

Mandates of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism; the Working Group on Arbitrary Detention and the Working Group on Enforced or Involuntary Disappearances

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(Please use this reference in your reply)

4 September 2023

Excellency,

We have the honour to address you in our capacity as Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism; Working Group on Arbitrary Detention and Working Group on Enforced or Involuntary Disappearances, pursuant to Human Rights Council resolutions 49/10, 51/8 and 45/3.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning **Mr. Ravil Mingazov** who has been arbitrarily detained in the absence of any legal process, in highly concerning detention conditions, and reportedly subjected to torture and other forms of ill-treatment, since his resettlement in the United Arab Emirates (UAE) in 2017 from the U.S. Naval Base at Guantánamo Bay. We understand that Mr. Mingazov is at renewed risk of imminent forced repatriation to his native State, the Russian Federation, where there are substantial grounds to believe that he will be again subjected to torture, in danger of being subjected to enforced disappearance, and other serious violations to his human rights.

We have conveyed to your Excellency's Government our concerns regarding the treatment, conditions of detention and the risk of forced repatriation of former detainees from Guantánamo Bay resettled in the UAE, including the case of Mr. Mingazov, in previous communications (ARE 3/2020; ARE 5/2021) and in a press release.¹ We regret the lack of response to those communications and encourage your Excellency's Government to positively engage with Special Procedures mandate holders on the issues raised in the aforementioned communications with a view to protecting the human rights of Mr. Mingazov. We urge your Excellency's Government to immediately end this situation of prolonged arbitrary detention in conditions that amount to torture and other cruel, inhuman or degrading treatment or punishment and take all the necessary measures to prevent any irreparable damage to the life and personal integrity of Mr. Mingazov.

The Working Group on Arbitrary Detention (WGAD), in its opinion A/HRC/WGAD/2021/32,² dated 8 October 2021, found the detention of Mr. Mingazov to be in contravention of articles 2, 3, 7, 9, 10 and 11 of the Universal Declaration of Human Rights, therefore considering it arbitrary under categories I, III and V. The WGAD further called on your Excellency's Government to immediately release Mr. Mingazov and grant him an enforceable right to compensation and other

¹ <https://www.ohchr.org/en/press-releases/2021/07/uac-un-experts-condemn-forced-return-ex-guantanamo-inmate-russia-despite>

² https://www.ohchr.org/sites/default/files/2021-11/A_HRC_WGAD_2021_32_AdvanceEditedVersion.pdf

measures of reparation, in accordance with international law. We therefore deeply regret that two years after the adoption of the WGAD opinion, Mr. Mingazov remains in arbitrary detention and continues to be subject to torture and other forms of ill-treatment, amounting to persistent serious violations of your Excellency's Government obligations under international law.

According to the information received:

Mr. Ravil Mingazov, is a Russian national, born in 1967, of Muslim confession and of Tartar origin. He left Russia, in 2000, in alleged fear of religious persecution.

On 28 March 2002, Mr. Mingazov was arrested from a "safe" house in Faisalabad, Pakistan, by Pakistani police officers, and taken to a prison in Islamabad, before being rendered in breach of international law prohibitions on secret detention and rendition to the military forces of the United States of America (USA) in May 2002.

While in the custody of the United States Government, Mr. Mingazov was arbitrarily detained in Afghanistan, and allegedly subjected to torture, and later rendered to the U.S. Naval Base at Guantánamo Bay, in June 2002. He was held for 15 years in detention, without charge or trial, until his resettlement in the UAE on 19 January 2017.

Resettlement in the UAE

In May 2010, a United States district court granted Mr. Mingazov a writ of habeas corpus and ordered his release. This decision was appealed to the intermediary appellate court by the Government of the United States, where Mr. Mingazov's release was stayed and remanded back to the United States district court where further relevant motions were not addressed prior to his resettlement. The United States Periodic Review Board determined that Mr. Mingazov could be safely released and cleared him for transfer, on 21 July 2016. We note that for a detainee to be recommended for release by the Periodic Review Board, six United States Government agencies must give their approval, including the Department of Defense, the Department of Homeland Security, the Department of Justice and the Department of State.

