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IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

MUHAMMADI DAVLIATOV a/k/a UMAR HAMZAYEVICH ABDULAYEV,

Petitioner,

No. 15-CV-1959(RBW)

BARACK OBAMA, et al.,

v.

Respondents.

DECLARATION OF MATTHEW J. O'HARA

Matthew J. O'Hara declares pursuant to 28 U.S.C. § 1746 as follows:

1. I am an attorney admitted to the practice of law in the State of Illinois. I am a partner in the law firm of Hinshaw & Culbertson LLP, based in its Chicago office.

2. Beginning in 2006, I have represented, on a *pro bono* basis, three men who were detained by the United States military in its detention facility in Guantánamo Bay, Cuba, including Muhammadi Davliatov ("Mr. Davliatov" or "Petitioner" herein), who has also been known as Umar Hamzayevich Abdulayev and Abdullah Bo Omer Hamza Yoyej, and whom the United States military refers to as ISN 257. I have represented Mr. Davliatov since 2007.

3. As part of my legal representation of Mr. Davliatov, I have regularly followed news reports available in the west concerning Tajikistan. Radio Free Europe/Radio Liberty (RFE/RL) is the most prominent news source available in the west concerning Tajikistan. RFE/RL is funded by the United States government. RFE/RL operates a website in conjunction with its broadcast activities. RFE/RL publishes content about Tajikistan in the Tajik, Russian, and English languages. Its Tajik language content is also known as Radio Ozodi.

4. On May 26, 2010, RFE/RL published an article on its website entitled, "The story of the last Guantanamo Tajik." The article included a number of photos, including a photo taken

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of Petitioner at Guantánamo by the International Committee of the Red Cross (ICRC) in 2009, which he had given to me and I had provided to a news source in the United States in 2009. A copy of the original article is attached hereto as Exhibit 1, and a translation of the article from Tajik into English (with some explanatory notes provided by the translator) is attached hereto as Exhibit 2. The article reported that two elderly residents of Panj, Tajikistan claimed that Petitioner was their son, named Muhammadi Davliatov, and not Umar Abdulayev. The article further reported that this couple had written to the President of Tajikistan, spoken with the Tajik Interior Ministry and local police officials in Panj, and communicated with the Embassy of Tajikistan in the United States concerning the man they believed to be their son who was imprisoned at Guantánamo.



6. On November 19, 2013, I met with Ambassador Nuriddin T. Shamsov, Ambassador of Tajikistan to the United States, at the Embassy of Tajikistan in Washington, D.C. concerning Petitioner. Ambassador Shamsov confirmed to me that what the United States government had informed me in January 2011 – namely that Tajikistan no longer considered Petitioner to be a citizen of that country. Ambassador Shamsov informed me that Petitioner is no longer a citizen of Tajikistan because under Tajik law, any Tajik who is outside the country for

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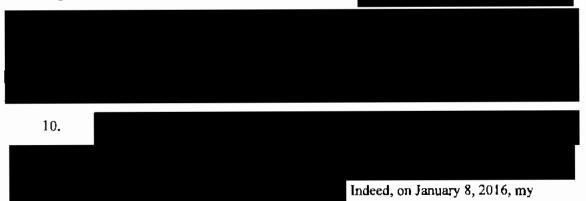
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more than five years without presenting himself to a Tajik embassy or consulate abroad loses his citizenship.

7. Ambassador Shamsov referenced what I understood to be the May 26, 2010 RFE/RL article concerning Petitioner, but did not say anything to me indicating that Tajikistan's denial of Petitioner's citizenship had to do with uncertainty concerning his identity. Instead, it was clear to me that Ambassador Shamsov knew Petitioner's identity.

8. Three days later, on November 22, 2013, I received an email from Ambassador Shamsov, forwarding a link to a new news article on RFE/RL's website published that very day. A copy of Ambassador Shamsov's email to me of that date is attached hereto as Exhibit 4. Attached as Exhibit 5 is an article concerning Petitioner at the link contained in the email, written in Russian. Attached as Exhibit 6 is a translation of that article into English. The article reiterates key components of RFE/RL's May 26, 2010 article, including that Petitioner is named Muhammadi Davliatov, that he is from Panj, and that is where his family still resides.

I have reviewed the Declaration of Lee Wolosky, attached as Exhibit 1 to
Respondents' Combined Motion to Dismiss the Petition and Opposition to Petitioner's Motion
for Judgment and Order Granting Writ of Habeas Corpus.



colleague Andrew Moss, who is also one of Mr. Davliatov's attorneys. and I spoke on the

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|--|
| telephone with Mr. Davliatov |
| |
| 11. Special Envoy Wolosky's declaration further indicates in paragraph 11 that one of |
| the reasons that no country has accepted him for resettlement |
| is because of his longstanding "concealment of his identity." Again, to the best of my |
| knowledge, this assertion is incorrect. |
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| 12. |
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| |
| 13. I am further informed and believe that the Czech Republic did not accept |

Petitioner (or anyone else from Guantánamo) not because of issues related to his identity but because of bureaucratic obstacles imposed **Constant and Second Second** by the Pentagon. Indeed, on December 29, 2015, Reuters reported:

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In autumn this year, a foreign government was invited to Guantanamo to interview eight detainees for possible transfer -- a process that can take several days. General Kelly's command, which oversees Guantanamo, instituted a new policy, suddenly banning the delegation from spending the night at the detention center, according to administration officials. (Officials declined to identify countries involved in transfer negotiations out of concern that doing so would jeopardize the process.)

