

Media Advisory

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USA: Amnesty International seeks immediate release of Palestinian detained on "Secret Evidence"

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

Amnesty International is extremely disturbed that Dr Al-Najjar continues to be detained despite the recent ruling by an immigration judge ordering his release. This follows recent hearings which failed to establish that he was a threat to national security.

Dr Al-Najjar's release was expected yesterday. However, Attorney General Janet Reno blocked it. In a letter to the US Department of Justice, Amnesty International is urging the Attorney General to:

\$ drop the stay of Dr Al-Najjar's release -- pending his appeal against deportation -- unless detailed reasons justifying his detention can be provided in open court;

\$ take steps to ensure that no-one is detained on the basis of secret evidence which they are unable to challenge.

Background

Dr Mazen Al-Najjar, a Palestinian who has lived in the USA since 1981, has been held in a Florida jail 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.

Earlier this month, an immigration judge ordered Dr Al-Najjar's release on bond. However, the Immigration Naturalization Services (INS) Board of Immigration Appeals stayed the release order. Even though the INS dropped the stay on 11 December, the Attorney General yesterday ordered a further stay of his release while she reviewed the case.

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*For more information please see Amnesty International's letter to Attorney General, Janet Reno, or call Amnesty International's press office in London, UK, on +44 20 7413 5566 or visit our website at <http://www.amnesty.org>
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