

## **Detainee Treatment after Transfers to Countries of Citizenship and/or Residency**

The following is a partial list of individuals who were detained at the U.S. Naval Base in Guantánamo Bay, Cuba and subsequently transferred to their countries of nationality and/or residency. The list provides information on how the released detainees were dealt with upon their transfer to the countries of their citizenship and/or residency.

### **United States**

- Yassir HAMDI:
  - Released April 5, 2002;
  - Transferred to U.S. military jails in Virginia and South Carolina after authorities became aware that he was a U.S. citizen;
  - In *Hamdi v. Rumsfeld*, the Supreme Court held that Hamdi could not be held indefinitely without trial;
  - Hamdi was released from detention in the United States on October 9, 2004 on the condition that he give up his U.S. passport, and was subsequently deported to Saudi Arabia.

### **Australia**

- Mamdouh Ibrahim Ahmad HABIB:
  - Released January 28, 2005;
  - Transferred to Australian authorities and subsequently released upon his return.
- David HICKS:
  - Released May 20, 2007;
  - Pled guilty to providing material support for terrorism, and convicted for seven years in prison, all but nine months of which were suspended;
  - Currently serving the remainder of his sentence in Adelaide, Australia, with an expected release date of December 2007.

### **Denmark**

- Slimane Hadj ABDERRAHMANE:
  - Released February 25, 2004;
  - Transferred to Danish authorities and subsequently released upon his return;
  - Required to sign a document swearing off further terrorist actions upon his arrival to Denmark, and is under police surveillance.

### **France**

- Mourad BENCHELLALI:
  - Released July 27, 2004;
  - Transferred to French authorities and detained for several months upon return;
  - He was subsequently released while awaiting trial for terrorism-related charges in May 2006;
  - The trials were postponed and are ongoing.
- Imad ACHAB KANOUNI:

- Released July 27, 2004;
  - Transferred to French authorities and detained for several months upon return;
  - He was subsequently released while awaiting trial for terrorism-related charges in May 2006;
  - During this trial all charges were dropped and he was released uncharged for lack of evidence.
- Nizar SASSI:
  - Released July 27, 2004;
  - Transferred to French authorities and detained for several months upon return;
  - He was subsequently released while awaiting trial for terrorism-related charges in May 2006;
  - The trials were postponed and are ongoing.
- Brahim YADEL:
  - Released July 27, 2004;
  - Transferred to French authorities and detained upon return;
  - He remained in detention while awaiting trial for terrorism-related charges in May 2006;
  - The trials were postponed and are ongoing.
- Ridouane KHALID:
  - Released March 7, 2005;
  - Transferred to French authorities and detained for several months upon return;
  - He was subsequently released while awaiting trial for terrorism-related charges in May 2006;
  - The trials were postponed and are ongoing.
- Khaled Ben MUSTAFA:
  - Released March 7, 2005;
  - Transferred to French authorities and detained for several months upon return;
  - He was subsequently released while awaiting trial for terrorism-related charges in May 2006;
  - The trials were postponed and are ongoing.
- Mustaq Ali PATEL:
  - Released March 7, 2005;
  - Transferred to French authorities after U.S. determined Patel was not a threat, and he was subsequently released upon his return.

## **Germany**

- Murat KURNAZ:
  - Released August 24, 2006;
  - Resident of Germany and citizen of Turkey;
  - Transferred to German authorities by the U.S. after lengthy negotiations;
  - U.S. and German intelligence had determined as early as 2002 that Kurnaz had no ties to terrorist groups and did not pose a terrorist threat, and was therefore released upon arrival in Germany.