As a result, the delegation was forced to commute 90 minutes by plane each morning and afternoon from Miami, adding tens of thousands of dollars in government plane bills to U.S. taxpayers. In December, the country decided to take no detainees.

Charles Levinson & David Rohde, Special Report: Pentagon thwarts Obama's effort to close

Guantanamo, Reuters, Dec. 29, 2015, available at http://www.reuters.com/article/us-usa-gitmo-

release-special-report-idUSKBN0UB1B020151229.

14. Mr. Davliatov has explained to me his reasons for having concealed his identity, which were above all to try to protect his family. As related in other papers filed in this Court, Mr. Davliatov explained how he had been visited at Guantánamo on several occasions in earlier years by agents of the government of Tajikistan, who threatened him with torture and death upon his return to their country. These threats exacerbated Mr. Davliatov's concerns for his family's well-being in Tajikistan and made him concerned that the Tajik government would persecute his family. He has explained that it was more important to him to continue to do everything possible to protect his family above all else.

I declare under penalty of perjury that the foregoing is true and correct. Executed on January 20, 2016.

Matthew J. O'Hara

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EXHIBIT 1

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Умар Абдуллоев ё Мухаммадй Давлатов?

Radio Liberty (Tajik branch), 26.05.2010

Қиссаи охирин точики Гуантанамо

Носирчони Маъмурзода

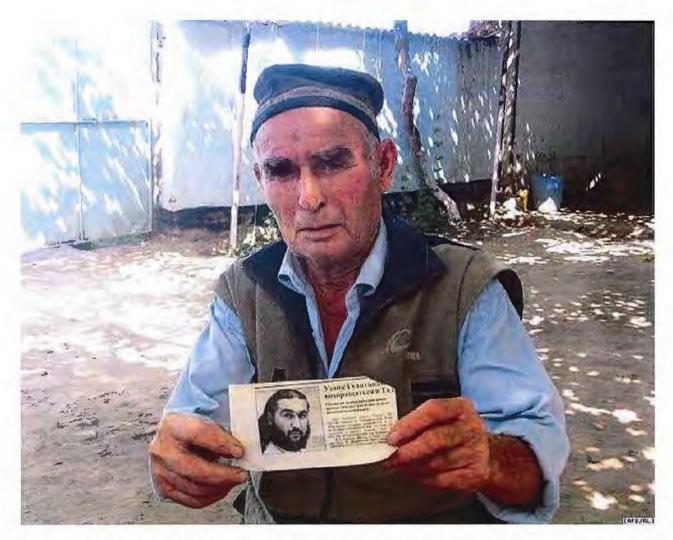
ВОЛИДОНИ МУХАММАДЙ ДАВЛАТОВ, КИ ДАР РАСОНАХОИ ХАБАРЙ АЗ Ў ХАМЧУН УМАР АБДУЛЛОЕВ ВА «ОХИРИН МАХБУСИ ТОЧИК ДАР ЗИНДОНИ ТЕРРОРИСТОНИ ГУАНТАНАМО» НОМ БУРДА МЕШАВАД, АЗ РАИСЧУМХУРИ ТОЧИКИСТОН ХОСТААНД, ДАР ИНТИКОЛИ Ў БА ВАТАН МУСОИДАТ КУНАД.

НОУМЕДИЕ, КИ БА УМЕД ТАБДИЛ ШУД

Фатхиддин Давлатови 70-сола, сокини нохияи Панч, дар сўхбати ихтисосй бо радиои Озодй гуфт, дар 12 соли ахир ўву хамсараш аз ахволи Мухаммадй хеч паёме ё хабаре надоштаанд, чуз он иттилоъ, ки расонахо дар борааш нашр кардаанд. Фатхиддин Давлатов ва Шамъигул Нуруллоева, ки иддао мекунанд, волидони **«охирин махбуси точик да**р **зиндони Гуантанамо»** мебошанд, мегўянд, акси фарзанди худро дар рўзномахои точикй пайдо карда, мутмаин Шудаанд, ки вай на Умар Абдуллоев аст, тавре ном бурда мешуд, балки Мухаммади Давлатов - писари ин хонадон мебошад.

Фатхиддин Давлатов: «Мо аслан умед надоштем, ки писари мо зинда аст. Аммо намехостем ба овозахо дар бораи марги ў хам бовар күнем. Охир аз соли 1998 дигар ўро надидем, на хату на хабар аз ў. Хатто мешүд, ки чанд сол пеш ба хонаи мо хамсояхо, дўстони собики Мухаммадй меомаданд барои фотехахонй. Аммо мо ягон маъракаи ёдбүд доир накардем. Аммо хамин охирхои соли гузашта чанд намуд газетаро ба мо оварданд аз Душанбе, гуфтанд, ки ба писарат монанд, мо акси Мухаммадиро шинохтем, модараш, хама хешовандон шинохтанд. Аз мўйи дүхтарон барин дарозашу ришу кошони сиёхаш ва бузбалагиаш шинохтем. Бачаи худамро чи хел намешиносам?! Баъд фахмидем, ки зинда аст, лекин номашро Умар Абдуллоев навишта буданд дар рўзномахо...»

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Шамъигул Нуруллоева: «Дили модар гувохй медихад, ки вай писарам аст, хатто шубха надорам. Хама аломатхои чехрааш қариб ки тағйир наёфтаанд...»

