

ACTION : Restore Visitation and Communication Rights to Dr Aafia Siddiqui



Justice for Aafia Coalition

www.justiceforaafia.org

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Pakistani national Aafia Siddiqui, recently convicted in the US in a shocking miscarriage of justice has now been refused all contact with her family and is being held in effect under “incommunicado” detention. She is being denied letters, visits, phonecalls or any reading material, on the grounds that it impacts “the security of the nation”.

Background

Dr Aafia Siddiqui is a Neuroscientist originally from Pakistan and from an educated family. She studied in the United States, gaining a PhD in 2001. She is the mother of three children, and is regarded as an intelligent, practising Muslim woman.

Following her disappearance in March 2003, along with her three children, Aafia is believed to have been held in secret prisons at the behest of the CIA, suffering torture and abuse - the full details of which will probably never be known. At the end of this ordeal, she was framed in a shocking miscarriage of justice and accused of the attempted murder of two US army personnel.

The US claim that she was “found” outside the residence of the Governor of Ghazni carrying a handbag containing unsecured documents on a USB drive detailing wildly fantastic terrorism plans with a list of targets, and bags containing various toxic chemicals. Aafia testified during her trial that she was given the handbag and did not know the contents therein. She also alluded to the fact she had been forced to copy some documents whilst in secret detention, whilst categorically denying authoring other documents found in her possession.

It is claimed that whilst she was held in the police station, a US soldier placed a loaded M4 Rifle on the floor, from whence she allegedly grabbed the rifle, swore at them and fired two shots. It is claimed that one individual lunged for her, whilst another shot her in the upper body, thus saving the day. During her trial, Aafia vociferously denied shooting anyone; Aafia's fingerprints were not found on the rifle nor were any bullets found in the room. There was no trace of any gun residue from the M4 rifle. Ahmed Gul, the interpreter present, gave conflicting testimony to his colleague Robert Snyder, as to how Siddiqui fired the weapon. The bullet holes on the wall claimed by the prosecution to have been caused by the rifle were already there before any shooting, as was confirmed in a photograph of the room taken earlier in the week. Despite over 20 people being present in the crowded room, Aafia's alleged two shots did not hit a single person. Aafia was subsequently taken to the US prison at Bagram before being extradited to the US in August 2008.

Unfortunately for Aafia, the case was heard in the United States, where fear has such a grip of the nation that to be Muslim in custody is sufficient proof of one's guilt. After little under 12 hours of jury deliberations, Aafia was convicted on all counts, despite no conclusive evidence. With her sentencing scheduled for May, she faces a maximum sentence of life in prison. Her two youngest children remain missing, their whereabouts unknown to date.

Aafia has now been refused all contact with her family and is being held effectively under "incommunicado" detention. She is denied any meaningful communication, not being permitted letters, visits, phonecalls or any reading material, on the pretext of "the security of the nation".

Under the Eighth Amendment to the US Bill of Rights, it states :- *"Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted."* This Eighth Amendment makes no reference to being able to weigh this inalienable right against the need for national security.

In relation to visits, it was stated in the case of *Overton v. Bazzetta* in 2003 that, though they may defer to the experience of prison officials in giving some restrictions to visits, that "We do not hold, and we do not imply, that any right to intimate association is altogether terminated by incarceration."

Take Action

Send a letter, fax or email to the prison authorities demanding that they cease the harassment of Dr Aafia Siddiqui

Send a letter, fax or email to all the key contacts requesting not only that they cease this cruel and unusual punishment, but that they immediately review the irregularities in the trial and free Dr Aafia.

Key Contacts

Eric Holder,
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001
Phone : 202-353-1555
Email : AskDoJ@usdoj.gov

MDC BROOKLYN
METROPOLITAN DETENTION CENTER
80 29TH STREET
BROOKLYN, NY 11232
Phone: 718-840-4200
Fax: 718-840-5001
E-mail address: Bro/EXECASSISTANT@BOP.GOV

Mayor Michael R. Bloomberg
City Hall
New York, NY 10007
PHONE 311 (or 212-NEW-YORK outside NYC)
FAX (212) 312-0700

Sample Letter

Dear <Name>,

Dr Aafia Siddiqui (# 90279-054)

I am writing concerning Dr Aafia Siddiqui (# 90279-054), who is reportedly being denied access to reading materials, visits, phonecalls or any right to send or receive letters. This is particularly distressing given her fragile mental state and the ordeal that she has reportedly been subjected to over several years in US captivity.

Such actions, if true, would appear to be unlawful and and contrary to the spirit of the United States constitution, the Eight Amendment of which reads: .

“Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.”

The right to visitation was also confirmed in the Supreme Court, which though conceding that some restrictions may be permitted, held that it was not permitted to restrict this in totality. The Supreme Court stated that “We do not hold, and we do not imply, that any right to intimate association is altogether terminated by incarceration.”

I trust that you will immediately end these draconian restrictions on Dr Siddiqui's right to visitation and contact with her family, friends and supporters.

I look forward to your prompt and considered response.

Yours sincerely

<Name>

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