## **Kuwait**

- Abdulaziz Saver Owain AL SHAMMARI:

- Released November 4, 2005;
  - Transferred to Kuwaiti officials and charged with terrorist activity and endangering Kuwaiti foreign relations by taking up arms against a foreign nation;
  - He was acquitted by a Kuwaiti criminal court on May 21, 2006;
  - The prosecution appealed this decision, and he was again acquitted by the Court of Appeals on July 22, 2006.
- Mohammed Fenaitel Mohamad AL DAIHANI:
  - Released November 4, 2005;
  - Transferred to Kuwaiti officials and charged with terrorist activity and endangering Kuwaiti foreign relations by taking up arms against a foreign nation;
  - He was acquitted by a Kuwaiti criminal court on May 21, 2006;
  - The prosecution appealed this decision, and he was again acquitted by the Court of Appeals on July 22, 2006.
- Adil Zamil Abdull Mohssin AL ZAMIL:
  - Released November 4, 2005;
  - Transferred to Kuwaiti officials and charged with terrorist activity and endangering Kuwaiti foreign relations by taking up arms against a foreign nation;
  - He was acquitted by a Kuwaiti criminal court on May 21, 2006;
  - The prosecution appealed this decision, and he was again acquitted by the Court of Appeals on July 22, 2006.
- Saad Madai Saad AL-AZMI:
  - Released November 4, 2005;
  - Transferred to Kuwaiti officials and charged with terrorist activity and endangering Kuwaiti foreign relations by taking up arms against a foreign nation;
  - He was acquitted by a Kuwaiti criminal court on May 21, 2006;
  - The prosecution appealed this decision, and he was again acquitted by the Court of Appeals on July 22, 2006.
- Abdullah Saleh Ali AL AJMI:
  - Released November 4, 2005;
  - Transferred to Kuwaiti officials and charged with terrorist activity and endangering Kuwaiti foreign relations by taking up arms against a foreign nation;
  - He was acquitted by a Kuwaiti criminal court on May 21, 2006;
  - The prosecution appealed this decision, and he was again acquitted by the Court of Appeals on July 22, 2006.
- Khalid Nasser Najiri AL-MUTAIRI:
  - Released January 16, 2005;
  - Transferred to Kuwaiti officials and charged with terrorist activity and endangering Kuwaiti foreign relations by taking up arms against a foreign nation;
  - He was immediately cleared of such charges and released;
  - His acquittal was overturned by the Court of Appeals, and he was sentenced to five years imprisonment;
  - The Kuwaiti Supreme Court overturned the decision of the Court of Appeals in December 5, 2006, clearing Al-Mutairi of all charges for lack of evidence.
- Omar Rajab AMIN:
  - Released September 14, 2006;
  - Transferred to Kuwaiti officials;

- Cleared of charges of terrorism by a Kuwaiti criminal court in March 2007;
  - The acquittal was upheld by the Court of Appeals on May 29, 2007.
- Abdullah Kamal AL-KANDARI:
  - Released September 14, 2006;
  - Transferred to Kuwaiti officials;
  - Cleared of charges of terrorism by a Kuwaiti criminal court in March 2007;
  - The acquittal was upheld by the Court of Appeals on May 29, 2007.