ПУЛИС МУТМАИН НЕСТ

Милисаи махаллй хам бо дархости акрабои Мухаммадй, аз руйи аксхое, ки дар рузномахо нашр шудаанд, тахкикот бурдааст. Шовалй Умаров, муовини аввали сардори шуъбаи корхои дохилии нохияи Панч, мегуяд, саддарсад мутмаин нест, аммо, голибан дар рузномахо акси Мухаммадй Давлатов чой дода шудааст:

Шовалй Умаров: «Холо милитсия ба масъалай аниқ кардани он ки оё дар ҳақиқат маҳбуси тоҷикистонй, ки дар Гуантанамо аст, Мұҳаммадй Давлатов мебошад ё Умар Абдуллоев ва үмуман, он ҷо аз Тоҷикистон ягон нафар нигоҳдорй мешавад ё ҳайр, машғул мебошад. Аммо тамоми чизҳое, ки тасдиқи ҳудро ёфтаанд, аз он шаҳодат медиҳад, ки дар аксе, ки аз ў Умар Абдуллоев муаррифй мешавад, ҳақиқатан Мұҳаммадй Давлатов аст, фарзанди оилай Давлатовҳо мебошад. Инро шоҳидони бисёре тасдиқ карданд, аз ҷумла ҳамсояҳо, собиқ ҳамсабақону дӯстонаш ва онҳое, ки дар як воҳиди низомй бо ӯ бұданд. Идорай цамоат ҳам маълумотномай тасдиқшуда дод дар ин бора. Вазорати корҳой доҳилй ба сафоратҳонай Тоҷикистон дар Амрико муроциат карда бұд дар борай муайян кардани шаҳсияти маҳбуси тоҷики Гуантанамо. Ҳоло мушаҳҳас гуфта наметавонам, ки оё посухе дәрёфт шудааст ё на…»

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ЗЕРИ РАХБАРИИ МИРЗО ЗИЁЕВ

Мухаммадй Давлатов 11-уми октябри соли 1978 дар нохияи Панч ба дунё омада, пас аз хатми яке аз мактабхои тахсилоти умумии ин нохия, барои адои хизмати харбй ба Душанбе рафтааст.

Ба гуфтаи Фатҳиддин Давлатов, писараш Муҳаммадй то соли 1998-ум дар Вазорати ҳолатҳои изтирорй таҳти раҳбарии генерали марҳум Мирзо Зиёев кор карда, ба таври асрорангез аз ҳамон чо нопадид шудааст. Вай мегуяд, бори охир писараш Муҳаммадиро ҳамроҳ бо генерал Мирзо Зиёев пас аз истикрори Созишномаи сулҳ ва ризоияти миллй дар ноҳияи Панҷ дидааст. Аз ў пурсидам, ки оё боре аз Мирзо Зиёев оид ба тақдири писараш пурсон шуд?

Фатхиддин Давлатов: «Росташа гу́ям, ҳамон мардаки раҳматй ягон касро ёрдам кардагй нест. Нигаҳ мекардам ба корҳояш, барои ҳамин пешаш нарафтам. Аммо ба худи вазорат борҳо рафтаам, аз бачаҳое, ки хобгоҳашон бо писарам якҷоя буд, рафиқонаш, ки дар МЧС буданд, мепурсидам, ки куҷо шуд Муҳаммадй. «Э, ака, - мегуфтанд онҳо, - агар ягон ахбор мешуд дар бораи зинда ё мурда буданаш, мо дарак меёфтем». Ҳамин кел ахбор медоданд бачаҳо ба ман....»

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РОХ ТО БА ГУАНТАНАМО

Мақомоти милиса мегуяд, агар ҳам Муҳаммадй Давлатов феълан дар зиндони Гуантанамо нигаҳдорй мешавад, вай дар хорич аз Точикистон, ғолибан, дар Афғонистон ё Покистон дастгир шуда ва ба он суйи уқёнус интиқол ёфтааст.

Шамъигул Нуруллоева, модари 63-солаи Муҳаммадй мегӯяд, барои вай то ҳанўз норўшан аст, ки чй гуна ва аз кадом роҳ писараш аз коргоҳи худ - Вазорати ҳолатҳои изтирорй - то ба Афгонистон расидааст.

Холаи Шамъигул: «Холо аз телевизион манзараи азоби зиндоне дар руйи чазираро дида дилам реш мешавад, бандахоро дасту пояшонро баста, руяшон руймол гузошта буданд. Тарс мегирад одамро. Писарам чи хол дошта бошад...»

УМАР АБДУЛЛОЕВ Ё МУХАММАДЙ ДАВЛАТОВ?

Тибқи иттилои расмй, Умар Абдуллоев (ё Муҳаммадй Давлатов?) соли 2001 баъд аз оғози амалиёти зиддитеррористй дар Афғонистон, дар қаламрави Покистон боздошт шуда, ба зиндони Гуантанамо таҳвил гардидааст. Вай худро бегуноҳ шумурда, гуфтааст, ўро бо роҳи фиребу шиканҷа ба дасти маъмурони амниятии Амрико супурдаанд.

Вале ў ба унвони охирин махбуси точик дар Гуантанамо худудан як сол пеш гуфта буд, ки намехохад ба зодгохаш Точикистон истирдод шавад.

