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USA: Amnesty International concerned about alleged pattern of ill-treatment of Dr Sami Al-Arian

Reports that Dr Sami Al-Arian, a prisoner in US federal custody, was subjected to abusive language and other ill-treatment by guards could be indicative of a pattern of abuse based on his political or ethnic profile, Amnesty International said in a letter last week from the Americas Program Director to Harley G. Lappin, Director of the Federal Bureau of Prisons (BOP).

Dr Al-Arian, a Palestinian, pleaded guilty in 2006 to a charge of providing non-violent support to Palestinian Islamic Jihad. While being transferred between prisons last month he was reportedly held in a freezing cell with inadequate clothing and subjected to verbal abuse by a guard who used obscene language and religious insults. Instead of taking action to stop the abuse, a lieutenant who witnessed the incident reportedly applied painful shackles to Dr Al-Arian.

Similar abuses allegedly occurred several months ago when Dr Al-Arian was reportedly denied adequate clothing while being transported in freezing conditions and was verbally abused and threatened by guards who called him a "terrorist". One of the guards was allegedly involved in the April 2007 incident.

The BOP is reported to have opened an investigation into the April incident after receiving a written complaint from Dr Al-Arian's lawyer. Amnesty International has asked for information on the scope of the inquiry, drawing attention to the prior allegations of abuse. It has urged the BOP to ensure that all allegations of ill-treatment are promptly and thoroughly investigated, with those responsible for wrongdoing held accountable.

Amnesty International has raised concern before about Dr Al-Arian's treatment in prison, in particular the harsh conditions under which he was held for three years of pre-trial detention, when he was confined to a cell for 23 hours a day with inadequate exercise. In its latest letter, AI expressed concern about reports that Dr Al-Arian had been moved to an isolation cell in the Virginia jail where he is currently held, with no reason given.

Dr Al-Arian was due to be released from prison in April 2007. However, in November 2006 he was sentenced to a further 18 months' imprisonment for refusing to testify before a grand jury investigating another case. His attorneys claim that this was in breach of a plea bargain agreement. Amnesty International has called on the Attorney General to review Dr Al-Arian's case to determine whether use of the grand jury proceeding was politically motivated.

Background Information

Dr Sami Al-Arian, a former university professor with permanent residency in the USA, was arrested in February 2003 and charged with conspiring to aid Palestinian Islamic Jihad (PIJ). He was accused of using an academic think-tank at the University of Florida, Tampa, as a fundraising front and cover for the PIJ in its suicide bombing operations in Israel, charges he denied. In December 2005 he was acquitted on eight of the most serious charges (including conspiring to

murder and maim people outside the USA), with the jury failing to reach a verdict on nine others. Several months later, after remaining in lock-down detention conditions, he agreed to plead guilty to one charge of providing non-violent services to PIJ and to be deported after serving his sentence. He was sentenced to 57 months' imprisonment and was due to be released in April 2007, after deduction for time spent in pre-trial detention.

However, in November 2006 a judge sentenced him to 18 months' imprisonment for contempt of court for refusing to testify before a grand jury investigating another case. His original sentence was put on hold, to be completed only after he had finished serving the sentence for contempt. His lawyers allege that summoning Dr Al-Arian to testify before the grand jury breached a pre-trial agreement. One of his lawyers also alleges that the prosecutor in charge of the grand jury investigation used anti-Islamic sentiments when discussing Dr Al-Arian's case with him. The issue is currently under appeal before the US courts.

Amnesty International, International Secretariat, 1 Easton Street, WC1X 0DW, London, United Kingdom