

UNCLASSIFIED

RELEASED IN PART
B1, 1.4(B), 1.4(D)

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TELEGRAM

June 25, 2004

To: SECSTATE WASHDC - ROUTINE

Action: INL

From: AMEMBASSY MOSCOW (MOSCOW 8741 - ROUTINE)

TAGS: KCRM, PGOV, PREL, RS

Captions: SENSITIVE

Subject: REPATRIATED RUSSIAN GUANTANAMO DETAINEES RELEASED BY
RUSSIAN PROCURACY

Ref: None

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1. SUMMARY: Late June 24, ITAR-TASS reported that the seven Russian detainees from the Guantanamo military base that were previously handed over by the United States to the Russian Government have been released from custody by an order of the General Procuracy. While the circumstances surrounding their release remain under investigation by the U.S. Embassy, [redacted]

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[redacted] End

summary.

2. [redacted] on February 28, 2004, the United States returned to Russia seven Russian citizens being detained at the U.S. Department of Defense's Base at Guantanamo Bay, Cuba. Upon arrival in Moscow, they were taken into custody by Russian law enforcement officials and charged with belonging to an organized criminal group, the illegal crossing of a state border, and "mercenary activity."

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3. Embassy Moscow learned on June 25 from an ITAR-TASS report that these seven detainees had been released. The ITAR-TASS report stated that it had confirmed their release with the Directorate of the Prosecutor-General's

UNITED STATES DEPARTMENT OF STATE

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REVIEW AUTHORITY: CHARLES L DARIS

CLASSIFICATION: CONFIDENTIAL REASON: 1.4(B), 1.4(D)

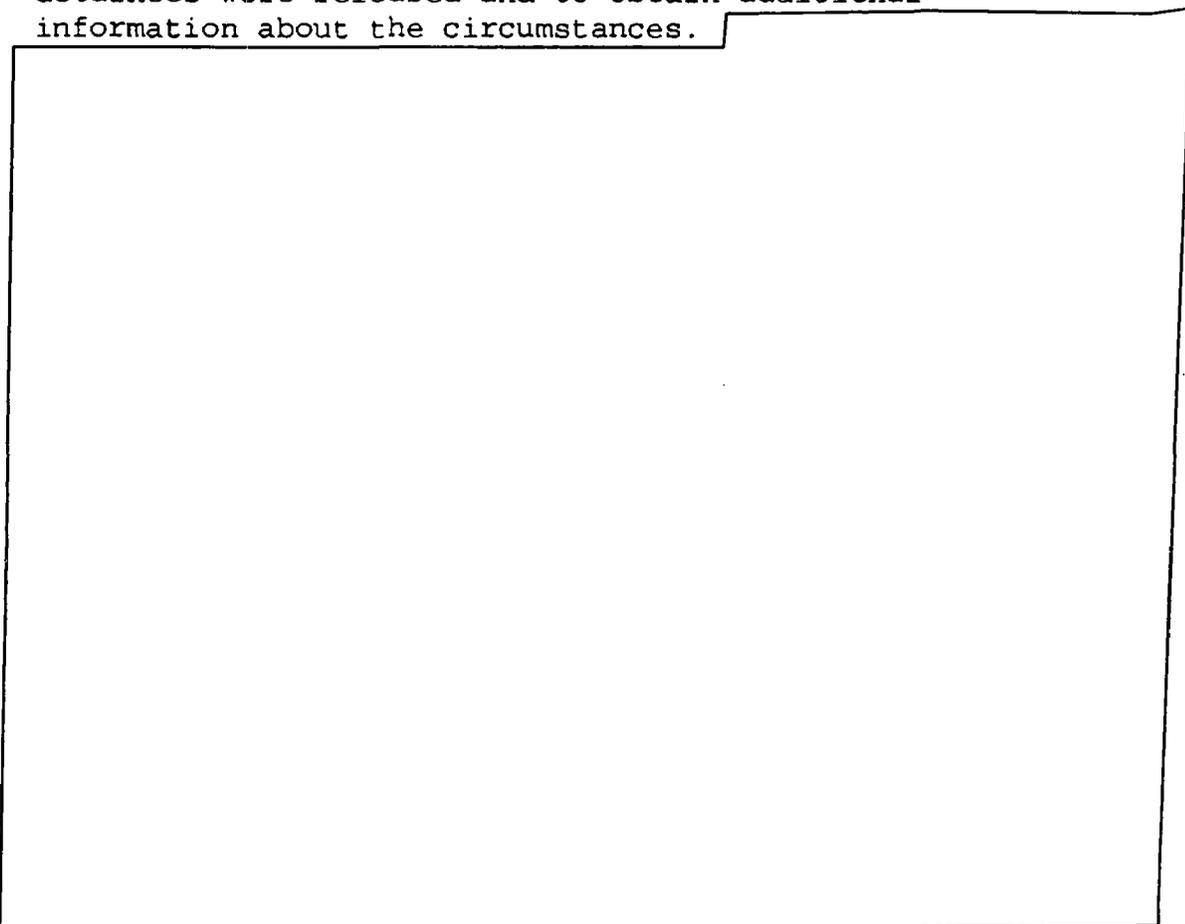
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Office in the North Caucasus, Nikolay Khazikov, who conducted the investigation into their case. The Prosecutor-General's Office was quoted as saying that the seven detainees' "rights were not violated and that the decision was taken in accordance with the Russian Federation Code of Criminal Procedure." Kommersant Daily reported that the detainees were released on June 22, 2004, six days before the court-ordered period of pretrial detention was due to expire. Kommersant stated that the detainees' family members and lawyers had received no warning that they were to be released, and that upon their release, the detainees received an order of the Procuracy stating that the measure of restraint (i.e., detention) had been lifted. Kommersant observed that, absent proof that the detainees had offered armed resistance in Afghanistan or traveled there as part of an organized group, the maximum penalty they faced was two years in prison.

4. Embassy Moscow has sought to confirm that the detainees were released and to obtain additional information about the circumstances.



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[REDACTED]

7. The U.S. Embassy Law Enforcement Section (LES) has sought additional information from the International Department of the Procurator General's Office. At the International Department's insistence, LES has transmitted a written request to the International Department this morning seeking confirmation and clarification of the following questions: (1) have the detainees been released; (2) when were they released; (3) was their release ordered by the court or by the General Procuracy; (4) if it was ordered by the court, by which court and judge; (5) were the detainees released on bail or were their cases

terminated; (6) if released on bail, what are the conditions of their release; (7) if the cases against the detainees are still proceeding, when will the trial(s) take place; (8) have any of the charges against the detainees been modified or dropped; and (9) what are all of the other circumstances and details surrounding their release. The International Department has not yet responded.

VERSHBOW

Additional Addressees:
DEPT OF JUSTICE WASHDC

CC:
MOSCOW POLITICAL COLLECTIVE

Distribution:

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 TO SECSTATE WASHDC 7634
 DEPT OF JUSTICE WASHDC
 INFO MOSCOW POLITICAL COLLECTIVE

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STATE FOR INL, EUR/RUS, S/WCI
 DOJ FOR BRUCE SWARTZ AND LAURA PARSKY, OPDAT/LEHMANN,
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SENSITIVE

E.O. 12958: N/A
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