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Мухаммадй дар ин сурат дар тарафи чап нишастааст. Акс аз соли 1988

Волидони Муҳаммадӣ мегӯянд, ба эҳтимоли қавӣ, вай ба хотири ҳифзи ҷони ақрабояш дар Тоҷикистон худро Умар Абдуллоев муаррифӣ кардааст:

«Вай гуфтааст, ки зодгоҳи ман Шарора аст. Хешу таборам дар Шарора таги хок мондаанд. Тарсидааст шояд. Барои он дурӯӻ гуфтааст, ки падару модарашро ғам надиҳанд, кашокаш наандозанд. Шояд намедонад, ки ҳоло дар Тоҷикистон тинҷӣ аст...»

«Вай ягон асос барои наомадан ба Точикистон надорад, ба назари мо. Вай оромтабиат буд, дар мусулмонй сахт буд. Доим китобхои динй мехонд. Холо мегуянд, ки вай дар хамон Гуантанамо дар пешаш оби гарм, оби хунук, Қуръон, хам китобхои илмй, исломй мехонад...»

ЧАРО ОХИРИН ТОЧИКИ ГУАНТАНАМО МЕТАРСАД?

Аз Шовалй Умаров, муовини аввали сардори шўъбаи корхои дохилии нохияи Панч, пурсон шудем, ки оё Мухаммадй Давлатов чй асосе барои тарс аз бозгашт ба Точикистон дошта метавонад ва магар алайхи ў дар нохияи Панч парвандаи чиноятие ифтитох шудааст?

Чаноби Умаров: «Нисбат ба Муҳаммадӣ Давлатов ягон парванда нест. Вай танҳо дар рӯйхатҳои аъзои гурӯҳи Мирзо Зиёев дар солҳои чанг ҳаст. Лекин иштирокчиёни чонибҳои даргири чанг ҳама афв шудаанд. Ҳоло ҳама собиқ пайравони генерал Зиёев дар озодӣ гашта истодаанд, дар ин масъала ягон гап нест. Аммо агар замоне ягон гуноҳи чиддӣ карда бошаду донад, ки дар ин чо шоҳидони бевоситаи чинояташ ба сар мебаранд, дар ин бора чизе гуфта наметавонам, дигар намедонам, ки чаро маҳбуси охирини Гуантанамо ба Точикистон баргаштан намехоҳад...»

«БА ЗАНЧИР БИОРЕДАШ!»

Муҳаммадӣ дар ин сурат дар тарафи чап нишастааст. Акс аз соли 1988 Бо ин вуҷуд, волидони Муҳаммадӣ дар номаи худ ба унвони раисҷумҳури Тоҷикистон хостори он шудаанд, ки барои бозгашти фарзандашон ба Тоҷикистон мусоидат кунад. Фатҳиддин Давлатов мегӯяд, аз мақомоти кишвар мехоҳад Муҳаммадиро иҷборан ҳам бошад, ба ватан баргардонанд:

«Мо ба ҳамин мазмун нома навишта будем, ки имконияти моли овардани писарамона надорем. Ба мақомот гуфтем, ки агар наояд, дасту пояшро баста биёред. Ҳамон занҷирашро накушода, маҷбур биёред. Бигзор ҳабс кунанд. Ман ба ҳамааш розӣ. Чӣ коре кунанд, кунанд, фақат ҳамин ҷо бошад. Одамон одам мекушанд, дуздӣ мекунанд, ин писари мо дар ҷанг иштирок накарда бошад, ҷинояткор набошад. Бигзор биёяд, то бубинемаш...»

Фатҳиддин Давлатову Шамъигул Нуруллоеваи бознишаста сарфи назар аз ин ки соҳиби 8 фарзанданд, ҳоло дар танҳой дар яке аз деҳаҳои дурдасти ноҳияи Панҷ ба сар мебаранд. Ба қавли онҳо, Муҳаммадӣ Давлатов писари саввуми ин хонавода буда, феълан, тамоми фарзандон дар муҳоҷирати корӣ дар Русия ва Қазоқистон будаанд.

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EXHIBIT 2

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Umar Abdulloyev or Muhammadi Davlatov?

Radio Liberty (Tajik branch), 26.05.2010

The story of the last Guantanamo Tajik

Nosirjon Ma'murzoda

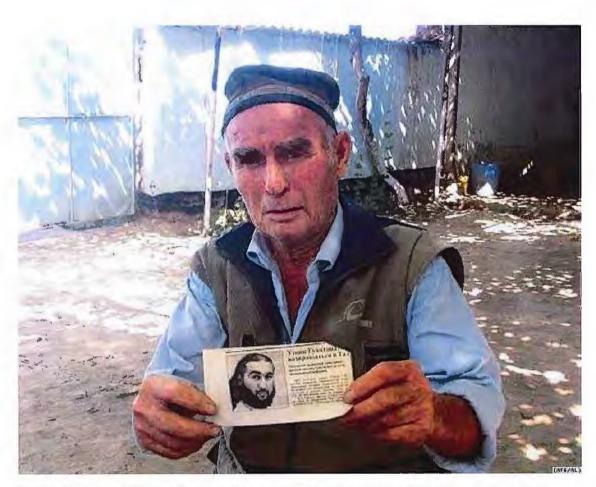
THE PARENTS OF MUHAMMADI DAVLATOV WHO HAS BEEN REFERRED TO IN THE MASS MEDIA AS UMAR ABDULLOYEV AND "THE LAST TAJIK DETAINEE IN THE PRISON OF GUANTANAMO TERRORISTS", HAVE SOUGHT HELP FROM THE PRESIDENT OF TAJIKISTAN FOR HIS RETURN TO HIS HOMELAND.

