

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

ZAKIRJAN,

Detainee,  
Guantánamo Bay Naval Station,  
Guantánamo Bay, Cuba;

Petitioner/Plaintiff,

- against -

GEORGE W. BUSH, et al.,

Respondents/Defendants.

Civil Action No. 05-2053

**OCTOBER 14, 2005 DECLARATION OF SABIN WILLETT IN SUPPORT  
OF PETITION FOR WRIT OF HABEAS CORPUS AND  
COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF**

I, Sabin Willett, declare as follows:

1. I am over 18 years of age. 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 at the law firm of Bingham McCutchen LLP, counsel of record for petitioners Abu Bakkar Qassim and A'del Abdu Al-Hakim in the action Qassim v. Bush, Case No. 05-0497 (JR), currently pending in the United States District Court for the District of Columbia. Bingham McCutchen is also counsel of record in Mamet v. Bush, Case No. 05-1602 (ESH), and Kiyemba v. Bush, Case No. 05-1509 (RMU), both of which are Guantánamo habeas cases currently pending in the United States District Court for the District of Columbia.

3. In the Qassim case, the Government has conceded that the petitioners are not enemy combatants. We have argued in that case that where there is such a concession, there is no lawful basis for imprisonment, and that nothing in the pending appeals before the Circuit Court of Appeals would help the government establish a basis for such imprisonment, since all of

the petitioners in these appeals are alleged by the government to be “enemy combatants.”

4. As I set forth below, I am informed and believe that the petitioner Zakirjan is also conceded by the Government not to be an enemy combatant.

5. Our clients Hakim and Qassim are held in Camp Iguana, a prison facility within the complex of facilities at Guantanamo Bay. I am informed and believe, based on statements made by the Government in the Qassim case and statements of my own clients, that the government holds at Camp Iguana only prisoners whom it concedes are not enemy combatants.

6. As reflected in my unclassified notes of August 29, 2005, on August 29, 2005 I met with Mr. Qassim in Camp Iguana. Mr. Qassim advised me during that meeting that a prisoner named Zakirjan was an Uzbek citizen of Russia, that his ISN was 672, that he speaks Russian, that he, like Mr. Qassim, has been determined not to be an enemy combatant, that he, like Mr. Qassim, is held at Camp Iguana, and that he desires that counsel seek his release from the prison by means of habeas corpus. I was also advised that Mr. Qassim understood that the government’s resettlement efforts on behalf of Zakirjan “were not going smoothly with his country.”

I declare under penalty of perjury that the foregoing is true and correct. Executed on October 14, 2005, in Boston, Massachusetts.

  
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Sabin Willett