Pre-resettlement, Mr. Mingazov, including through his counsel, communicated to the U.S. Joint Task Force and the different agencies engaged in the Periodic Review Board process credible fears for his life and safety were he to be returned to his native country, the Russian Federation. We understand that Mr. Mingazov allegedly highlighted his fear of harm, including torture and other forms of ill-treatment during the non-binding pre-departure interview with the International Committee of the Red Cross (ICRC)³. On this basis, Mr. Mingazov accepted to be resettled in the UAE.

³ See Technical Visit to the United States and Guantánamo Detention Facility by the Special Rapporteur on the Promotion and Protection of Human Rights and Fundamental Freedoms while Countering Terrorism, 14 June 2023, para. 57. [hereinafter U.S. & GTMO Technical Visit].

On 19 January 2017, Mr. Mingazov was transferred from Guantánamo Bay to the UAE on the basis of a resettlement agreement with the United States' Government, reportedly providing a range of informal assurances to Mr. Mingazov, including undergoing a six-month residential rehabilitation program, followed by release into Emirati society, access to medical care, social services and labour market, in addition to receiving funding for family visits and communication, and non-repatriation to Russia given his well-documented fear of refoulement as expressed repeatedly before his clearance for release and resettlement. Mr. Mingazov and his legal counsel relied heavily upon these diplomatic assurances when agreeing to the resettlement, including that such assurances included an absolute promise to never forcibly repatriate Mr. Mingazov to the Russia Federation.

Detention and ill-treatment in the UAE

Upon arrival in the UAE, Mr. Mingazov was immediately detained and kept in solitary confinement, it is believed possibly at Al-Razeen prison, without any legal process or access to legal counsel. At the time, his family and lawyers were not informed of his whereabouts. For three years, from 2017 to 2020, repeated requests made by his lawyers in the United States to the Ministry of Foreign Affairs of the UAE, to communicate with Mr. Mingazov, were left unanswered.

After almost two years of detention, his family was solely able to visit him in the prison on two occasions, from 20 November to 18 December 2018 and from 13 to 26 May 2019. Aside these two visits, family calls were sporadic, every two to four weeks, and lasted around 5 minutes maximum.

During the period from May to November 2019, all contact between Mr. Mingazov and his family was suspended. In this period of complete familial and social isolation, he was reportedly subjected to torture and other forms of cruel, inhuman or degrading treatment by the prison guards, against which he initiated a 20-day hunger strike in November 2019. Mr. Mingazov was further denied medical care and moved to solitary confinement on several occasions between February and March 2020.

It is alleged that following Mr. Mingazov's attempt to tell his family about his detention situation, his calls with family were placed under surveillance and cut off whenever he spoke about his detention conditions and ill-treatment, before being completely suspended from 26 March 2021, for two and a half years.

From March 2021 till August 2023, Mr. Mingazov was held in extended solitary confinement, and was not allowed outside of his cell for walking or exercise. He was further denied access to books. Due to the lack of mobility, he had reportedly developed an ankle problem and high blood pressure, for which he did not receive medical care, and significantly lost weight.

Throughout this period of complete isolation, Mr. Mingazov's family tried to contact him and sent him letters through humanitarian and human rights organisations but was unable to reach him.

In early August 2023, Mr. Mingazov's family were contacted by an Emirati Government official, informing them of the possibility to conduct a visit. The Government of the UAE organised and funded the travel and stay of family members to the UAE.

Renewed risk of forced repatriation to Russia

In January 2021, a delegation of Emirati officials accompanied by a Russian interpreter reportedly visited Mr. Mingazov in detention. Six months later, on 20 June 2021, Russian officials visited Mr. Mingazov's family in Russia to ascertain his identity and allegedly issue a passport for him. They also requested his family to provide Mr. Mingazov's birth certificate. These inquiries appeared to be in preparation for his imminent repatriation to Russia.

It had been recently reported, in August 2023, that the Government of the UAE is negotiating the repatriation of Mr. Mingazov with the Russian Government. These negotiations are allegedly occurring despite ongoing and sustained concerns raised by Mr. Mingazov and his family members and well-documented fear of reprisals and substantial grounds for believing that, upon return to Russia, Mr. Mingazov could be in danger of being subjected to gross human rights violations.