## **Russia**

- Abdullah D. KAFKAS (a.k.a. Rasul Kudaev):
  - Released March 1, 2004;
  - Transferred to Russian authorities after the U.S. received assurances from Russian authorities that Kafkas would be tried in a fair trial and not abused;
  - Transferred to prison in Southern Russia, but released on June 22, 2004 for lack of terrorist-related evidence.
- Ravil Shafeyavich GUMAROV:
  - Released March 1, 2004;
  - Transferred to Russian authorities after the U.S. received assurances from Russian authorities that Gumarov would be tried in a fair trial and not abused;
  - Transferred to prison in Southern Russia, but released on June 22, 2004 for lack of terrorist-related evidence.
- Almasm Rabilovich SHARIPOV (a.k.a. Shamil Khazhiev):
  - Released March 1, 2004;
  - Transferred to Russian authorities after the U.S. received assurances from Russian authorities that Shapirov would be tried in a fair trial and not abused;
  - Transferred to prison in Southern Russia, but released on June 22, 2004 for lack of terrorist-related evidence.
- Ruslan Anatolivich ODIZHEV:
  - Released March 1, 2004;
  - Transferred to Russian authorities after the U.S. received assurances from Russian authorities that Odizhev would be tried in a fair trial and not abused;
  - Transferred to prison in Southern Russia, but released on June 22, 2004 for lack of terrorist-related evidence.
- Aiat Nasimovich VAKHITOV:
  - Released March 1, 2004;
  - Transferred to Russian authorities after the U.S. received assurances from Russian authorities that Vakhitov would be tried in a fair trial and not abused;
  - Transferred to prison in Southern Russia, but released on June 22, 2004 for lack of terrorist-related evidence.
- Rustam AKHMYAROV:
  - Released March 1, 2004;
  - Transferred to Russian authorities after the U.S. received assurances from Russian authorities that Akhmyarov would be tried in a fair trial and not abused;
  - Transferred to prison in Southern Russia, but released on June 22, 2004 for lack of terrorist-related evidence.
- Timur Ravilich ISHMURATOV:

- Released March 1, 2004;
- Transferred to Russian authorities after the U.S. received assurances from Russian authorities that Ishmuratov would be tried in a fair trial and not abused;
- Transferred to prison in Southern Russia, but released on June 22, 2004 for lack of terrorist-related evidence.

## **Spain**

- Hamed Abderrahman AHMAD:
  - Released February 13, 2004;
  - Transferred to Spanish authorities, where Ahmad was tried and convicted by the Spanish High Court on October 5, 2005 to six years in prison for his ties to al Qaeda;
  - On appeal, Ahmad's conviction was overturned by the Spanish Supreme Court for the lower court's failure to take into account Ahmad's right to a presumption of innocence;
  - The charges against Ahmad were eventually dismissed, with the Supreme Court finding that there was a lack of evidence to tie Ahmad to terrorist activities.
- Lahcen IKASSRIEN:
  - Released July 3, 2005;
  - Transferred to Spanish Authorities who suspected him of having ties to Spanish terrorist groups;
  - Acquitted of all charges by a Spanish court on August 9, 2006, which found that Ikassrien had no ties to terrorist organizations;
  - Is a Moroccan national.

## **Sweden**

- Mehdi Mohammad GHEZALI:
  - Released July 8, 2004;
  - Transferred to Swedish authorities after U.S. made determination that Ghezali was not a threat to the U.S. and could offer no valuable information;
  - Sweden did not press any charges against Ghezali, and he was released upon arriving in Sweden;
  - Reports that he is being monitored by Swedish intelligence agents have been circulated, but no action has been taken against Ghezali.

## **United Kingdom**

- Shafiq RASUL:
  - Released March 9, 2004;
  - Transferred to British authorities and subsequently released upon his return.
- Asif IQBAL:
  - Released March 9, 2004;
  - Transferred to British authorities and subsequently released upon his return.
- Rhuhel AHMED:
  - Released March 9, 2004;
  - Transferred to British authorities and subsequently released upon his return.
- Jamal Malik AL HARITH:

- Released March 9, 2004;
  - Transferred to British authorities and subsequently released upon his return.
- Tariq DERGOUL:
  - Released March 9, 2004;
  - Transferred to British authorities and subsequently released upon his return.
- Moazzam BEGG:
  - Released January 25, 2005;
  - Transferred to British authorities and subsequently released upon his return after a short period of questioning.
- Richard Dean BELMAR:
  - Released January 25, 2005;
  - Transferred to British authorities and subsequently released upon his return after a short period of questioning.
- Feroz Ali ABASSI:
  - Released January 25, 2005;
  - Transferred to British authorities and subsequently released upon his return after a short period of questioning.
- Martin MUBANGA:
  - Released January 25, 2005;
  - Transferred to British authorities and subsequently released upon his return after a short period of questioning.