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# The Case of Dr. Aafia Siddiqui: A Public Reevaluation



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# Islamic Leadership Institute of America

Academics and Research

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## Criminal Justice Series

### The Case for Dr. Aafia Siddiqui: A Public Reevaluation

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*This research paper is an academic project by a high school student, fulfilling the requirements of graduation of Islamic Leadership Institute of America's Advocacy and Public Policy certification for the academic quarter 1Q2021.*

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#### Abstract

This publication presents the case of Dr. Aafia Siddiqui along with the details that surround her incarceration. This publication comes to the conclusion that Aafia Siddiqui was wrongfully imprisoned due to America's "War on Terror". Dr. Aafia Siddiqui started out as a foreign exchange student. Siddiqui and her family (she later married) were repeatedly questioned by the FBI in the wake of 9/11. Not long after the conclusion of her studies she and her family returned to Pakistan. Following the death of her father, and subsequent divorce in 2002, she and her children were abducted and disappeared in March 2003. The US labeled her a suspected terrorist soon after. Media outlets called Dr. Aafia "Lady Al-Qaeda" following the American government's claims that she was tied to terrorist groups. Activists pressured the United States to give details on Dr. Siddiqui's whereabouts, due to a rumor that she was being held in a US prison in Afghanistan. Soon after a press conference involving a number of prominent journalists and Pakistani politicians, Dr. Siddiqui suddenly reappeared on the streets of Afghanistan in a dazed and disheveled state. Dr. Siddiqui ended up being shot by an American soldier, under disputed circumstances, shortly after being taken into custody by Afghan authorities. Dr. Aafia stood trial in 2010, charged with the attempted murder of American soldiers. She was sentenced to 86 years of imprisonment, and is currently being held at FMC Carswell in Fort Worth, Texas

# Table of Contents

<b>Introduction</b>	<b>4</b>
<b>Point 1 (The Beginning, 1990-2002)</b>	<b>6</b>
Education & Early Life	6
Marriage	6
FBI Interview	7
<b>Point 2 (The Abduction, 2002-2003)</b>	<b>8</b>
Back to Pakistan	8
Abduction	9
FBI watchlist	11
Public Discourse surrounding Abduction	12
<b>Point 3 (The Investigation 2003-2008)</b>	<b>14</b>
Bagram Eyewitness Rumors	14
Early Investigation	15
Press Conference and Political Pressure	15
Surprise Reappearance	17
More Relevant Evidence and Journalism	17
<b>Point 4 (The Reappearance, 2008-2010)</b>	<b>20</b>
Ghazni coincidental reappearance	20
What was found	21
The Ghazni Incident	22
Incident Analysis	23
<b>Point 5 (The trial, 2010-Present)</b>	<b>24</b>
The Court trial and Surrounding circumstances.	24
Prosecution arguments about Ghazni incident	26
Defense arguments about Ghazni incident	26
Contradictions and Concessions	28
Mental stability	30
Dr. Aafia's children	30
Sentencing / Summary	31
<b>Reassessing Accusations (FAQ)</b>	<b>32</b>
Did Dr. Aafia marry Ammar al-Baluchi, the nephew of Khalid Sheikh Mohammad, after her divorce from Amjad Khan and her return to Pakistan? Is Dr. Aafia a terrorist?	32

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Did Dr. Aafia study neuroscience at MIT and Brandeis for terrorist purposes and biomedical warfare? Was there any suspicion that she would use her education to support terrorist organizations like Al-Qaeda?	34
Did Dr. Aafia complete target practice training at MIT?	34
Did Dr. Aafia raise funds for charities that were secretly funding terrorist groups like Al-Qaeda?	35
Was Dr. Aafia a terrorist who purported extremist ideas during her time as an exchange student in the US?	35
Did Dr. Aafia open up a bank account for Al-Qaeda operatives (Majid Khan) on a visa trip to the US?	36
Did Dr. Aafia illustrate extremist views as her ex-husband claims she did before moving to Pakistan?	36
If Dr. Aafia isn't an extremist, then why do terrorist groups ask for her when they hold American citizens as ransom?	37

<b>Closing</b>	<b>38</b>
Dr. Aafia's Children	39
Moving Forward	40

## Introduction

Otherwise known as the “Grey Lady of Bagram” or the infamous “Prisoner 650”, the case surrounding Dr. Aafia Siddiqui is clouded with fear, labeling, Islamophobia, and a surfeit of misinformation; something which guarantees the promulgation of the current unverifiable narrative surrounding her case.

With Dr. Aafia still imprisoned at the Federal Medical Center in Fort Worth, Texas, since her 86-year sentencing in 2010, the timing for a public reevaluation of Dr. Aafia's case has become imperative. This is especially due to the deterioration of Dr. Aafia's physical and psychological health and the near impossibility of Dr. Aafia surviving this 86-year sentence.

This document seeks to educate the public about the facts surrounding the case of Dr. Aafia Siddiqui and the opposing narratives encompassing her story. With these facts compiled, it will allow the readers of this document to reasonably determine if Dr. Aafia is the villain that the mainstream media has made her out to be, or if she is the victim that has suffered immensely as a result of the war on terror.

The retelling of Dr. Aafia's case will mainly follow the chronological order of the major events which took place. This document will analyze the common claims against Dr. Aafia Siddiqui's innocence and provide the reader with an objective analysis of these accusations using the facts at hand.

Before continuing, It is important to illustrate the impact that 9/11 and the war on terror have had on the billions of human beings that were alive on that day, and the billions that have entered this world since that day. In the world we live in, the word "terrorism" or "suicide attack" has become synonymous with the word Muslim or immigrant. The "war on terror" has strengthened as well as benefited from the wave of Islamophobia and xenophobia which has grown to new heights in the western world. With the Islamophobia industry becoming a Multi-million dollar industry since 9/11<sup>1</sup>, Islam and Muslims are in the present day perceived as a threat by their neighbors, communities, and governments. It is incumbent on all people of conscious to recognize how Islamophobia and the rise of extremism has incurred unspeakable injustices on the Muslim community in the west and around the world. This document will strive to give any open minded reader the opportunity to determine if Dr. Aafia Siddiqui is one of those Muslims that has been wronged greatly during the war on terror or if she is a terrorist as the US government claims she is.

With the intention of discovering the truth and achieving justice, the authors of this document urge the reader to keep an open mind and read this document with the correct intention.

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<sup>1</sup>Center for American Progress. (2011, August). *Fear, Inc. The Roots of the Islamophobia Network in America*. Retrieved March 23, 2021 from [https://cdn.americanprogress.org/wp-content/uploads/issues/2011/08/pdf/islamophobia.pdf?\\_ga=2.140169395.107172806.1611252852-1580499971.1611079377](https://cdn.americanprogress.org/wp-content/uploads/issues/2011/08/pdf/islamophobia.pdf?_ga=2.140169395.107172806.1611252852-1580499971.1611079377)

## Point 1 (The Beginning, 1990-2002)

### Education & Early Life

Dr. Aafia Siddiqui was born on March 2nd, 1972, in Karachi, Pakistan, and moved to Zambia for a part of her childhood years before moving back to Karachi.<sup>2</sup> Dr. Aafia's father was a physician who worked overseas and her mother was a social worker that was involved with the APWA (All Pakistan Women's Association). Dr. Aafia traveled to America in 1990 after graduating high school. She attended the University of Houston for her freshman year and at the end of the year, received a full scholarship to MIT.<sup>3</sup> She was soon accepted into MIT's Neuroscience program and completed her undergraduate studies in 1995. Dr. Aafia later earned her Ph.D. from Brandeis University in 2001.<sup>4</sup>

### Marriage

Dr. Aafia married her now ex-husband Dr. Muhammad Amjad Khan in 1995, shortly after graduating from MIT. By the time she graduated from Brandeis in 2001, she had given birth to her son Ahmad (born 1996) as well as her daughter Mariam (born 1998). Dr. Aafia and her husband were highly educated and active Muslims in their community<sup>5</sup>. Dr. Aafia herself was a hafiza of the holy Quran.<sup>6,7</sup> Dr. Aafia was also very vocal about the atrocities happening to Muslims around the globe. She was especially vocal about the atrocities being committed against the Bosniak Muslims during the Yugoslav war.

<sup>2</sup> Ghazanavi, D. (2019b). *Aafia Unheard: Uncovering the Personal and Legal Mysteries Surrounding FBI's Most Wanted Woman!* BookBaby.