As with other former detainees at Guantanamo Bay, Mr. Mingazov therefore could allegedly be risking forced repatriation to Russia where he is likely to face persecution, including torture and ill-treatment and enforced disappearance. Mr. Mingazov's repatriation to Russia would allegedly put him at risk of torture and persecution, on the basis of his religious beliefs and status as a former detainee in Guantánamo Bay. These fears have been consistently conveyed to the UAE authorities on multiple occasions, including prior to and during the negotiation of his resettlement to UAE in 2017. The identified risk of refoulement has been documented in public reports, specifically those concerning seven Russian former detainees at Guantánamo Bay repatriated to Russia in 2004 who were all detained, beaten, and harassed, and one of them ultimately killed.

The decision to resettle Mr. Mingazov to the UAE instead of his repatriation to Russia was initially derived from the credible risk to his physical and moral integrity, if he was to be repatriated. This risk persists and Mr. Mingazov's repatriation to Russia is believed to be imminent.

While we do not wish to prejudge the accuracy of these allegations, we reiterate our profound concerns regarding the alleged imminent risk of involuntary repatriation of Mr. Mingazov from the UAE to the Russian Federation, given the substantial grounds to believe that he will face persecution, including possible arbitrary detention, torture or ill-treatment, on the basis of his religious beliefs and in

particular his status as a former detainee in held at Guantánamo Bay, and might be in danger of being subjected to enforced disappearance. In this regard, we would like to remind your Excellency's Government of its absolute and non-derogable obligation against *refoulement* under international human rights law and as a peremptory norm of general international law (*jus cogens*). This obligation is clearly stated in article 3 of the Convention against Torture and other forms of cruel, inhuman or degrading treatment or punishment (CAT), ratified by the UAE on 19 July 2021, providing that “[n]o State Party shall expel, return ("refouler") or extradite a person to another State where there are substantial grounds for believing that he would be in danger of being subjected to torture”; and that “[f]or the purpose of determining whether there are such grounds, the competent authorities shall take into account all relevant considerations including, where applicable, the existence in the State concerned of a consistent pattern of gross, flagrant or mass violations of human rights”.

In order to uphold the principle of *non-refoulement* under international law, the decision to expel, remove or deport a non-national may only be taken after an examination of each individual's circumstances with a view to ascertain the risks the person may be facing if returned, in particular the risk of being subjected to torture and other forms of ill-treatment. In addition, the return should be conducted in accordance with the law and in due respect of procedural guarantees, including access to a fair, individualized examination of their particular circumstances, and to an independent mechanism with the authority to appeal negative decisions. Moreover, a general risk assessment should be carried out to determine whether there is a risk of violation in the receiving State, including an analysis of the general human rights situation in that State must be taken into consideration.

We further emphasize that any assurances obtained from the Russian Government do not release your Excellency's Government from the obligation of *non-refoulement* under international human rights, humanitarian and refugee law. In this regard, paragraph 16 of the UN General Assembly Resolution 65/205, “Urges States not to expel, return (“refouler”), extradite or in any other way transfer a person to another State where there are substantial grounds for believing that the person would be in danger of being subjected to torture, and recognizes that diplomatic assurances, where used, do not release States from their obligations under international human rights, humanitarian and refugee law, in particular the principle of non-refoulement.”

We would like to draw your attention to the United Nations Declaration on the Protection of All Persons from Enforced Disappearances,⁴ which also enshrines the non-derogable principle of *non-refoulement* in its article 8. Moreover, the Declaration provides that no order or instruction of any public authority, civilian, military, or other, may be invoked to justify an enforced disappearance (article 6). Furthermore, no circumstances whatsoever, whether a threat of war, a state of war, internal political instability, or any other public emergency, may be invoked to justify enforced disappearances (article 7), and the right to a prompt and effective judicial remedy must be guaranteed as a means of determining the whereabouts or state of health of

⁴ Declaration on the Protection of all Persons from Enforced Disappearance

persons deprived of their liberty.

The Declaration further sets out the necessary protection relating to the rights to be held in an officially recognized place of detention; to be brought before a judicial authority promptly after detention; to accurate information on the detention of persons and their place of detention being made available to their family, counsel or other persons with a legitimate interest; and to the maintenance in every place of detention of official up-to-date registers of all detained persons (article 10). Moreover, States should take any lawful and appropriate action to bring to justice persons presumed to be responsible for acts of enforced disappearance (article 14). Article 13 also stipulates that steps shall be taken to ensure that all involved in the investigation, including the complainant, relatives, counsel, witnesses, and those conducting the investigation, are protected against ill-treatment, intimidation, or reprisal. Article 19 establishes that the victims or family relatives have the right to obtain redress, including adequate compensation.

