

AMNESTY INTERNATIONAL

Public Statement

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USA: Amnesty International seeks fair procedures in resolution of case against Dr Sami Al-Arian

Amnesty International notes the recent acquittal by a jury of the most serious of terrorism-related charges against former Florida professor Sami Al-Arian, and urges fair procedures in the resolution of outstanding charges against him, on which the jury deadlocked.

Dr Sami Al-Arian was arrested in February 2003 charged with conspiring to aid Palestinian Islamic Jihad to maim and kill Israelis, charges he has always denied. For much of his pre-trial detention, Al-Arian was held in near solitary confinement in a maximum security prison in harsh conditions. Amnesty International raised concern with the US government that the conditions under which he was held as a pre-trial detainee were unnecessarily punitive. These included heavy shackling during visits with his attorneys, denial of adequate exercise, limits on writing materials and visits with his family and other deprivations.

Amnesty International urges the US authorities to ensure that Sami Al-Arian is afforded humane treatment and due process in any further proceedings taken against him. Amnesty International notes that the jury had found insufficient evidence after a protracted trial to convict on the most serious charges, including conspiracy to maim or murder, finding no link between Al-Arian's fundraising activities in support of Palestinians and knowledge of or intent to commit acts of violence. Noting the sweeping nature of some of the remaining charges, the organization urges the government to seriously consider whether it is in the interests of justice to retry him on those charges.

The government has indicated that it may try to deport Sami Al-Arian instead of retrying him. Should this be the case, Amnesty International urges that Dr Al-Arian be afforded a full and fair opportunity to contest any evidence used in deportation proceedings. As Dr Al-Arian is a stateless Palestinian, it is essential that the United States ensures his safety and that an appropriate host country can be found.

Given that Dr Al-Arian has not been convicted of any crime after nearly three years in prison – often in harshly punitive conditions – the government should not now leave him in legal limbo during any protracted consideration of his case.

Background Information

Dr Sami Al-Arian is former professor at University of Florida, Tampa, and was accused of using an academic think-tank as a fundraising front and cover for Palestine Islamic Jihad, which has been involved in suicide bombings in Israel. He and three co-defendants were charged with conspiring to bring about such attacks through actively supporting PIJ. The charges included operating a criminal enterprise, conspiracy to murder and maim people outside the United States and conspiracy to provide material support to a terrorist organization. The prosecution's case was based on hundreds of pages of transcripts of wiretapped phone

calls and faxes dating from the mid 1990s. Al-Arian and co-defendants claimed the money raised went to Palestinian charitable causes and not for violence. Al-Arian was acquitted of 8 of the 17 counts against him, the jury deadlocking on others. Two co-defendants, former Florida graduate student Sameeh Taha Hammoudeh and Chicago resident Ghassam Zayed Ballut were acquitted of all charges. The jury acquitted a third man, Hatim Najj Fariz, on 25 counts and failed to reach a verdict on eight others.