<sup>3</sup> *Aafia Siddiqui: Just the Facts*. (2011, February). International Justice Network. Retrieved March 23, 2021 from <https://docs.google.com/a/ijnetwork.org/viewer?a=v&pid=sites&srcid=aWpuZXR3b3JrLm9yZ3xkci1hYWZpYS1zaWRkaXF1aS1yZXBvcnR8Z3g6NTk2NGQzMjc5ZmM3ZmJh>

<sup>4</sup> Mohyidin, R. (2019, May 22). *Tying Up Loose Ends: The Afghan Peace Process and the Case of Dr. Aafia Siddiqui*. TRT World Research Center. Retrieved March 23, 2021 from <https://researchcentre.trtworld.com/publications/reports/tying-up-loose-ends-ravale-mohyidin-the-afghan-peace-process-and-the-case-of-aafia-siddiqui>

<sup>5</sup> Zia Farooqi (2012, July 28): *Aafia Siddiqui-1991-Houston*. [Video]. Youtube. Retrieved March 23, 2021 from <https://www.youtube.com/watch?v=Skmj16h40wE>

<sup>6</sup> *The Case of Dr. Aafia Siddiqui: A Human Rights Presentation*. (2014, January 15). [Video]. YouTube. Retrieved March 23, 2021 from <https://www.youtube.com/watch?v=PEgY7rJ8lOQ>

<sup>7</sup> A hafiz is a person that has memorized the Islamic holy book, the Quran, in its entirety.

It is reported that during her marriage with Dr. Khan, Dr. Aafia was beaten and suffered domestic violence.<sup>8</sup> According to L. Thomas Kucharski of John Jay College in his psychological report of Dr. Aafia later on in 2009: “Her husband admitted to only one incident of domestic violence ... but former professors at Brandeis have [seen] bruises on her face, suggesting substantially more abuse.”<sup>9</sup>

### **FBI Interview**

According to the narrative of the American government, Dr. Aafia and her husband came under suspicion from the FBI in 2002 when they went on a camping trip to Cape Cod with their children.<sup>10</sup> During this trip, Dr. Khan legally purchased hunting gear, a bulletproof vest, and some survival guides. This incident is believed to have put Dr. Aafia and her husband on the FBI’s radar, yet being a vocal, well educated, and courageous Muslim couple after 9/11 certainly played a factor in the FBI’s suspicion. The FBI subsequently appeared at Dr. Khan’s workplace and did minor questioning 3 weeks after the camping trip.<sup>11</sup> At the same time that the FBI showed up at Dr. Khan’s workplace, Dr. Aafia heard the FBI knocking on the door of the couple’s home. She refused to answer the door because she did not have a lawyer. After the incident, the couple hired a Boston attorney named James Merberg.<sup>12</sup>

The couple subsequently scheduled an appointment with the FBI with their attorney present in which they were asked about Dr. Khan’s recent purchase of camping equipment as well as if they knew Osama Bin Laden.<sup>13</sup> Dr. Aafia was asked about her donation to Islamic charities. She answered that it was her duty<sup>14</sup> to give to charity.

<sup>8</sup> Mohyidin, R. (2019, May 22). *Tying Up Loose Ends: The Afghan Peace Process and the Case of Dr. Aafia Siddiqui*. TRT World Research Center. Retrieved March 23, 2021 from <https://researchcentre.trtworld.com/publications/reports/tying-up-loose-ends-ravale-mohyidin-the-afghan-peace-process-and-the-case-of-aafia-siddiqui>

<sup>9</sup> KUCHARSKI, T. K. (2009, June). *Aafia Siddiqui Forensic Psychological Evaluation*. Retrieved March 23, 2021 from <http://intelfiles.egoplex.com/2009-07-01-Siddiqui-psych-report.pdf>

<sup>10</sup> Ghazanavi, D. (2019b). *Aafia Unheard: Uncovering the Personal and Legal Mysteries Surrounding FBI’s Most Wanted Woman!* BookBaby.

<sup>11</sup> Ghazanavi, D. (2019b). *Aafia Unheard: Uncovering the Personal and Legal Mysteries Surrounding FBI’s Most Wanted Woman!* BookBaby.

<sup>12</sup> Ghazanavi, D. (2019). *Aafia Unheard*. Chapter 3: Was Dr. Aafia in a Secret Prison. In *Aafia Unheard: Uncovering the Personal and Legal Mysteries Surrounding FBI’s Most Wanted Woman!* (pp. 24–25). BookBaby.

<sup>13</sup> Ghazanavi, D. (2019b). *Aafia Unheard: Uncovering the Personal and Legal Mysteries Surrounding FBI’s Most Wanted Woman!* BookBaby.

<sup>14</sup> Ghazanavi, D. (2019c). Was Aafia Siddiqui In a Secret Prison from 2003-2008. In *Aafia Unheard: Uncovering the Personal and Legal Mysteries Surrounding FBI’s Most Wanted Woman!* (pp. 24–30). BookBaby.

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A second questioning session with the FBI was scheduled but Dr. Aafia was obliged to return to Pakistan due to the expiration of her visa. Dr. Aafia was only in the United States on an educational visa and her Ph.D. had already been completed. Dr. Aafia's father in Karachi was suffering from health complications and wasn't expected to live much longer. This in addition to Dr. Aafia's pregnancy shortened the time available for her to go back to Pakistan (late-term pregnancies pose a risk on airplanes). Against the advice of Merberg, the couple returned to Pakistan before the second questioning.<sup>15</sup> It is important to understand that Dr. Aafia is not a US citizen and originally came to the US as a foreign exchange student.

## Point 2 (The Abduction, 2002-2003)

### Back to Pakistan

In March of 2003, after the couple arrived in Pakistan, they divorced and Dr. Aafia took her three children to reside in her mother Ismat Siddiqui's house.

There are reports that the couple's divorce was fueled by the death of Dr. Aafia's father, as well as previous domestic abuse incidents. Witnesses claim that on August 15, 2002, Dr. Siddiqui's father collapsed and died of a heart attack after Dr. Khan pushed him.<sup>16</sup>

By March, the FBI had grown suspicious of Dr. Aafia. On March 10th, 2003 they approached her sister, Fouzia Siddiqui, at her residence in Baltimore Maryland.<sup>17</sup> They inquired about Dr. Aafia's whereabouts. Soon after, Fouzia along with her brother in Houston, hired attorney Annette Lamoreaux to represent them if FBI interactions continued.<sup>18</sup>

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<sup>15</sup> Ghazanavi, D. (2019b). *Aafia Unheard: Uncovering the Personal and Legal Mysteries Surrounding FBI's Most Wanted Woman!* BookBaby.

<sup>16</sup> *Aafia Siddiqui: Just the Facts*. (2011, February). International Justice Network. Retrieved March 23, 2021 from <https://docs.google.com/aijnetwork.org/viewer?a=v&pid=sites&rcid=aWpuZXR3b3JrLm9yZ3xkci1hYWZpYS1zaWRkaXF1aS1yZXBvcnR8Z3g6NTk2NGQzMjc5ZmM3ZmJh>

<sup>17</sup> Ghazanavi, D. (2019b). *Aafia Unheard: Uncovering the Personal and Legal Mysteries Surrounding FBI's Most Wanted Woman!* BookBaby.

<sup>18</sup> Ghazanavi, D. (2019c). Was Aafia Siddiqui In a Secret Prison from 2003-2008. In *Aafia Unheard: Uncovering the Personal and Legal Mysteries Surrounding FBI's Most Wanted Woman!* (pp. 24–30). BookBaby.

Soon after the confrontation, the FBI issued an alert notice on March 18th, 2003, requesting information about Dr. Aafia Siddiqui.<sup>19</sup> The FBI stated in the alert that they were not sure about Dr. Aafia's whereabouts, but that they believe she is in Pakistan. The FBI stated that they have no evidence that would affiliate Dr. Aafia with any terrorist activities but would like to find and question her.<sup>20</sup>

## Abduction

Shortly after all of these events, Dr. Aafia decided, against the will of her mother, to take her 3 children and travel to her uncle S.H Faruqi's home in Islamabad. Dr. Aafia did not offer much of an explanation as to why she wanted to travel but it can be inferred that the divorce, death of her father, FBI notice, and her recent childbirth, all played into her decision to leave. Her youngest child Suleiman was only 6 months old at the time.

Dr. Aafia along with her three children left her mother's home in Gulshan-e-Iqbal, Karachi, Sindh province in late March of 2003.<sup>21 22 23</sup> Dr. Aafia's last time being sighted was as she boarded the minicab with her children. Dr. Aafia and her children never arrived at S.H Faruqi's homes in Islamabad.<sup>24</sup> The exact date of her departure is not completely known due to conflicting reports, but the evidence verifies that her departure and disappearance occurred on the same day in late March.<sup>2526</sup>

<sup>19</sup> Ghazanavi, D. (2019c). Was Aafia Siddiqui In a Secret Prison from 2003-2008. In *Aafia Unheard: Uncovering the Personal and Legal Mysteries Surrounding FBI's Most Wanted Woman!* (pp. 24–30). BookBaby.

<sup>20</sup> Ghazanavi, D. (2019b). *Aafia Unheard: Uncovering the Personal and Legal Mysteries Surrounding FBI's Most Wanted Woman!* BookBaby.