We would also like to recall that the Committee Against Torture decision in the case of *Agiza v. Sweden*, which applies *mutatis mutanda* in the case of Mr. Mingazov, found that “The procurement of diplomatic assurances, which, moreover, provided no mechanism for their enforcement, did not suffice to protect against this manifest risk [of *refoulement*].” This was further confirmed by the Special Rapporteur on torture who concluded that “diplomatic assurances are unreliable and ineffective in the protection against torture and ill-treatment: such assurances are sought usually from States where the practice of torture is systematic; post-return monitoring mechanisms have proven to be no guarantee against torture; diplomatic assurances are not legally binding, therefore they carry no legal effect and no accountability if breached; and the person whom the assurances aim to protect has no recourse if the assurances are violated. States cannot resort to diplomatic assurances as a safeguard against torture and ill-treatment where there are substantial grounds for believing that a person would be in danger of being subjected to torture or ill-treatment upon return.” (A/60/316, para. 50).

We also echo the observation of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism emphasizing that “any transfer processes implemented by the transferring State must be international law compliant, with individuated assessments specific to each detainee, transparency regarding conditions of the receiving State, and clear procedural guarantees in line with international human rights law.”⁵ The Special Rapporteur concludes that “Any diplomatic assurance must be written, specific, and provide for the transferring State to follow-up on the veracity of assurances post-transfer—and fundamentally, such assurances cannot override the objective non-refoulement determination...the obligations of receiving States that must fully protect the rights of former detainees under the usual course of international human rights law and recognize the complex needs of this particular population of men. She stresses that supervision and accountability are required with respect to receiving States.”

⁵ See U.S. & GTMO Technical Visit, para. 54

We are also extremely disturbed by the continued arbitrary detention of Mr. Mingazov, for over six years, in an unknown location, in the absence of any legal process, charge or trial, his alleged torture and ill-treatment, prolonged solitary confinement, which severely affected his state of physical and psychological health. Since his resettlement in the UAE, the refusal to grant Mr. Mingazov his fundamental safeguards such as the right to be presented before judicial authority, the right to challenge the legality of his detention, the right to legal counsel, and the right to receive medical care and be in regular contact with family, is a clear violation to your Excellency's Government obligations under international law. Nowhere in the world should an individual be subjected to a measure that may gravely undermine his or her integrity and health, such as torture, without the possibility to defend himself before an independent and competent court of law upholding universally recognized fair trial standards. In this regard, we would like to recall the absolute and universally accepted obligation - as *jus cogens* and customary norm of international law - to refrain from, prohibit and prevent any form of torture or ill-treatment with no exception or derogation. In addition, we underscore the right to challenge the legality of one's detention, under article 9 of the International Covenant on Civil and Political Rights (ICCPR), also applies to administrative detention as well as to detention derived from terrorism related charges (A/HRC/30/37, para. 47). Article 9 of the Universal Declaration of Human Rights, which is being considered as international customary law, requires states that "No one shall be subjected to arbitrary arrest, detention or exile." Principle 17 of the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, that "A detained person shall be entitled to have the assistance of legal counsel"; and principle 24 that "A proper medical examination shall be offered to a detained person as promptly as possible after admission...and thereafter treatment shall be provided whenever necessary".

In addition, we underline the recommendation made by the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, requesting your government to urgently address the situation of Mr. Mingazov who is arbitrarily detained in the United Arab Emirates and subject treatment which infringes on the prohibition related to torture, inhuman and degrading treatment. The Special Rapporteur has underscored that any transfer of Mr. Mingazov must be subject to his informed consent and facilitate his human rights complaint (re)settlement.⁶

We are seriously concerned about the deteriorated state of health of Mr. Mingazov and the reported denial of medical care. We would like to bring to your Excellency's Government attention principle 9 of the Basic Principles for the Treatment of Prisoners, adopted and proclaimed by General Assembly resolution 45/111 (1990), indicating that all prisoners should have access to the health services available in the country without discrimination on the grounds of their legal situation. Moreover, as outlined by the United Nations Standard Minimum Rules for the Treatment of Prisoners (revised and adopted by General Assembly resolution 70/175 on 17 December 2015 – known as the Nelson Mandela Rules), the provision of health care is the responsibility of the state authorities and prisoners should enjoy the same standards of health care that are available in the community (rule 24(1)). Rule 27(1)