A HOPELESS SITUATION WHICH TURNED INTO HOPE

Fathiddin Davlatov, 70-years old, resident of the Panj district, in an exclusive interview with Radio Liberty said that in the past 12 years he and his wife had no news or information about Muhammadi, aside from the information that the media had printed on him. Fathiddin Davlato and Shamigul Nurulioeeva, who claim that they are the parents of "the last Tajik detainee in the Guantanamo prison" say that they identified the photo of their son in the Tajik newspapers [and] are certain that he is not Umar Abdulloyev, as he is called, but Muhammadi Davlatov -- the son of this household.

FahthIddin Davlatov: "We had lost all hope that our son Would be alive. But we also did not want to believe in the rumors regarding his death. You see, from 1998 we had not seen him nor received any letter from or information about him. Even a few years' past some neighbours and former triends of Muhammadi would come to our house to give their respect for the departed. But we held no memorial for him. But towards the end of last year they brought some newspapers to us from Dushanbe, and said that [the person in there] looks like your son [and] we recognized Muhammadi's photo, his mom and all relatives recognized it. From his female-like long hair and his long beard, his black eyes and his heavyset frame, we recognized him. How could I not recognize my own son?! We then found that he's alive, but they had printed his name as Umar Abdullayev in the papers ..."

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Shamigul Nazarova: «The heart of the mother testifies that he's my son, I don't have any doubt. Every sign on his face is as if they not changed ...»

THE POLICE IS NOT CERTAIN

The local police as well has done some investigation with request of the relatives of Muhamaddi, from the photos published in the papers. Shovali Umarov, first deputy head of the interior office [Police Dept.] of Panj district, says that he is not 100% certain, but in general the papers have published the photos of Muhammadi Davlatav:

Shovali Umarov: «Now the police is active on the issue as to whether in reality the Tajik detainee who is at Guantanamo is Muhammadi Davlatov or Umar Abdulloyev or in general if there are any Tajik detainees at all or not in Guantanamo. But everything points to the direction that in the photo which is referred to as Umar Abdulloyev in reality is Muhammadi Davlatov, the son of the Davlatov family. This has been confirmed by many witnesses, among others, the neighbours, former classmates and friends and those who were in the same military unit as he. The town government gave confirming information on this issue. We've also appealed to the Interior Ministry and the Embassy of Tajikistan in the US regarding the determination of the identity of the Tajik detainee of Guantanamo. At this point I cannot tell for sure if a response has been arrive or not ...*

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UNDER THE COMMAND OF MIRZO ZIOYEV

Muhammadi Davlatov was born on 11 October 1978 in the Panj district; after completing one of the high schools of this district, he left for Dushanbe for his [military] service.

According to Fathiddin Davlatov, his son worked in the Ministry of Emergency Affairs until 1998 under the leadership of the departed General Mirzo Zioyev and in mysterious circumstances disappeared from there. He claims that the last time he saw his son was with General Zioyev in Panj district after the signing of the national reconciliation and Peace Accord. I asked him if at any time he had asked Mirzo Zioyev regarding the fate of his son?

[Note to Matt: Mirzo Zioyev was a former opposition military commander who fought against the government forces during the 1992-97 civil war, after which as part of the Peace Accord he was given the government post of Minister of Emergency Affairs. In 2006 he was taken off his post, however, and in July 2009 he was killed in mysterious circumstances, having been allegedly shot by his own comrades as he was attempting to take his government captors to a location of an arms cache in the eastern part of the country.]

Fathiddin Davlatov: «To tell you the truth, that same God-blessed man had not assist anyone. I used to observe his work, and for this reason I did not go to him. But I did appeal to the Ministry, itself, several times, I asked the young men who were in the same dormitory as my son, his friends who were in the MJS [Ministry of Emergency Affairs?], I used to ask as to where could Muhammadi be. «What can I tell you, sir, - they would say,- if there was any news, about him being alive or dead, we would not withhold It». This is the type of information those young men would give me»

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THE ROAD TO GUANTANAMO

Police officials claim if Muhammadi Davlatov is currently being held at the Guantanamo prison, he was arrested outside of Tajikistan, somewhere in Afghanistan or Pakistan and was taken to the other side of the ocean.

Shamigul Nurulloyeva, the 63-year old mother of Muhammadi says that it is still unclear for her as to how and under what conditions her son had gone from his work place – the Ministry of Emergency Situations – to Afghanistan.

Ms Shamigul: «I've seen on TV the site of the suffering taking place on that island and my heart aches, they had tied the hands and feed of the people and put hoods on their faces. One is frightened [by that scene]. What could be the condition of my son ...»

UMAR ABDULLOYEV OR MUHAMMADI DAVLATOV

According to the information received, Umar Abdulloyev (or Muhammadi Davlatov) after the commencing of the anti-terror campaign in Afghanistan in 2001, was arrested in the territory of Pakistan [and] was transferred to the Guantanamo prison. He considers himself innocent; via deception and torture he was put in the hands of American security agents.

But as the last Tajik detainee in Guantanamo, about a year ago he had said that he does not want to be returned to his birth place, Tajikistan.