<sup>21</sup> Ghazanavi, D. (2019c). Was Aafia Siddiqui In a Secret Prison from 2003-2008. In *Aafia Unheard: Uncovering the Personal and Legal Mysteries Surrounding FBI's Most Wanted Woman!* (pp. 24–30). BookBaby.

<sup>22</sup> PAKISTAN/USA: A lady doctor remains missing with her three children five years after her arrest. (2008, July 23). Asian Human Rights Commission. Retrieved March 23, 2021 from <http://www.humanrights.asia/news/urgent-appeals/AHRC-UAC-167-2008/>

<sup>23</sup> *Aafia Siddiqui: Just the Facts*. (2011, February). International Justice Network. Retrieved March 23, 2021 from <https://docs.google.com/a/ijnetwork.org/viewer?a=v&pid=sites&srcid=aWpuZXR3b3JrLm9yZ3xkci1hYWZpYS1zaWRkaXF1aS1yZXBvcnR8Z3g6NTk2NGQzMjc5ZmM3ZmJh>

<sup>24</sup> *Aafia Siddiqui: Just the Facts*. (2011, February). International Justice Network. Retrieved March 23, 2021 from <https://docs.google.com/a/ijnetwork.org/viewer?a=v&pid=sites&srcid=aWpuZXR3b3JrLm9yZ3xkci1hYWZpYS1zaWRkaXF1aS1yZXBvcnR8Z3g6NTk2NGQzMjc5ZmM3ZmJh>

<sup>25</sup> *The Case of Dr. Aafia Siddiqui: A Human Rights Presentation*. (2014, January 15). [Video]. YouTube. Retrieved March 23, 2021 from <https://www.youtube.com/watch?v=PEqY7rJ8lOQ>

<sup>26</sup> Peace thru Justice Foundation. (2012). *Dr. Aafia Siddiqui: Other Voices*. The Aafia Foundation.

Many news reports were claiming contradictory things following the disappearance.<sup>27</sup> Some said she was arrested by the Pakistani police. Others say she was detained by the FBI. Dr. Aafia's 3 children disappeared as well. Dr. Aafia's mother, Ismat Siddiqui, reported to the BBC as well as other sources<sup>28</sup> that "a man riding a motorcycle" came to the Siddiqui home and knocked on the door the same day<sup>29</sup> that Dr. Aafia and her children disappeared. According to Ismat Siddiqui, "he told me if I ever wanted to see my daughter and grandchildren again, I should keep quiet"<sup>30</sup>.

Dr. Aafia's oldest son Ahmed was reunited with the Siddiqui family in October 2008.<sup>31 32</sup> He soon recounted the following event after Dr. Aafia and her children left the Siddiqui home in late March of 2003.

"I remember we were going to Islamabad in a car when we were stopped by different cars and high roof ones. My mother was screaming and I was screaming as they took me away. I looked around and saw my baby brother on the ground and there was blood. My mother was crying and screaming. Then they put something on my face. And I don't remember anything. When I woke up I was in a room. There were American soldiers in uniform and plainclothes people. They kept me in different places. If I cried or didn't listen, they beat me and tied me and chained me. There were English speaking, Pashto, and Urdu speaking. I had no courage to ask

<sup>27</sup> Khan, Z. K. (2003, April 23). *Pakistani Woman Wanted by FBI*. AP NEWS. Retrieved March 23, 2021 from <https://apnews.com/article/1e6bf0e5e73041baeb988dc189c8fa3d>

<sup>28</sup> Khan, Z. K. (2003, April 23). *Pakistani Woman Wanted by FBI*. AP NEWS. Retrieved March 23, 2021 from <https://apnews.com/article/1e6bf0e5e73041baeb988dc189c8fa3d>

<sup>29</sup> *Aafia Siddiqui: Just the Facts*. (2011, February). International Justice Network. Retrieved March 23, 2021 from <https://docs.google.com/a/ijnetwork.org/viewer?a=v&pid=sites&srcid=aWpuZXR3b3JrLm9yZ3xkci1hYWZpYS1zaWRkaXF1aS1yZXBvcnR8Z3g6NTk2NGQzMjc5ZmM3ZmJh>

<sup>30</sup> Hasan, S. (2008, August 06). *Mystery of Siddiqui disappearance*. Retrieved February 24, 2021, from [http://news.bbc.co.uk/2/hi/south\\_asia/7544008.stm#:~:text=Aafia%20Siddiqui%2C%20whom%20the%20US,into%20custody%20on%20terrorism%20charges.&text=The%20mother%20also%20related%20the%20affair%20to%20other%20newspapers](http://news.bbc.co.uk/2/hi/south_asia/7544008.stm#:~:text=Aafia%20Siddiqui%2C%20whom%20the%20US,into%20custody%20on%20terrorism%20charges.&text=The%20mother%20also%20related%20the%20affair%20to%20other%20newspapers)

<sup>31</sup> Ghaznavi, D. (2019b). *Aafia Unheard: Uncovering the Personal and Legal Mysteries Surrounding FBI's Most Wanted Woman!* BookBaby.

<sup>32</sup> *Aafia Siddiqui: Just the Facts*. (2011, February). International Justice Network. Retrieved March 23, 2021 from <https://docs.google.com/a/ijnetwork.org/viewer?a=v&pid=sites&srcid=aWpuZXR3b3JrLm9yZ3xkci1hYWZpYS1zaWRkaXF1aS1yZXBvcnR8Z3g6NTk2NGQzMjc5ZmM3ZmJh>

who they were. At times, for a long time, I was alone in a small room. Then I was taken to some children’s prison where there were lots of other children.”<sup>33</sup>

A very similar retelling is given by Dr. Aafia and her lawyers during the court trial in 2010. Her lawyer Elaine Sharp describes: “

“According to Siddiqui, on the day she left her mother’s house with her three children, the cab they left in detoured from the usual route to the station. The driver took a back road and this is when two black cars pulled up, held the cab driver at gunpoint while the other men opened the back door and took the children. Siddiqui herself was then dragged from the cab and given something that knocked her out. Ahmed corroborated this, saying he too was made unconscious. Next thing she woke up strapped to a gurney. Reports in the Urdu speaking press in Pakistan stated she was seen and picked up on a CIA transport plane.”<sup>34</sup>

### **FBI watchlist**

Following Dr. Aafia’s disappearance, there was little word about her whereabouts.

In April of 2003, nearly a month following the disappearance of Dr. Aafia and her children, Her now ex-husband Dr. Amjad Khan was brought in for questioning by the FBI and the Pakistani secret service.<sup>35</sup> His name was then removed from the FBI watchlist. Although Dr. Khan’s name was removed, Dr. Aafia’s name was not.<sup>36</sup> Dr. Khan soon left

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<sup>33</sup>Dr. Aafia’s son’s statement. (n.d.). Justiceforaafia.Org. Retrieved March 23, 2021 from <http://www.justiceforaafia.org/articles/press-releases/604-first-public-statement-from-aafias-son-on-his-disappearance-and-detention>

<sup>34</sup> Worthington, A. W. (2011, January 24). *Aafia Siddiqui’s Lawyer: “She was Detained for Five Years in a Black Site” and “Forced to Create Documents to Incriminate Herself”* | Andy Worthington. Andyworthington.Co.Uk. Retrieved March 23, 2021 from <http://www.andyworthington.co.uk/2011/01/24/aafia-siddiquis-lawyer-she-was-detained-for-five-years-in-a-black-site-and-forced-to-create-documents-to-incriminate-herself/>

<sup>35</sup> *Aafia Siddiqui: Just the Facts*. (2011, February). International Justice Network. Retrieved March 23, 2021 from <https://docs.google.com/a/ijnetwork.org/viewer?a=v&pid=sites&srcid=aWpuZXR3b3JrLm9yZ3xkci1hYWZpYS1zaWRkaXF1aS1yZXBvcnR8Z3g6NTk2NGQzMjc5ZmM3ZmJh>

<sup>36</sup> *Aafia Siddiqui: Just the Facts*. (2011, February). International Justice Network. Retrieved March 23, 2021 from <https://docs.google.com/a/ijnetwork.org/viewer?a=v&pid=sites&srcid=aWpuZXR3b3JrLm9yZ3xkci1hYWZpYS1zaWRkaXF1aS1yZXBvcnR8Z3g6NTk2NGQzMjc5ZmM3ZmJh>

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Pakistan after the questioning and traveled to Saudi Arabia in June of that year. Dr. Khan's activities, location, and time spent in Saudi Arabia all remain unknown to us.<sup>37</sup> It is speculated that Dr. Khan averted suspicion of himself onto his ex-wife during the questioning to save himself.