⁶ See U.S. & GTMO Technical Visit, para. 65

furthermore provides that all prisons shall ensure prompt access to medical attention in urgent cases. Prisoners who require specialized treatment or surgery shall be transferred to specialized institutions or to civil hospitals. Where a prison service has its own hospital facilities, they shall be adequately staffed and equipped to provide prisoners referred to them with appropriate treatment and care. Furthermore, rule (109) states that persons who are later diagnosed with severe mental disabilities/or health conditions, for whom staying in prison would mean an exacerbation of their condition, shall not be detained in prisons, and arrangements shall be made to transfer them to mental health facilities as soon as possible.

We are particularly concerned by the prolonged solitary confinement of Mr. Mingazov, with no significant social contact or time outside of his cell, which amounts to torture. In this respect, we refer to paragraph 19 of the General Assembly resolution 77/209 (2023), which emphasized that that conditions of detention must respect the dignity and human rights of persons deprived of their liberty, and called upon States to address and prevent detention conditions that amount to torture or cruel, inhuman or degrading treatment or punishment, while noting in this regard concerns about solitary confinement, which may amount to torture or other cruel, inhuman or degrading treatment or punishment. We further recall paragraph 6 of General Comment No. 20 of the Human Rights Committee (1992), which states that prolonged solitary confinement of the detained or imprisoned person, may amount to acts prohibited by article 7 of the ICCPR. In addition, article 7 of the Basic Principles for the Treatment of Prisoners, provides that “efforts addressed to the abolition of solitary confinement as a punishment, or to the restriction of its use, should be undertaken and encouraged”. This has been reiterated in the Nelson Mandela Rules (2015) which lay out generally accepted principles and practices in the treatment of prisoners. In particular, rules 43.1(b), 43.3, 44, 45 and 46 refer to the use of disciplinary sanctions or restrictive measures, including solitary confinement, and the role of health-care personnel regarding any adverse effect of disciplinary sanctions or other restrictive measures on the physical or mental health of prisoners subjected to such sanctions or measures. Rule 44 clarifies that “confinement of prisoners for 22 hours or more a day without meaningful human contact is prohibited; and that solitary confinement for a period of more than 15 consecutive days, is considered prolonged and is prohibited. Solitary confinement should also be avoided when any physical or mental conditions would be exacerbated by such confinement (rule 45(2)). Even more extreme than solitary confinement is “incommunicado detention”, which deprives the inmate of any contact with the outside world, in particular with medical doctors, lawyers and relatives and has repeatedly been recognized as a form of torture.

As a former detainee in Guantanamo Bay, who has been a victim of various forms of torture and other ill-treatment, we would like to draw the attention of your Excellency’s Government to States’ obligations to provide victims of human rights violations with effective remedies. International standards recognize the right of victims—including families—to adequate, effective and prompt reparation, which should be proportionate to the gravity of the violations and the harm suffered. The Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law, adopted by the General Assembly in 2006, provide that victims of a gross violation of international human rights law or of a serious

violation of international humanitarian law must be guaranteed equal and effective access to justice; adequate, effective and prompt reparation for harm suffered; and access to relevant information concerning violations and reparation mechanisms. This right to remedy is enshrined in article 13 of the CAT.

We take note, in this respect, of the Principles on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol) and the updated set of principles for the protection of human rights through action to combat impunity as a useful tool in efforts to prevent and combat torture,” and “(t)o ensure that victims of cruel, inhuman or degrading treatment or punishment obtain redress, are awarded fair and adequate compensation and receive appropriate social, psychological, medical and other relevant specialized rehabilitation.”

Lastly, we reiterate our concerns about the undisclosed terms of the resettlement programme of former detainees at Guantánamo Bay concluded between the UAE and the USA, the assurances provided therein, and the agreed mechanism of implementation. This programme has led to the resettlement of 23 former detainees at Guantánamo Bay, from the USA to the UAE, where they have been held in indefinite incommunicado arbitrary detention, deprived of their right to a fair trial or legal representation to contest the legality of their detention, restricted in their contacts with their relatives and lawyers - instead of undergoing the allegedly agreed residential rehabilitation program, or otherwise release into Emirati society. In the majority of cases addressed by Special Procedures mandate holders to your Excellency’s Government, resettled Guantánamo detainees, notably from Afghanistan and Yemen, have been later returned to their countries of origin in complete disregard to the principle of *non-refoulement*, which raises concern about the terms of the resettlement agreement and the mechanism monitoring its implementation, including ensuring the respect of the diplomatic assurances provided as a foundation for the consent to any resettlement.

