. This press attention quickly escalated into a diplomatic crisis.

26. On Monday, May 8, 2006, China demanded that the Albanian government hand over the men. *See, e.g.,* Ex. 16 (Benet Koleka, *China asks Albania to hand over Uighurs*, REUTERS, May 8, 2006 (“We have contacted the Albanian side and want them to repatriate to China the five terrorists holding Chinese citizenship as soon as possible’ Chinese Ambassador Tian Changchun said in a statement.”)); Ex. 17 (*Chinese Government Requests Extradition of the Five Uighurs*, ALBANIAN DAILY NEWS, May 9, 2006, at 2 (“The Chinese government requested to the Albanian government on Monday the extradition of the five Chinese citizens of Uighur ethnicity who have been settled in Albania.”)).

27. On May 9, 2006, the crisis deepened. The Chinese government issued another statement, this time condemning the United States and Albania for violating international law by treating “suspected East Turkestan terrorists” as refugees. *See* Ex. 18 (*China Asks Albania to Return Asylum Seekers*, REUTERS, May 9, 2006 (“We believe these suspects should be deported to China. The U.S. and Albanian actions have gravely violated international law and relevant U.N. Security Council resolutions,’ [Chinese Foreign Ministry Spokesman Jianchao] Liu said.”)). This statement was widely reported on local television stations and Albanian newspapers. In fact, it appears that the Albanian foreign minister met with the Chinese ambassador to Tirana regarding the statement, and Albania has pledged to investigate the Chinese terrorist allegations with “great seriousness.” *See* Ex. 17.

28. Later in the day on May 9, 2006, I was advised (and the information was subsequently confirmed to me by the U.S. embassy) that at least one minister in the Albanian Parliament had given a floor speech urging that the Uighurs be deported to China. In fact, it was reported the same day that several members of

the Albanian Parliament were actively campaigning for the extradition of the men to China and that the Albanian government had not yet decided whether it would do so. *See* Ex. 19 (*Albania, The Dilemma of the Chinese Political Emigrants*, ALBANIAN ECON. NEWS, May 9, 2006 (“[D]ifferent opposition MPs have asked for [the Uighurs] extradition, while the Albanian government has not yet reached a final decision (*sic*) on the issue.”)).

29. Throughout May 8 and 9, 2006, numerous local newspapers and television reporters contacted me. The tenor of questioning about the matter was to the effect of (i) why the United States had dumped its “terrorists” on Albania, and (ii) why, if the men were not terrorists (as I stated) America had not given them refugee status itself.

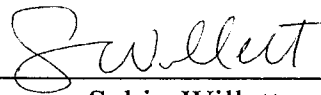
30. I am informed and believe that the effect of the Chinese protest and local media coverage was to create a broad-based hostility and suspicion in Albania concerning the men.

31. Press accounts concerning a growing diplomatic crisis continue to swirl around the matter. *See, e.g.*, Alexa Olesen, *China Demands Return of Gitmo Detainees*, WASH. POST, May 9, 2006; Edward Cody, *China Objects to Citizens’ Transfer*, WALL ST. J. EUROPE, May 10, 2006, at 12; Nicholas Wood, *China Demands Albania Return 5 Men U.S. Freed from Cuba Camp*, INT’L HERALD TRIB., May 10, 2006, at 3; *China Demands Repatriation of Five Terrorist Suspects*, CHINA DAILY, May 10, 2006; *China Criticizes US Handling of Uighur Detainees*, REUTERS, May 12, 2006; *China, U.S.: Tensions Build Over Uighur Detainees’ Fate*, STRATFORD, May 11, 2006; *China Says U.S. Hampering Anti-terror Efforts by Releasing Guantanamo Uighurs*, CHINA POST, May 12, 2006 (attached as Exs. 20-26).

32. I spoke by telephone to Petitioner Qassim on May 12, 2005. He expressed his deep and continued concern that the growing pressure from the Chinese will result in deportation of the men to China, and that the men will be unable to establish the necessary contacts to work and support themselves in Albania. He advised that journalists had scaled the roof of the Babrru center compound in an attempt to photograph the Uighurs. He said he had been advised that the men were now able to leave the compound when escorted by a government-provided Chinese interpreter, but that he and the other men are afraid to do so.

I declare under penalty of perjury that the foregoing is true.

MAY 16, 2006



Sabin Willett