On May 27th, 2004, FBI director Robert Mueller along with US Attorney John Ashcroft warned in a press conference<sup>38</sup> about a list of suspected terrorists including Dr. Aafia. They urged the American people to report all information they had on those suspects to law enforcement. Robert Mueller clearly stated, "Aafia Siddiqui is an Al-Qaeda operative and facilitator, she attended colleges in the Boston area, and is believed to have left Boston in January of 2003".<sup>39</sup> Unlike the other 6 suspects which Mueller lists, no crime is attached to Dr. Aafia's name. For all the other suspects, they are described as "participants in the 1998 East Africa bombings.", or as having appeared "in a martyrdom video". However, Dr. Aafia has nothing to her name except her education, a clear indicator for many that there is insufficient evidence to convict her as a terrorist.

### **Public Discourse surrounding Abduction**

It is important to add that many supporters of Dr. Aafia believe that she was abducted by Pakistani Government authorities and then handed to the American FBI who, after questioning, imprisoned her at the infamous Bagram Airfield prison in Afghanistan. Dr. Aafia's disappearance and highly suspected imprisonment is not the only case of its kind that occurred in Pakistan and Afghanistan post 9/11.

Former President of Pakistan Pervez Musharaff has famously boasted in his Memoir titled *In the Line of Fire* about the abduction and handing over of suspected terrorists to the American forces operating in the region. Many of the people

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<sup>37</sup>Aafia Siddiqui: *Just the Facts*. (2011, February). International Justice Network. Retrieved March 23, 2021 from <https://docs.google.com/a/ijnetwork.org/viewer?a=v&pid=sites&srcid=aWpuZXR3b3JrLm9yZ3xkci1hYWZpYS1zaWRkaXF1aS1yZXBvcnR8Z3g6NTk2NGQzMjc5ZmM3ZmJh>

<sup>38</sup>CNN.com - *Transcript: Ashcroft, Mueller news conference - May 26, 2004*. (2004b, May 27). CNN. Retrieved March 23, 2021 from <https://edition.cnn.com/2004/US/05/26/terror.threat.transcript/>

<sup>39</sup>CNN.com - *Transcript: Ashcroft, Mueller news conference - May 26, 2004*. (2004b, May 27). CNN. Retrieved March 23, 2021 from <https://edition.cnn.com/2004/US/05/26/terror.threat.transcript/>

abducted by the Musharraf government and then handed to the FBI were innocent.<sup>40 41</sup> Many today have proved their innocence and now walk free, but others like Dr. Aafia remain behind bars. The criteria for a person to be abducted and sold to the American governments as a terrorist were very low as in the words of Musharraf, “We have earned bounties totaling millions of dollars”<sup>42</sup>.

The selling of human beings, some of whom were later proven innocent, to the US government during the war on terror without a proper trial or any kind of due process is a crime. A crime that many believe was committed against Dr. Aafia and her children.

The timing of Dr. Aafia’s disappearance is also an issue of considerable suspicion by many. The disappearance of Dr. Aafia is used by the FBI and the US Government to accuse her of joining Al-Qaeda or a terrorist organization of the sort. Tying into the many abductions that the Pakistani government conducted in connection with the FBI, Not too long after Dr. Aafia’s disappearance, terrorists like Khalid Sheikh Mohammad and Ali 'Abd al-'Aziz Ali<sup>43</sup> disappeared with evidence pointing towards the Pakistani and the US Governments being responsible. These terrorists were verifiably imprisoned at Guantanamo.<sup>44</sup> The timing of these abductions in relation to Dr. Aafia’s disappearance point towards the idea that Dr. Aafia did not just disappear and join a terrorist group as per the US government’s narrative, rather she was taken and assumed guilty instead of innocent by her abductors. How else can one explain Dr. Aafia’s disappearance at the same time as the verified abduction of other terrorists?

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<sup>40</sup>Amnesty International. (2006, September). *PAKISTAN: HUMAN RIGHTS IGNORED IN THE “WAR ON TERROR.”* Retrieved March 23, 2021 from <https://www.amnesty.org/en/documents/ASA33/036/2006/en/>

<sup>41</sup>CBS News. (2006, September 29). *Pakistan “Selling” Innocents To U.S.? Retrieved March 23, 2021 from <https://www.cbsnews.com/news/pakistan-selling-innocents-to-us/>*

<sup>42</sup>Musharraf, P. (2008b). *In the Line of Fire: A Memoir*. Free Press. Retrieved March 23, 2021 from

<sup>43</sup>Mariner, J. M. (2008, September 8). *The Strange and Terrible Case of Aafia Siddiqui | FindLaw*. Findlaw. Retrieved March 23, 2021 from <https://supreme.findlaw.com/legal-commentary/the-strange-and-terrible-case-of-aafia-siddiqui.html>

<sup>44</sup> C. (2020, December 25). *Khalid Sheikh Mohammed Fast Facts*. ABC17NEWS. Retrieved March 23, 2021 from <https://abc17news.com/news/national-world/2020/12/25/khalid-sheikh-mohammed-fast-facts/>

## Point 3 (The Investigation 2003-2008)

### Bagram Eyewitness Rumors

The first premise supporting the assertion that Dr. Aafia was abducted and imprisoned by the Pakistani and US governments is the witness testimonies of former prisoners who attested to seeing Dr. Aafia at Bagram Airfield prison from 2003 to 2008. These testimonies directly contributed to the investigative journalism and political attention that was paid to the case in the years following Dr. Aafia's abduction.

In 2005, a video of four Arab Bagram prison escapees<sup>45 46</sup> was uploaded to the internet. The escapees talk about their experiences in Bagram and mention a female prisoner they witnessed being tortured there. The main speaker in this video is Abu Yahya al-Libi<sup>47</sup> who allegedly died<sup>48</sup> through suicide in 2009.<sup>49</sup> The four escapees mention in this video that there exists a female prisoner at Bagram Prison, Afghanistan, hinted to be Aafia. According to the escapees, this woman had the number 650 assigned to her which could be seen on the back of her prison uniform,<sup>50</sup> something later corroborated by other former Bagram detainees in the coming years.

She was soon called prisoner 650 by journalists and activists around the globe. The men in the video detail that Prisoner 650 has been imprisoned in Bagram for 2 years, a period of time that matches the number of years that Dr. Aafia had been missing as of 2005. Much speculation was raised regarding the identity of this female prisoner at

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<sup>45</sup> *Bagram Escapees reveal How Aafia was treated in Prison.flv*. (2010, September 5). [Video]. YouTube. Retrieved March 23, 2021 from <https://www.youtube.com/watch?v=RQS-1a-KJhk>

<sup>46</sup> *Afghanistan Escape | AP Archive*. (2005, July 12). AP Archive. Retrieved March 23, 2021 from <http://www.aparchive.com/metadata/youtube/0b24f20e67629f16eaf41ffb522860ec>

<sup>47</sup> Bahry, L. (2020, May 31). *Abū Yaḥyā al-Lībī*. *Encyclopedia Britannica*. Retrieved March 23, 2021 from <https://www.britannica.com/biography/Abu-Yahya-al-Libi>

<sup>48</sup> Worthington, A. W. (2009, May 10). *Ibn al-Shaykh al-Libi Has Died In A Libyan Prison | Andy Worthington*. Retrieved March 23, 2021 from <http://www.andyworthington.co.uk/2009/05/10/ibn-al-shaykh-al-libi-has-died-in-a-libyan-prison/>

<sup>49</sup> Worthington, A. W. (2009, May 10). *Ibn al-Shaykh al-Libi Has Died In A Libyan Prison | Andy Worthington*. Retrieved March 23, 2021 from <http://www.andyworthington.co.uk/2009/05/10/ibn-al-shaykh-al-libi-has-died-in-a-libyan-prison/>

<sup>50</sup> *Bagram Escapees reveal How Aafia was treated in Prison.flv*. (2010, September 5). [Video]. YouTube. Retrieved March 23, 2021 from <https://www.youtube.com/watch?v=RQS-1a-KJhk>

Bagram. This attracted the attention of journalists and organizations that wanted to determine if this Prisoner 650 was the missing Dr. Aafia Siddiqui.

### Early Investigation

UK journalist Yvonne Ridley<sup>51</sup> first began investigating the case of a woman imprisoned at Bagram when she read Moazzam Begg's<sup>52</sup> book "Enemy Combatant"<sup>53</sup> in which he described hearing a woman's screams of torture during his stay at Bagram. Moazzam Begg wrote his book about his experiences being unjustly imprisoned by American forces at Bagram and Guantanamo Bay. This account of a woman prisoner at Bagram was corroborated by the earlier referenced video of the 4 Bagram escapees who claimed to have witnessed female prisoner 650 being tortured at the prison.

In 2007, Human Rights Watch released a report<sup>54</sup> declaring Dr. Aafia Siddiqui to be someone they suspect is being held in a secret prison by the CIA. More support and attention was being paid to the case of Dr. Aafia and more pressure was being placed on the US government for answers. Ridley soon interviewed Lt. Col. Mark Wright from the US pentagon who denied having any knowledge of Prisoner 650.<sup>55</sup> Ridley asked the colonel to contact CIA operatives in Afghanistan for more information and then call her back. Col. Wright never responded to Ridley's request.<sup>56</sup> Furthermore, the video of the four Arab Bagram prison escapees who first proclaimed the existence of female prisoner 650, was mysteriously taken down from the internet following Ridley's interview with the Colonel.<sup>57</sup>

### Press Conference and Political Pressure

In July of 2008, major pressure was being exerted on the US government due to Ridley's investigation.

