

Media Advisory

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USA: Amnesty International seeks ban on secret evidence

Amnesty International is calling today on the USA Government to urgently review the case of Mazen Al-Najjar -- detained in the USA for more than three years without charge on the basis of secret evidence purportedly linking him to a terrorist organization.

The organization believes that the failure to provide any detailed reasons for the detention to both Mr Al Najjar or his attorney meant that he was unable effectively to defend himself and challenge the basis for his detention.

In a letter to the USA Department of Justice, Amnesty International today welcomed a recent court decision to remand Mr Al-Najjar's case for further proceedings, but urged the government to:

- reform its procedures to ensure that persons detained in the USA pending deportation on national security grounds will not be detained on the basis of evidence which they are unable to review or challenge;*
- ensure that no one is detained solely on account of his or her beliefs, political background or origin. If Mr Al-Najjar is, as his supporters contend, being held purely for his non-violent political sympathies and background, then Amnesty International would consider him a prisoner of conscience;*
- support the bill, currently before Congress, which would prohibit the use of secret evidence in immigration proceedings as an important safeguard against arbitrary or wrongful detention.*

Background

Mazen Al-Najjar, a Palestinian who has lived in the USA since 1981, has been held in a jail in Florida since May 1997 pending his appeal against a deportation order imposed for overstaying his student visa. The lack of opportunity for Mr Al-Najjar to see any part of the evidence against him, to challenge any inaccuracies or distortions or to cross-examine witnesses, constitutes a violation of due process and fundamental fairness.

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For more information or to obtain a copy of the letter please call Amnesty International's press office in London, UK, on +44 20 7413 5566

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