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In this photo, Muhammadi is sitting on the left side. Photo from 1988

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Muhammadi's parents say that for sure, in order to protect his family in Tajikistan, he has called himself Umar Abdullayev:

«He has said that his birth place is Sharora and that his family has died in Sharora under the earth. [Note to Matt: In the 1980s, there was a huge landslide in Sharora which supposedly took the lives of tens if not hundreds of people. Likely Ms Nuralliyeva is referring to that incidence, one which, by-the-way, Umar has not referred to as far as we know] Maybe he's afraid. That is why he has lied so that they would not harm his father and mother, [and] кашокаш наандозанд [colloquial] would not get them into trouble[?] Maybe he is not aware that now there is peace in Tajikistan ...»

«He has no basis not to come back to Tajikistan, and be with us. He was a gentle person, was a devout Muslim. He would continuously read religious books. Now they say that in Guantanamo he has access to cold and warm water, he reads the Quran and science books and religious books»

WHY IS THE LAST GUANATANAMO TAJIK AFRIAD?

We asked Shovali Umarov, the first deputy of the interior department [Police] of Panj district as to what bases could Muhammadi Davlatov have for being afraid of returning to Tajikistan and if a criminal case has opened against him in the Panj district?

Mr Umarov: «There is no case against Muhammadi Davlatov. He is [however] on the list of the fighters of Mirzo Zioyev during the war years. But all of the participants of the two sides of the war were amnestied. Now all the former followers of Col. Zioyev are free, there is no problem on this issue. But if he has committed a serious crime sometime and knows that there are witnesses here who know about his crime, I cannot say anything about this, I do not know as to why the last [Tajik] Guantanamo detainee does not want to return to Tajikistan ...»

«BRING HIM IN CHAINS!»

Despite this, in their letter to the President of Tajikistan, Muhammadi's parents have requested that he help them on the return of their son to Tajikistan. Fathiddin Davlatov says that he requests from the authorities of this country to bring Muhammadi back to his homeland, even if by force:

«For this reason had we written the letter that we do not have the financial means to return our son. We told the authorities that if he does not come back, they should tie his hands and feet and bring him. They should not break the chain he is in now and bring him back. Let them even imprison him. I am fine with all of it. Whatever they want to do is fine, just let him be here. People kill people, steel, this son of us did not participate in the war, he is not a criminal. Let him come back so that I can see him ...»

Fathiddin Davlatov and Shamigul Nurulloeva, both retired, though they have eight children, they now live alone in one of the far out villages in the Panj district. In their words, Muhammadi Davlatov was the third son of this household, and currently all [the rest] of their children are away as migrant workers in Russia and Kazakhstan.

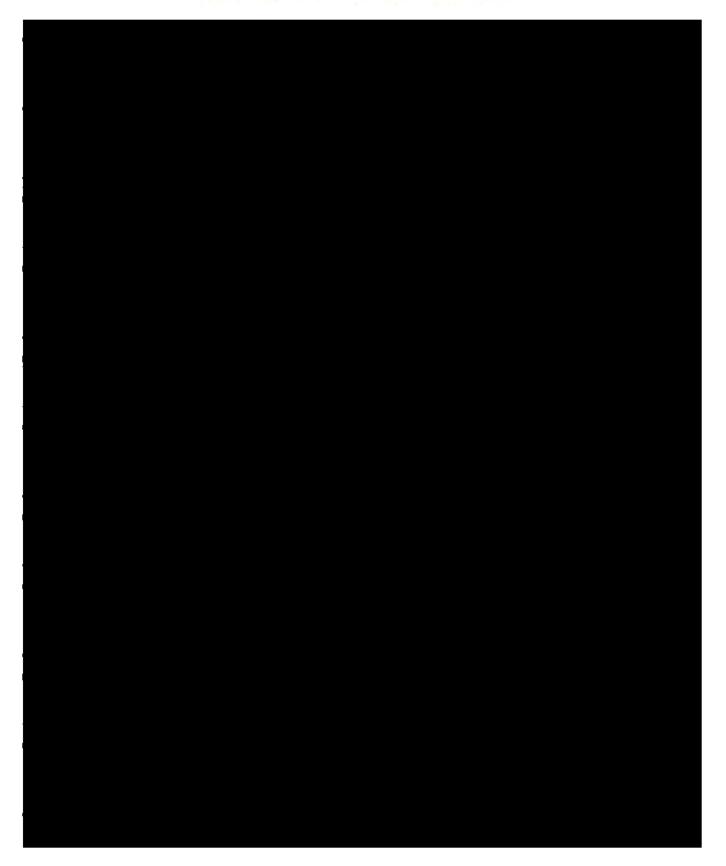
Radio Free Europe/Radio Liberty © 2007 RFE/RL. Inc. Ҳамаи ҳуқуқ маҳфуз аст. Ба мо нависед: tajikweb@rferl.org http://www.ozodi.org/content/article/2053563.html

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EXHIBIT 3

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EXHIBIT 4

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The article on Mr.Umar Abdullaev

nuriddin shamsov to: mohara 11/22/2013 09:56 AM

tory: This message has been replied to and forwarded.

Dear Mr.Matthew O'Hara,

With regard to our conversation in my Embassy on November 19,2013,

please find below a reference to the last news on your client which appeared recently in RFRL's website/Tajik Service on 11/22/2013:

http://www.ozodi.org/content/umar-abdulloev-still-guantanamo/25 176366.html

I look forward to our strengthening cooperation.

