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## **US Opposes Quick Court Action on Uighurs Detained in Guantanamo**

Agence France Presse  
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WASHINGTON, Jan 18, 2006 (AFP) - The United States urged an appeals court Wednesday to reject a petition seeking quick action on the detention of two ethnic Uighur Muslims from China held at the US "war on terror" prison in Guantanamo Bay, Cuba.

The two men, who have been held since July 2002, filed an appeal last month after a district court judge said he could not order their release even though he acknowledged their detention was illegal.

In addition to seeking an expedited Court of Appeals decision, lawyers for Abu Bakker Qassim and Adel Abdu Al-Hakim made an urgent request Tuesday for the US Supreme Court to intervene in the case.

The pair remain held in Guantanamo even though the US military said in March 2005 that they were no longer considered "enemy combatants."

But the United States argues that it cannot release them to China because they could face persecution there and that it was looking for a country to host them.

In court papers filed with the appeals court in Washington, the Justice Department said there was "a substantial question of whether there is any (court) jurisdiction over this case."

The department asked the court to wait for a ruling on a separate case regarding the Detainee Treatment Act of 2005, which states that "no court, justice, or judge shall have jurisdiction to hear or consider" any claims by foreign detainees at Guantanamo Bay.

The court document says the two Uighurs, although no longer enemy combatants, still qualify under the Detainee Treatment Act.

But prosecutors said the United States wanted to free the two detainees.

"Petitioners will be released when a proper country of return is located," the department said in the court document.

"The United States continues to actively pursue all appropriate diplomatic options for the placement of petitioners. We can assure the Court that the United States Government has no interest in keeping petitioners in Guantanamo any longer than necessary," the court papers say.

"The delays being experienced by petitioners are obviously most unfortunate, but they are common during or at the end of an armed conflict, when trying to resettle those captured during the conflict," the Justice Department said.

The two Turkic-speaking Uighur Muslims from the troubled western region of Xinjiang in China were captured by bounty hunters in Pakistan.

The court document says the detainees are held at a separate facility in Guantanamo called Camped Iguana for non-enemy combatants, where they have been granted "substantial privileges" such as access to television, sports activities and air conditioned facilities.

"Petitioners are, however, former enemy combatants and persons trained at a military training camp supplied by the Taliban, and they remain detained (albeit with greater privileges) pending their release," the department said.