<sup>51</sup> *About Yvonne – Yvonne Ridley*. (n.d.). Yvonneridley.Org. <http://yvonneridley.org/about-yvonne/>

<sup>52</sup> *Moazzam Begg*. (n.d.). Middle East Eye. <https://www.middleeasteye.net/users/moazzam-begg>

<sup>53</sup> Begg, M. (2006, December 08). Enemy combatant. Retrieved February 24, 2021, from [Retrieved March 23, 2021 from https://www.cage.ngo/product/the-enemy-combatant-by-moazam-begg](https://www.cage.ngo/product/the-enemy-combatant-by-moazam-begg)

<sup>54</sup> Human Rights Watch. (2007, February 26). *Ghost Prisoner*. <https://www.hrw.org/report/2007/02/26/ghost-prisoner/two-years-secret-cia-detention>

<sup>55</sup> Ghazanavi, D. (2019b). *Aafia Unheard: Uncovering the Personal and Legal Mysteries Surrounding FBI's Most Wanted Woman!* BookBaby.

<sup>56</sup> Ghazanavi, D. (2019b). *Aafia Unheard: Uncovering the Personal and Legal Mysteries Surrounding FBI's Most Wanted Woman!* BookBaby.

<sup>57</sup> Ghazanavi, D. (2019c). Was Aafia Siddiqui In a Secret Prison from 2003-2008. In *Aafia Unheard: Uncovering the Personal and Legal Mysteries Surrounding FBI's Most Wanted Woman!* (pp. 40–41). BookBaby.

In early July, Ridley traveled with the director of Cageprisoners (now CAGE<sup>58</sup>) Saghir Hussain. Ridley and Hussain led a campaign in Pakistan asking Pakistanis to call the US government and to ask them who prisoner 650 is and where she is imprisoned.<sup>59</sup>

The demand for answers was growing and soon on the 6th of July 2008, Ridley conducted a press conference with the leader of the Pakistan Tehreek-e-Insaf party (now prime minister), Imran Khan.<sup>60</sup> Imran Khan pledged his support to freeing Dr. Aafia and proclaimed he was most certain Aafia was Prisoner 650.<sup>61</sup> Hundreds of journalists attended and reported on the press conference<sup>62 63 64</sup> which brought much attention to the case of Dr. Aafia.

On July 11th, 2008, just days after the press conference happened, Lieutenant Colonel Rumi Nielsen Green, the Director of Public Affairs of US forces in Bagram, Afghanistan, responded to the demand for answers by saying “there are no women in our custody”<sup>65</sup>. He denied the existence of any female prisoners at Bagram. The lieutenant stated that the US valued human rights and that the detention center was in compliance with American law. When Lt. Rumi was asked about the existence of any female prisoners from 2002 onward or in any other American detention centers, the lieutenant responded by saying he would have to ask his higher-ups. Lt. Rumi never came back with a response.<sup>66</sup>

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<sup>58</sup> WITNESS | EMPOWER | JUSTICE. (n.d.). CAGE. Retrieved March 23, 2021 from <https://www.cage.ngo/>

<sup>59</sup> Ghazanavi, D. (2019c). Was Aafia Siddiqui In a Secret Prison from 2003-2008. In *Aafia Unheard: Uncovering the Personal and Legal Mysteries Surrounding FBI's Most Wanted Woman!* (pp. 40–41). BookBaby.

<sup>60</sup> Ghazanavi, D. (2019b). *Aafia Unheard: Uncovering the Personal and Legal Mysteries Surrounding FBI's Most Wanted Woman!* BookBaby.

<sup>61</sup> Ghazanavi, D. (2019b). *Aafia Unheard: Uncovering the Personal and Legal Mysteries Surrounding FBI's Most Wanted Woman!* BookBaby.

<sup>62</sup> Shahid, J. (2008, July 6). 'Pakistani woman languishing in Bagram.' DAWN.COM. Retrieved March 23, 2021 from <https://www.dawn.com/news/310586>

<sup>63</sup> *In Search of Prisoner 650 Part 1*. (2010b, November 29). [Video]. YouTube. Retrieved March 23, 2021 from <https://www.youtube.com/watch?v=TxHJ0lyKZ2Q>

<sup>64</sup> Ghazanavi, D. (2019c). Was Aafia Siddiqui In a Secret Prison from 2003-2008. In *Aafia Unheard: Uncovering the Personal and Legal Mysteries Surrounding FBI's Most Wanted Woman!* (pp. 40–41). BookBaby.

<sup>65</sup> Shahid, J. (2008b, July 11). *No woman prisoner in Bagram, says US*. DAWN.COM. Retrieved March 23, 2021 from <https://www.dawn.com/news/311388>

<sup>66</sup> Shahid, J. (2008b, July 11). *No woman prisoner in Bagram, says US*. DAWN.COM. Retrieved March 23, 2021 from <https://www.dawn.com/news/311388>

## Surprise Reappearance

Then on July 18, 2008<sup>67</sup>, the woman who had been missing for 5 years and was believed by many to be the mysterious prisoner 650, reappears with her oldest son Ahmed in front of an Afghan government compound in Ghazni Afghanistan.

This almost immediate reappearance of Dr. Aafia after Ridley's press conference and the response given by Lieutenant Rumi shows that there is validity in the claims that Ridley and supporters of Dr. Aafia have been making. The timing of Dr. Aafia's reappearance cannot be unrelated to the press conference and the arguably insufficient response that Lieutenant Rumi gave.

Before continuing it is imperative to illustrate the further evidence which has emerged since the Ghazni incident and after the court sentence of Dr. Aafia. This evidence further supports the claims made by Dr. Aafia's supporters about her abduction and unjust imprisonment and challenges the US narrative that Dr. Aafia was never held in the facilities

## More Relevant Evidence and Journalism

Following the Ghazni incident in 2008 and Dr. Aafia's trial in January of 2010<sup>68</sup>, CAGE interviewed Binyam Mohammad, a former Bagram and Guantanamo detainee who after being sold by the Pakistani government to the US government, was proven innocent and released from Guantanamo in February of 2009.

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<sup>67</sup>*Aafia Siddiqui: Just the Facts*. (2011, February). International Justice Network. Retrieved March 23, 2021 from <https://docs.google.com/a/ijnetwork.org/viewer?a=v&pid=sites&srcid=aWpuZXR3b3JrLm9yZ3xkci1hYWZpYS1zaWRkaXF1aS1yZXBvcnR8Z3g6NTk2NGQzMjc5ZmM3ZmJh>

<sup>68</sup>Southern District of New York. (2010, September 23). *Aafia Siddiqui Sentenced in Manhattan Federal Court to 86 Years for Attempting to Murder U.S. Nationals in Afghanistan and Six Additional Crimes* [Press release]. Retrieved March 23, 2021 from <https://archives.fbi.gov/archives/newyork/press-releases/2010/nyfo092310.htm#:~:text=On%20August%204%2C%202008%2C%20SIDDIQUI,guilty%20verdict%20on%20all%20counts>

Binyam Mohammad recounted in this interview<sup>69</sup> <sup>70</sup>with Moazzam Begg (CAGE’s outreach director) that he saw a female detainee at Bagram multiple times during his imprisonment there in 2004. He mentioned that she had the number 650 attached to her and that he only saw her when she was “brought out to the main facility just to use the toilet.”<sup>71</sup> After being shown an image of Dr. Aafia, Binyam confirmed that she was the prisoner he saw during his imprisonment at Bagram.<sup>72</sup> Binyam Mohammad also mentioned that he “could tell that she was severely disturbed.”<sup>73</sup> and that he didn’t “think she was sane”<sup>74</sup>. This eyewitness account of Dr. Aafia at Bagram poses a big problem for the US government narrative which asserts that her disappearance in 2003 was a result of her joining Al-Qaeda. Binyam Mohammad also conducted an interview<sup>75</sup> with Press TV’s Yvonne Ridley following the publication of her documentary titled “In search of Prisoner 650”<sup>76</sup>. Binyam Mohammad again confirmed seeing Dr. Aafia at Bagram.