Best Regards,

Nuriddin Shamsov

Ambassador

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EXHIBIT 5

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РАДИОИ ОЗОДИ - Бо забенхои дигар

БЕХАБАР НАМОНЕД: УХИЦОРИ ПЕЛАХИ БА ТОЧИКИСТОН ФИШОРХОИ ДОХИЛИ, ТАХДИДКОИ БЕРУНИ

TOH PYC

Мабил

Асосй Хабархо Точикистов

Чахон Чаклоасонай Шабакахом ичтимой

Дар борам "Озодй" Тамос

Интернет ТV

Садо

Точикистон

Tweet

G+1 0

Нравится

Post

Панчшанбе, Ячвар 14, 2016

Умар Абдуллоев ягона точик дар Гуантанамо

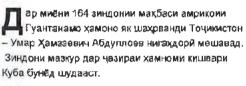
Дар миёни 164 зиндонии махбаси амрикоии Гуантанамо хамонс як шахрванди Точикистон - Умар Хамзаевич Абдуллоев нигахдорй мешавад.

Чоп кунед Назари Шумо чист (10) Иштирок



Recommend Share . 8

22 11 2013 12:29



Фехрасти хамаи зиндонихоро ахиран очонсии Ассошейтед Пресс бо такя ба манобеи Пентагон нашр кард. Дар ин фехраст исми хамаи зиндонихое нащо шудааст, ки феълан дар дохили мақбасанд ва дар миёнашон шақрваңдони Яман аксарият - 88 наферро ташкил медиханд.

Аз руй шумори зиндонихо, дар чой дуюм шахрвандони Афгонистон – 17 нафар, баъд

Арабистони Сауди бо 12 нафар карор доданд. Инчунин дар зиндон 5-нафарй шахрвандони. Покистон, Алчазоир ва Тунис, 4 нафар аз Либия ва бекй шахреандени дигари кишеаркои мусалмонй нигахдорй. мешаванд. Дар миёни онхо як нафар аз Русия дам мебошад, ки Равил Мингазов гуфта мешавад.

Нашри фехрасти ахир ба он маъност, ки чанде аз зиндонихо то имруз озод ва è ба кишаархои худ истирдод шудаанд. Вале бархе аз онхо, назири Умар Абдуллоев бо таъкид ба хатари шиканча шуданаш дар Точикистон дархост кардааст, ки ўро ба хеч вачх ба вэтанаш набаранд.

Радиои Озоди бори охир дар бораи вазъи зиндони Гуантанамо, ки ханўз хам баста нашудааст, мохи апрел гузориш дода буд. Он вакт хабари гуруснанишинии бисёре аз махбусоки Гуантанэмо бори дигар. таваччухро ба ин боздошлгохи Амрико чалб кард. Он вакт мояи норизоияти гурухе аз зиндонихо тафтигии китоби Курьон аз чониби. маъмурияти зиндон сабаби даст ба эътироз задани зиндонихо шуд.

Адоранми ваъдаи президент Обама ва такозохои хомиёни хукуки башар, ханўз хам махбаси низомии Гуантанамо дар Куба баста нашудааст.

ЧАРО УМАР БА ТОЧИКИСТОН БАРНАГАШТ?

Метю Охара - вакили мудофеи Умар Абдуллоев мохи августи соли 2009 ба рўзномаи эмрикоми "Miami Herald" гуфта буд, ки намояндагони амклятии Точикистон бо ў мулокот кардаанд ва хостори хамкориаш бо ниходхои амниятй шудаанд. Амниятихои Точикистон гуфтеанд, замоне вай ба озодй хохад баромад, ки агар ба сафи тундравхои исломи баргардад ва ба фондан давлат "чосусй" кунад. Умар ин пешниходро

Точикистон



Харамгули Кодир:

Гузоришхон хондании "Озодй"

Чавобгари "ишк"-и бечавоби Кабири шудам Точикистон



Ошуби Назарзова

сиёсати хукуматро талйир лол



Фарханг Пирўзии овозхони рус

бо таронаи "О, Душанбе!"

Писандидахо

Пурхонандахо

- 1. Вазирони кудрати: Кй меравад ва кй мемонад? (11821)
- 2. Тагйироти кедрй: Барканории раисони чанд шахру нохия (9741)
- 3 Уундори пашаки ба Точикистон: Фишеркои дохилй тахаилкои берунй" (9197)
- *Истгоди охиоин*-и деллар кучост? 4 (8246)
- 5. Қиссаи яқ духтари точик, ки ба Сурия нарафт (7735)
- Чустучуй 160 дуаду котил во. мухолифони хукумат тавассути Mirregnon (7513)

Пурбинандатаринхо

Пурбахстаринхо

Пуршунавандахо

Тамос бо Радиои Озодй

Агар хабаре доред ё мехохед, масъалаеро дар миён гузоред, бо имейли Tajik@rferl.org é телефони интернетии ozodi.skype бо мо дар тамос шавед. Хамчунин телефонхои мо дар хидмати Шумо:

| Дар Душанбе: | +992 988 65 94 63 |
|--------------|-------------------|
| | +992 988 65 94 |
| 64 | +992 985 63 |
| 83 56 | |
| Дар Прага: | +420 221 122 322 |



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кабул накардааст ва аз бозгашт ба Точикистон даст кашидааст. Вай бозгашт ба ватанро барои худ хатарнок медонад ва хамоно дар Гуантанамо ба унвони охирин махбуси точик бокй мондааст.

