

AMNESTY INTERNATIONAL

PUBLIC STATEMENT

AI index: AMR 51/004/2010
19 January 2010

USA: Amnesty International to observe the trial of Dr Aafia Siddiqui

An Amnesty International observer will attend part of the trial in a US federal court of Dr Aafia Siddiqui on charges of attempted murder and assault of US personnel in Afghanistan in 2008. The trial will start on 19 January in the US District Court in Manhattan, New York.

Dr Siddiqui is a Pakistani neuroscientist who was arrested by Afghan police in Ghazni province, Afghanistan, on 17 July 2008. The charges stem from her alleged actions the following day, when a team of US army officers and Federal Bureau of Investigation (FBI) agents arrived at the Afghan police compound to question her. The indictment alleges that Dr Siddiqui emerged from behind a curtain and fired a gun at the US personnel. Dr Siddiqui was shot and wounded in the incident; no other people received gunshot wounds.

Prior to her arrest, Dr Siddiqui had reportedly “disappeared” for five years from a street in Karachi, Pakistan, with her three children, and there are allegations that she was held in secret US custody – allegations the US authorities have consistently denied.

Amnesty International’s interest in monitoring the trial is to assess the fairness of the proceedings, given many unresolved questions surrounding the case. Although it is unclear whether the trial will provide any information on Dr Siddiqui’s whereabouts prior to 17 July 2008, there remain questions about the immediate circumstances leading to the charges. Amnesty International takes no position on the fairness of the proceedings at this stage and has no information to confirm Dr Siddiqui’s whereabouts during the time of her alleged disappearance. Amnesty International’s observer will report back to the international office of Amnesty International in London.

Background Information

Dr Siddiqui is a Pakistani national who was a resident in the USA from 1991 to July 2002. She returned briefly to the USA in December 2002, departing in early January 2003. According to some members of her family, she disappeared with her three children in Karachi on or around 28 March 2003. The circumstances of her arrest remain unclear. There are claims that she was picked up by the Pakistani police and handed to the US authorities who held her in secret custody in Afghanistan. However, there is no confirmed information regarding Dr Siddiqui’s whereabouts until she was detained by Afghan police on 17 July 2008 in Ghazni, Afghanistan.

According to the US prosecution, Dr Siddiqui had a number of items in her possession when she was detained by the Afghan authorities, including notes about the construction of biological weapons and on US landmarks. However, she has been charged only with acts related to the incident on 18 July 2008, when she allegedly attempted to shoot at the US personnel who had arrived at the Afghan police compound to interrogate her. The indictment alleges that, unknown to the US team, she was unsecured behind a curtain and managed to pick up an army rifle which one of the US officers had put down. During the incident, she was wounded in the abdomen when one officer allegedly returned fire. Dr Siddiqui was transferred to the USA in August 2008, where she was held in high security custody while being treated for her injuries. Her lawyers argued that she was mentally and physically unfit to stand trial. For several months she was held in a US federal medical centre in Texas while assessments of

her mental health were carried out. In July 2009 US District Court judge Richard Berman ruled that she was mentally competent to stand trial.

Dr Siddiqui was with her 11 year old son Ahmed when she was arrested in Ghazni in July 2008. The son was later repatriated to Pakistan. The whereabouts of her two other children reportedly remain unknown.

Although Amnesty International has no information that Dr Siddiqui was ever held in US custody prior to the incident on 18 July 2008, the USA is known to have held an unknown number of people in secret detention in CIA-run "black sites" in various countries since the attacks of 11 September 2001, including in Afghanistan. Dr Siddiqui was reportedly put on an FBI "alert" list for questioning in March 2003 and a year later was placed by the US attorney general on a "most wanted" list of persons with alleged connections to al-Qa'ida.

ENDs/