The final witness testimony of a former Bagram detainee comes from Dr. Ghairat Baheer who was the ambassador of Afghanistan to Pakistan in the ’90s. Mr. Ghairat conducted an interview with Ridley in October of 2008, shortly after the Ghazni incident. Baheer had been abducted from Pakistan in 2002 during the middle of the night and was held by the US for 6 years without any charges. Baheer reported seeing only one woman at Bagram during his time there and he

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<sup>69</sup>Moazzam Begg in Conversation with Binyam Mohamed — *The Center for the Study of Human Rights in the Americas (CSHRA)*. (2009, March 26). Retrieved March 23, 2021 from <http://Humanrights.Ucdavis.Edu/http://humanrights.ucdavis.edu/projects/the-quantanamo-testimonials-project/testimonies/prisoner-testimonies/moazzam-begg-in-conversation-with-binyam-mohamed>

<sup>70</sup>Moazzam Begg in Conversation with Binyam Mohamed. (2018, April 9). CAGE. Retrieved March 23, 2021 from <https://www.cage.ngo/moazzam-begg-conversation-binyam-mohamed>

<sup>71</sup>Moazzam Begg in Conversation with Binyam Mohamed. (2018, April 9). CAGE. Retrieved March 23, 2021 from <https://www.cage.ngo/moazzam-begg-conversation-binyam-mohamed>

<sup>72</sup> Moazzam Begg in Conversation with Binyam Mohamed. (2018, April 9). CAGE. Retrieved March 23, 2021 from <https://www.cage.ngo/moazzam-begg-conversation-binyam-mohamed>

<sup>73</sup> Moazzam Begg in Conversation with Binyam Mohamed. (2018, April 9). CAGE. Retrieved March 23, 2021 from <https://www.cage.ngo/moazzam-begg-conversation-binyam-mohamed>

<sup>74</sup> Moazzam Begg in Conversation with Binyam Mohamed. (2018, April 9). CAGE. Retrieved March 23, 2021 from <https://www.cage.ngo/moazzam-begg-conversation-binyam-mohamed>

<sup>75</sup> YouTube- Binyam Mohamed says prisoner 650 is Dr Aafia Siddiqui.mp4. (2010, March 20). [Video]. YouTube. Retrieved March 23, 2021 from <https://www.youtube.com/watch?v=-klAK4-FsSc>

<sup>76</sup>In Search of Prisoner 650 Part 1. (2010, November 29). [Video]. YouTube. Retrieved March 23, 2021 from <https://www.youtube.com/watch?v=TxHJ0lyKZ2Q>

described her as “mentally disturbed” and “losing her mind”. This furthermore contributes to the existence of a female prisoner at Bagram who was mentally disturbed and is suspected to have been Dr. Aafia.<sup>77 78</sup>

The concessions of the Pakistani government and their officials surrounding the mysterious aspects of the case are in dire need of being cited. In May of 2004, Pakistan’s Ministry of the Interior confirmed that Dr. Aafia was handed over to the United States despite Pakistani interrogation of Dr. Aafia yielding no links to the terrorist organization.<sup>79</sup> The spokesman for the ministry stated that Dr. Aafia’s “US nationality” made her a target.<sup>80</sup>

The next concession is that of Imran Shauqat, the Superintendent of Police for Sindh, Pakistan in the years surrounding 2009 and someone who was involved with Pakistani secret police during the post 9/11 period. The International Justice network released a transcript of a secretly recorded conversation between Shauqat and an American citizen<sup>81</sup>, Syed Bilal. Syed Bilal contacted the International Justice network after being shocked by Shauqat’s confessions. Shauqat spoke openly with Syed Bilal about the case of Dr. Aafia and his direct involvement in her abduction. In the secretly recorded conversation, Mr. Shauqat said “I arrested her. She wore gloves and a veil.

...When she was caught she was traveling to Islamabad. ... we gave her to ISI.”<sup>82</sup> According to the IJN report, Shauqat opened up to Bilal about the fabrication of evidence that was often used to prosecute cases of missing persons in Pakistan.<sup>83</sup>

<sup>77</sup>*In Search of Prisoner 650 Part 1*. (2010, November 29). [Video]. YouTube. Retrieved March 23, 2021 from <https://www.youtube.com/watch?v=TxHJ0lyKZ2Q>

<sup>78</sup> Ghazanavi, D. (2019b). *Aafia Unheard: Uncovering the Personal and Legal Mysteries Surrounding FBI’s Most Wanted Woman!* BookBaby.

<sup>79</sup> DAWN.COM. (2004, May 28). *Dr Aafia was handed over to US last year: govt.* Retrieved March 23, 2021 from <https://www.dawn.com/news/360381>

<sup>80</sup> DAWN.COM. (2004, May 28). *Dr Aafia was handed over to US last year: govt.* Retrieved March 23, 2021 from <https://www.dawn.com/news/360381>

<sup>81</sup> *Aafia Siddiqui: Just the Facts*. (2011, February). International Justice Network. Retrieved March 23, 2021 from <https://docs.google.com/a/ijnetwork.org/viewer?a=v&pid=sites&srcid=aWpuZXR3b3JrLm9yZ3xkci1hYWZpYS1zaWRkaXF1aS1yZXBvcnR8Z3g6NTk2NGQzMjc5ZmM3ZmJh>

<sup>82</sup> *Aafia Siddiqui: Just the Facts*. (2011, February). International Justice Network. Retrieved March 23, 2021 from <https://docs.google.com/a/ijnetwork.org/viewer?a=v&pid=sites&srcid=aWpuZXR3b3JrLm9yZ3xkci1hYWZpYS1zaWRkaXF1aS1yZXBvcnR8Z3g6NTk2NGQzMjc5ZmM3ZmJh>

<sup>83</sup> *Aafia Siddiqui: Just the Facts*. (2011, February). International Justice Network. Retrieved March 23, 2021 from <https://docs.google.com/a/ijnetwork.org/viewer?a=v&pid=sites&srcid=aWpuZXR3b3JrLm9yZ3xkci1hYWZpYS1zaWRkaXF1aS1yZXBvcnR8Z3g6NTk2NGQzMjc5ZmM3ZmJh>

The above investigations, testimonies, and confessions deal a heavy blow to the American narrative surrounding Dr. Aafia's case. Specifically in regards to Dr. Aafia's disappearance and her whereabouts from March of 2003 to July of 2008.

## Point 4 (The Reappearance, 2008-2010)

### Ghazni coincidental reappearance

As stated earlier, Dr. Aafia and her oldest son reappeared in front of the Afghan government compound on July 18, 2008.<sup>84</sup> This came just days after international calls for information regarding prisoner 650 were announced. They were likely dropped off by a taxi cab. Dr. Aafia later reports in court that she remembers feeling very dazed and confused the day of her arrest.<sup>85</sup> She also reports that she wasn't sure if the boy with her was her son Ahmed<sup>86</sup>, it's speculated that she may not have recognized him after 5 years.

The Afghan police received an anonymous call at almost the same time that Dr. Aafia and her son Ahmed reappeared.<sup>87</sup> The caller had informed the police that a suicide bombing was going to be carried out by a strange woman outside the compound. This anonymous caller is believed by many people to be the US government trying to get rid of Dr. Aafia and her son by means of provoking the Afghan police to fire at her. In doing this the US government would be able to get rid of Dr. Aafia and the pressure that was being exerted on them to release classified information surrounding her story.<sup>88</sup>

<sup>84</sup> Ghazanavi, D. (2019b). *Aafia Unheard: Uncovering the Personal and Legal Mysteries Surrounding FBI's Most Wanted Woman!* BookBaby.

<sup>85</sup> *Aafia Siddiqui: Just the Facts*. (2011, February). International Justice Network. Retrieved March 23, 2021 from <https://docs.google.com/a/ijnetwork.org/viewer?a=v&pid=sites&srcid=aWpuZXR3b3JrLm9yZ3xkci1hYWZpYS1zaWRkaXF1aS1yZXBvcnR8Z3g6NTk2NGQzMjc5ZmM3ZmJh>

<sup>86</sup> Ghazanavi, D. (2019b). *Aafia Unheard: Uncovering the Personal and Legal Mysteries Surrounding FBI's Most Wanted Woman!* BookBaby.