Ахли хонаводаи ин махбуси точик дар нохияи Панч, минтакаи чанубии кишеар знидагй мекунанд, ки акси Умар Абдуллоевро дар нашрияхо дида за ўро шинохтаанд. Модзои ў, ду соли леш дар сўхбаташ ба Радиои Озод и гуфта буд, ки номи ў на Умар Абдуллоев, балки Мухаммади Давлатов аст. Вай аз макомоти Точикистон хостааст, ки фарзанди ўро ба кишвар биёранд. Умар Абдуллова дар пайи нооромихои солкои навадуми Точикистон ба Афгонистон рафта, то замони боздошташ аз тарафи нерухой амрикой, дар он чо зиндаги ихитёр карда буд.

Баъди шуруи амалиети зиддитеррор дар Афионистон ва ташкили зиндони Гуантанамо, дар мачмуъ 11 шехрванди Точикистон ба ин зиндони амрикой интикол ёфтанд. Ба чуз аз Умар 10 нафар ба Точикистон баргаштаанд. 2 нафари онхо дар Точикистон ба мудлати 17 соли зиндон махкум шуданд ва холо дар ватани худ ин мухлятро сипарй мекунанд. Ононе, ки мисли Умар аз бозгашт саркаши карданд. шахрвандони Урдуну Тунис ва Лубнону Чин мебошанд. Онхо низ мисли Умар аз бозгашт ба ватан харос доранд.

| YON FURES | Назари Шумо чист (10) | | Иштирок: | | | |
|-----------|-----------------------|-----------|----------|----------|------|--|
| Tweel | Recommend | Shère (B) | G+1 0 | Нравится | Pina | |

Ин шояд ба Шумо писанд ояд



Сари "Маликаи хушхиром"-ро чя хүрд?



Манъи издивоч бо

фарзандона аману таго BE BAMMERY LONG

Дар хамла болон

Нангархори Афгонистон

10 кас бе қатл расиданд.



Дар Дегройт амоишгохи бехтарин мошиндои рун олам боз шуд



Эътирози мардум алайхи боло рафтани нарххо



Куртан наркобарон муд" шуд

Ин бахс баста шудааст.

Гуруубандни назерхо Аз рун зэмонбендй 🗸

Назархо

Ном: Рузымахмад, аз: Кухистони Мастчох 22.11.2013 13:19

Ростиш ин хеле хабара ачоиб аз Озоди хохим карда мешавад за бисетар ва соддатар маълумстро пешниход намояд!...

Лад посуж

HOM: Abdujalii az: Mactuox 22.11.2013 18:33

inho khavorij hastan

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EXHIBIT 6

Umar Abdulloyev – Guantanamo's Only Tajik

Among 164 detainees held at the U.S. prison in Guantanamo, there is only one Tajik national, Umar Hamzaevich Abdulloyev.

November 22, 2013

According to the list published the Associated Press based on information obtained from a source at the Pentagon, there is one Tajik national among 164 detainees held at the U.S. detention camp in Guantanamo. His name is Umar Hamzaevich Abdulloyev. The prison is located on an island that belongs to Cuba.

The list names the detainees currently held at the prison. Most of them, 88 in all, are Yemenis. Then go the Afghans, of whom there are 17 at the prison. The Saudis round up the top three – there are 12 of them. Pakistan, Algeria, and Tunisia have five prisoners each; Libya has four. All others come from other Muslim countries. There is also one Russian citizen, Ravil Mingazov, among the detainees.

The most recent published version of the list indicates that, as things stand today, some of the detainees have been extradited to their home countries. Others – like Umar Abdulloyev – have asked not to send them home because, they claim, they will be met with torture and violence.

"Radio Ozodi" compiled its previous status report on Guantanamo detainees back in April. The issue of significance back then was a hunger strike by some detainees, which resulted from the prison authorities' conduct of a search for [copies of] the Koran in the detainees' possession. Despite president Obama's promise and advocacy groups' demands, the detention camp in Guantanamo, Cuba still has not been closed.

Why didn't Umar return to Tajikistan?

In August 2009, Matthew O'Hara, Umar Abdulloyev's lawyer, told U.S. newspaper "Miami Herald" that a representative of Tajikistan's security forces had met with Abdulloyev and proposed that he collaborate with the country's security services. Tajikistan's secret agencies told him they wanted him to start "spying" for them after he rejoins the ranks of extremists upon release from the prison. Umar rejected the offer and has subsequently refrained from returning home. He continues to believe that going back to his home country is dangerous, and thus remains Guantanamo's last Tajik detainee.

The family of the detained Tajik lives in Panj District, in the south of the country. Umar's mother recognized her son when she saw his picture circulating in the media. Two years ago, in an

1

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interview with "Radio Ozodi," she said that his real name was Muhammadi Davlatov, not Umar Abdulloyev. [According to her, the person who is now] Umar Abdulloyev had moved to Afghanistan during the clashes of the 1990s and, prior to capture by U.S. forces, resided in that country of his own volition.

Since the international counterterrorism operation in Afghanistan began and the Guantanamo prison was set up, a total of 11 Tajik nationals have been put there. Except Umar, all other Tajik citizens have returned home. Two of them have been sentenced to 17 years in prison. Besides Umar, other detainees also fear the prospect of being sent home to such countries as Jordan, Tunisia, Lebanon, and China.