The full texts of the human rights instruments and standards recalled above are available on www.ohchr.org or can be provided upon request.

In view of the urgency of the matter, we would appreciate a response on the initial steps taken by your Excellency’s Government to safeguard the rights of Mr. Mingazov in compliance with the UAE international human rights obligations.

We are issuing this appeal in order to safeguard the rights of Mr. Mingazov from irreparable harm and without prejudicing any eventual legal determination. It is relief *pendente lite*.⁷

⁷ Article 41 ICJ Statute ‘Interim Protection’: Part III, Section D (Incidental Proceedings), Subsection 1

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and any comment you may have on the above-mentioned allegations.
2. Please provide detailed information on the place where Mr. Mingazov is being held, elements relating to his current state of health and measures undertaken to ensure that he receives medical care and assistance.
3. Please provide information on the resettlement and rehabilitation program agreed between your Excellency's Government and the Government of the United States, the diplomatic assurances provided therein, and the mechanism of implementation, based on which former detainees at Guantanamo Bay consented to be resettled to the UAE, and provide precision on the terms of the settlement in the case of Mr. Mingazov.
4. Please provide the legal grounds for the continued detention of Mr. Mingazov in the UAE, absent legal process, charge or trial and without access to fundamental safeguards, and explain how this is compatible with your Excellency's Government obligations under international human rights law.
5. Please provide detailed information on any agreement concluded by the Emirati Government to repatriate Mr. Mingazov to Russia, and any related risk assessment carried out by the authorities of the UAE to ascertain the risk of torture or cruel, inhuman or degrading treatment or punishment or enforced disappearance upon repatriation, and how this decision is compatible with the binding principle of *non-refoulement*.
6. Please provide the details and, where available, the results of any investigation, medical examinations, and judicial or other inquiries which may have been carried out, or which are foreseen, in relation to the allegations of torture and ill-treatment of Mr. Mingazov. If no such measures have been taken, please explain how this is compatible with the international human rights obligations of the UAE.
7. Please provide the details of any measures which have been taken, or which are foreseen, for the purpose of protecting Mr. Mingazov from further infliction any form of ill-treatment. If no such measures have been taken, please explain how this is compatible with the international human rights obligations of the UAE.
8. Please provide information on the steps taken by the authorities of the UAE to seek Mr. Mingazov view - consent or refusal - to be repatriated, to Russia; and about the opportunity afforded to him by the

same authorities to object to it before an independent and competent judge.

9. Please explain what measures have been taken by Your Excellency's Government to implement the Working Group on Arbitrary Detention's Opinion no. 32/2021, concerning the arbitrary deprivation of liberty of Mr. Mingazov.

While awaiting a reply, we urge that all necessary measures be taken to halt the alleged forcible repatriation of Mr. Mingazov to Russia, and to prevent any irreparable damage to Mr. Mingazov's life and personal integrity, as well as to and to ensure a thorough and individualized assessment of the risks he may face upon repatriation, including of torture, ill-treatment and arbitrary detention. We further request your Excellency's Government to immediately stop the alleged violations to Mr. Mingazov's human rights, prevent their re-occurrence, and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person responsible of the alleged violations.

We may publicly express our concerns in the near future about this and previous similar or related cases as we are under the impression, given the information at hand, that this case illustrates a pattern of treatment of former Guantánamo detainees whom, according to our knowledge, after a 6-month rehabilitation program should be released and enabled to go on with their life under the protection of the law of the UAE. We also believe, that should this be the case, the wider public should be informed of the human rights implications of said patterns. Any expression of concern on our part will indicate that we have been repeatedly in contact with your Excellency's Government's to clarify the matter of this letter.

We would appreciate receiving a response within 60 days. Past this delay, this communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#). They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

Please note that a related communication is being sent to the Government of the United States of America.

Please accept, Excellency, the assurances of our highest consideration.

Fionnuala Ní Aoláin
Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism

Matthew Gillett
Vice-Chair of communications of the Working Group on Arbitrary Detention

Aua Baldé
Chair-Rapporteur of the Working Group on Enforced or Involuntary Disappearances