<sup>87</sup> Saalakhani, M. S. (2010b, December). *The Case of Dr. Aafia Siddiqui: A Profile in Persecution and Faith*. WRMEA. Retrieved March 23, 2021 from

<https://www.wrmea.org/010-december/the-case-of-dr.-afia-siddiqui-a-profile-in-persecution-and-faith.html>

<sup>88</sup> Saalakhani, M. S. (2010b, December). *The Case of Dr. Aafia Siddiqui: A Profile in Persecution and Faith*. WRMEA. Retrieved March 23, 2021 from

<https://www.wrmea.org/010-december/the-case-of-dr.-afia-siddiqui-a-profile-in-persecution-and-faith.html>

It was around the time for dhuhr, or midday prayers, when Dr. Aafia and her son reappeared, so the Adhan of the Mosque could be heard in the distance. Dr. Aafia, being dazed and disoriented, wandered with her son to the sound of the adhan. In rural Afghanistan, women are often prohibited from praying in mosques due to cultural practices. The sight of a woman with her son wandering around the mosque prompted lots of commotion and perplexity among the men at the mosque. The Afghan police forces soon came to the scene and arrested Dr. Aafia. The indictment filed against Dr. Aafia confirmed her close proximity to a mosque.<sup>89</sup>

### What was found

Dr. Aafia is reported to have had a bag with her when she was arrested. After her arrest, the Afghan forces opened the bag and found plans for terrorist attacks and bomb making instructions written in both English and Urdu.<sup>90</sup> The documents were in Dr. Aafia's handwriting.<sup>91</sup>

The presented narrative that Dr. Aafia was carrying plans of attack with her in a purse has aroused much suspicion in regards to the authenticity of this report. Dr. Aafia later stated in court that the documents found in the bag had been written by her, but it was while under torture at Bagram. Her captors had threatened to harm her children if she did not create these incriminating documents.<sup>92</sup>

Following Dr. Aafia's arrest, she was taken to a press conference room within the government compound and put behind a curtain on one side of the room.<sup>93</sup> Her handcuffs were reportedly untied because she complained of their

<sup>89</sup> Ghazanavi, D. (2019c). Was Aafia Siddiqui In a Secret Prison from 2003-2008. In *Aafia Unheard: Uncovering the Personal and Legal Mysteries Surrounding FBI's Most Wanted Woman!* (pp. 40–41). BookBaby.

<sup>90</sup> Ghazanavi, D. (2019b). *Aafia Unheard: Uncovering the Personal and Legal Mysteries Surrounding FBI's Most Wanted Woman!* BookBaby.

<sup>91</sup> *Aafia Siddiqui: Just the Facts*. (2011, February). International Justice Network. Retrieved March 23, 2021 from <https://docs.google.com/a/ijnetwork.org/viewer?a=v&pid=sites&srcid=aWpuZXR3b3JrLm9yZ3xkci1hYWZpYS1zaWRkaXF1aS1yZXBvcnR8Z3g6NTk2NGQzMjc5ZmM3ZmJh>

<sup>92</sup> *Aafia Siddiqui: Just the Facts*. (2011, February). International Justice Network. Retrieved March 23, 2021 from <https://docs.google.com/a/ijnetwork.org/viewer?a=v&pid=sites&srcid=aWpuZXR3b3JrLm9yZ3xkci1hYWZpYS1zaWRkaXF1aS1yZXBvcnR8Z3g6NTk2NGQzMjc5ZmM3ZmJh>

<sup>93</sup> *Aafia Siddiqui: Just the Facts*. (2011, February). International Justice Network. Retrieved March 23, 2021 from <https://docs.google.com/a/ijnetwork.org/viewer?a=v&pid=sites&srcid=aWpuZXR3b3JrLm9yZ3xkci1hYWZpYS1zaWRkaXF1aS1yZXBvcnR8Z3g6NTk2NGQzMjc5ZmM3ZmJh>

tightness.<sup>94</sup> Soon after, Afghan and American forces came into the room to discuss the capture of Dr. Aafia. They came in armed with weapons. It is reported that the American and Afghan forces were having a heated discussion over who would take custody of Dr. Aafia.<sup>95</sup>

### The Ghazni Incident

There are two retellings of what happened next: The American retelling goes that as FBI agents came to the compound to take Dr. Aafia into their custody, Dr. Aafia lunged forward and took the M-4 rifle of an American Chief warrant officer. She then switched off the safety of the gun and fired at the US and Afghan soldiers while screaming something about death to Americans.<sup>96 97</sup> She injured no one and one of the soldiers returned fire by shooting her twice in the stomach. They claim this happened as Dr. Aafia sat unrestrained behind the curtain and the soldiers sat in the same room opposite the curtain discussing what to do with her. Many third party analysts have noted that the testimonies of the US soldiers and FBI agents surrounding this incident were very inconsistent throughout the court trial.<sup>98</sup>

The other retelling of the incident is that Dr. Aafia, fearing that she would be taken to a secret detention site by the Americans, peered through the curtain to see who had entered the room. As soon as she looked through the curtain, a US warrant officer screamed “The prisoner is free”<sup>99 100</sup> and shot Dr. Aafia twice in the stomach.<sup>101</sup> Dr. Aafia denied

<sup>94</sup> *Aafia Siddiqui: Just the Facts*. (2011, February). International Justice Network. Retrieved March 23, 2021 from <https://docs.google.com/a/ijnetwork.org/viewer?a=v&pid=sites&srcid=aWpuZXR3b3JrLm9yZ3xkci1hYWZpYS1zaWRkaXF1aS1yZXBvcnR8Z3g6NTk2NGQzMjc5ZmM3ZmJh>

<sup>95</sup> *The Case of Dr. Aafia Siddiqui: A Human Rights Presentation*. (2014, January 15). [Video]. YouTube. Retrieved March 23, 2021 from <https://www.youtube.com/watch?v=PEgY7rJ8IO0>

<sup>96</sup> *Aafia Siddiqui: Just the Facts*. (2011, February). International Justice Network. Retrieved March 23, 2021 from <https://docs.google.com/a/ijnetwork.org/viewer?a=v&pid=sites&srcid=aWpuZXR3b3JrLm9yZ3xkci1hYWZpYS1zaWRkaXF1aS1yZXBvcnR8Z3g6NTk2NGQzMjc5ZmM3ZmJh>

<sup>97</sup> Ghazanavi, D. (2019b). *Aafia Unheard: Uncovering the Personal and Legal Mysteries Surrounding FBI's Most Wanted Woman!* BookBaby.

<sup>98</sup> *Victoria Brittain on the case of Dr Aafia Siddiqui with Urdu Subtitles*. (2017, April 13). [Video]. YouTube. Retrieved March 23, 2021 from <https://www.youtube.com/watch?v=VAbMnhlmcd4>

<sup>99</sup> Saalakhan, M. S. (2010b, December). *The Case of Dr. Aafia Siddiqui: A Profile in Persecution and Faith*. WRMEA. Retrieved March 23, 2021 from <https://www.wrmea.org/010-december/the-case-of-dr.-afia-siddiqui-a-profile-in-persecution-and-faith.html>

<sup>100</sup> *Aafia Siddiqui: Just the Facts*. (2011, February). International Justice Network. Retrieved March 23, 2021 from <https://docs.google.com/a/ijnetwork.org/viewer?a=v&pid=sites&srcid=aWpuZXR3b3JrLm9yZ3xkci1hYWZpYS1zaWRkaXF1aS1yZXBvcnR8Z3g6NTk2NGQzMjc5ZmM3ZmJh>

<sup>101</sup> Ghazanavi, D. (2019b). *Aafia Unheard: Uncovering the Personal and Legal Mysteries Surrounding FBI's Most Wanted Woman!* BookBaby.

attacking the US soldiers with the M-4 rifle as the soldiers claimed she did. According to Dr. Aafia, Before she blacked out, she remembered hearing American voices saying that she would die, and that they would be in trouble for killing her.<sup>102</sup> One of the Afghan police commanders present during the Ghazni incident testified that Dr. Aafia shot no one in that compound.<sup>103</sup>

Dr. Aafia was rushed to a Bagram hospital and once stabilized, she was taken to the United States where she was held in a maximum security facility in Brooklyn, New York.<sup>104</sup> It was at this hospital where the FBI interrogation of Dr. Aafia took place and where Dr. Aafia is accused of confessing to certain allegations. These allegations include Dr. Aafia's alleged marriage to Ammar al Baluchi as well as her alleged activities involving terrorist organizations (see section: Reassessing accusations). After a year she was to be put on trial in the Southern District of New York.<sup>105</sup> A few months following the Ghazni incident, Dr. Aafia's son Ahmed, who had officially been in US custody since the Ghazni arrest, was returned to the Siddiqui family in Pakistan. His testimony regarding the initial abduction can be read in Point 2.

## Incident Analysis

This all leads to the agenda behind Dr. Aafia's reappearance. It is highly suspected the U.S. government wanted to get rid of Dr. Aafia via this Ghazni incident due to the growing demands for answers coming from across the globe. As stated before, the Ghazni incident occurred only days after Ridley held a press conference with Imran Khan about Dr.

<sup>102</sup> *Aafia Siddiqui: Just the Facts*. (2011, February). International Justice Network. Retrieved March 23, 2021 from <https://docs.google.com/aijnetwork.org/viewer?a=v&pid=sites&srcid=aWpuZXR3b3JrLm9yZ3xkci1hYWZpYS1zaWRkaXF1aS1yZXBvcnR8Z3g6NTk2NGQzMjc5ZmM3ZmJh>

<sup>103</sup> *Aafia Siddiqui: Just the Facts*. (2011, February). International Justice Network. Retrieved March 23, 2021 from <https://docs.google.com/aijnetwork.org/viewer?a=v&pid=sites&srcid=aWpuZXR3b3JrLm9yZ3xkci1hYWZpYS1zaWRkaXF1aS1yZXBvcnR8Z3g6NTk2NGQzMjc5ZmM3ZmJh>

<sup>104</sup> Saalakhani, M. S. (2010b, December). *The Case of Dr. Aafia Siddiqui: A Profile in Persecution and Faith*. WRMEA. Retrieved March 23, 2021 from <https://www.wrmea.org/010-december/the-case-of-dr.-afia-siddiqui-a-profile-in-persecution-and-faith.html>

<sup>105</sup> *Aafia Siddiqui: Just the Facts*. (2011, February). International Justice Network. Retrieved March 23, 2021 from <https://docs.google.com/aijnetwork.org/viewer?a=v&pid=sites&srcid=aWpuZXR3b3JrLm9yZ3xkci1hYWZpYS1zaWRkaXF1aS1yZXBvcnR8Z3g6NTk2NGQzMjc5ZmM3ZmJh>

Aafia's case.<sup>106</sup> In the months and years before the Ghazni incident, Ridley and other activists had been raising awareness for Dr. Aafia's case which contributed greatly to the international calls for answers surrounding the whereabouts of Dr. Aafia and her children.

Many people asserted that the documents and evidence found in Dr. Aafia's bag cannot have been authentic. They argued that the evidence found in the bag was clearly planted on her due to the multiple languages that the plots were written in and Dr. Aafia's testification in court that she was threatened with torture if she didn't write those bomb plots.<sup>107</sup> The specifics of the Ghazni shooting as well as the prosecution and defense arguments of the court trial will be covered in point 5.

The question that many open minded individuals were asking following the Ghazni incident was an obvious one.<sup>108</sup> If Dr. Aafia fired at those soldiers, was she wrong in doing so?<sup>109</sup> The evidence that Dr. Aafia and her children had been abducted, tortured, and imprisoned for 5 years without due process convinced many people that shooting at American soldiers was completely warranted. This incident served as the basis of the court trial which will be explored in Point 5.

## Point 5 (The trial, 2010-Present)

### The Court trial and Surrounding circumstances.

Dr. Aafia's court trial began in February 2010<sup>110</sup> and concluded in September of 2010. The court trial was presided over by Judge Richard Berman in the southern district of NY. Dr. Aafia was charged with attacking and attempting to kill US army personnel on July 18, 2008, in the Afghan government compound in Ghazni Afghanistan.

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<sup>106</sup> Saalakhan, M. S. (2010b, December). *The Case of Dr. Aafia Siddiqui: A Profile in Persecution and Faith*. WRMEA. Retrieved March 23, 2021 from <https://www.wrmea.org/010-december/the-case-of-dr.-aafia-siddiqui-a-profile-in-persecution-and-faith.html>

<sup>107</sup> Ghazanavi, D. (2019b). *Aafia Unheard: Uncovering the Personal and Legal Mysteries Surrounding FBI's Most Wanted Woman!* BookBaby.

<sup>108</sup> Peace thru Justice Foundation. (2012). *Dr. Aafia Siddiqui: Other Voices*. The Aafia Foundation.

<sup>109</sup> *The Case of Dr. Aafia Siddiqui: A Human Rights Presentation*. (2014, January 15). [Video]. YouTube. Retrieved March 23, 2021 from <https://www.youtube.com/watch?v=PEgY7rJ8IO0>

<sup>110</sup> Peace thru Justice Foundation. (2012). *Dr. Aafia Siddiqui: Other Voices*. The Aafia Foundation.

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Judge Berman gave the prosecution a ban on any testimony<sup>111</sup> which provided information about Dr. Aafia's whereabouts from 2003-2008. This made it so that the trial would strictly be about the Ghazni incident. Judge Berman tried his best to cut off Dr. Aafia whenever she spoke about her whereabouts from 2003-2008. The trial wanted to disregard the evidence prior to the Ghazni incident which proves that Dr. Aafia was abducted and imprisoned at Bagram. Instead of examining Dr. Aafia's backstory, the trial sought to throw Dr. Aafia into life in prison based on the Ghazni incident alone.

This court trial included testifications from the US soldiers and FBI agents present in the afghan compound press conference room as well as the Afghan police officers and other witnesses of the Ghazni incident. Dr. Aafia testified in this trial that she never fired a gun at US soldiers.<sup>112</sup> The evidence supporting and opposing this retelling of the incident will be evaluated in the following sections.

An important question that must be addressed is why exactly was Dr. Aafia transported and tried in the United States instead of in Pakistan? Dr. Aafia is not a US citizen, she is a Pakistani citizen that had a student visa to study abroad in the '90s.<sup>113</sup> Why did the FBI feel the need to transfer Dr. Aafia to the southern district of NY instead of a court in Karachi or Islamabad? The US government had the free will to decide where to put Dr. Aafia on trial and under what terms to try her. Naturally, they chose a political atmosphere that would guarantee the outcome they wanted. In a post 9/11 climate, New York City and its inhabitants would have a hard time being unbiased towards a woman that had been labeled "Lady of Al-Qaeda" since her disappearance in 2003. The propaganda which has been espoused by the US media surrounding Dr. Aafia's case will be assessed in the "Reassessing Accusations" section of this document.

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<sup>111</sup> Saalakhan, M. S. (2010b, December). *The Case of Dr. Aafia Siddiqui: A Profile in Persecution and Faith*. WRMEA. Retrieved March 23, 2021 from

<https://www.wrmea.org/010-december/the-case-of-dr.-afia-siddiqui-a-profile-in-persecution-and-faith.html>

<sup>112</sup> *Aafia Siddiqui: Just the Facts*. (2011, February). International Justice Network. Retrieved March 23, 2021 from <https://docs.google.com/a/ijnetwork.org/viewer?a=v&pid=sites&srcid=aWpuZXR3b3JrLm9yZ3xkci1hYWZpYS1zaWRkaXF1aS1yZXBvcnR8Z3g6NTk2NGQzMjc5ZmM3ZmJh>

<sup>113</sup> Ghazanavi, D. (2019b). *Aafia Unheard: Uncovering the Personal and Legal Mysteries Surrounding FBI's Most Wanted Woman!* BookBaby.

### Prosecution arguments about Ghazni incident

The court trial centers around the arguments for and against the claim that Dr. Aafia fired a rifle at US soldiers on July 18th, 2008 in the press conference room of the Afghan Government Compound in Ghazni. Prosecutor Preet Bharara of the Southern District of New York along with other prosecutors presented multiple witnesses of the incident in court. The prosecution witnesses were all employed by the US military.<sup>114</sup> The witnesses of the US government could not agree on the specifics of the incident and there were many contradictions between them. The prosecution witnesses generally supported the previously mentioned American retelling of the story. The retelling where Dr. Aafia supposedly snuck out from behind the curtain, took the M-4 rifle of the US army warrant officer, and fired it at the personnel in the room whilst screaming something about death to Americans.<sup>115</sup> The prosecution witnesses said that they didn't know Dr. Aafia was behind the curtain and that before entering the conference room, they were told that Dr. Aafia was an "assassin" and a "suicide bomber".<sup>116</sup> They also stated that the shooting of Dr. Aafia in the stomach by the US army warrant officer using his pistol was a justified form of self defense. The only forensic evidence presented by the prosecution to substantiate their claim was a photo of a wall in the press conference room that had two bullet holes in it. The prosecution alleged that these holes were caused by Dr. Aafia when she allegedly fired the M-4 rifle. This evidence will be expounded upon in the coming points.

### Defense arguments about Ghazni incident

Due to Judge Berman's decision to ban all testimonies addressing evidence/information prior to the Ghazni incident, the defense's main focus became on proving that Dr. Aafia never fired the M-4 rifle that the prosecution claims she did. Dr. Aafia was appointed three lawyers during the trial. Most notable of them was Elaine Whitfield Sharp who traveled to Pakistan to investigate the case.<sup>117</sup> The witnesses presented by the defense were Afghan eyewitnesses. All of the Afghan witnesses stated that when the US personnel arrived at the compound, they made sure to expel all Afghan

<sup>114</sup> *Aafia Siddiqui: Just the Facts*. (2011, February). International Justice Network. Retrieved March 23, 2021 from <https://docs.google.com/a/ijnetwork.org/viewer?a=v&pid=sites&srcid=aWpuZXR3b3JrLm9yZ3xkci1hYWZpYS1zaWRkaXF1aS1yZXBvcnR8Z3g6NTk2NGQzMjc5ZmM3ZmJh>

<sup>115</sup> Ghazanavi, D. (2019b). *Aafia Unheard: Uncovering the Personal and Legal Mysteries Surrounding FBI's Most Wanted Woman!* BookBaby.

<sup>116</sup> Ghazanavi, D. (2019b). *Aafia Unheard: Uncovering the Personal and Legal Mysteries Surrounding FBI's Most Wanted Woman!* BookBaby.

<sup>117</sup> Haider, M. (2009, September 5). *Aafia's lawyers to visit Pakistan*. DAWN.COM. Retrieved March 23, 2021 from <https://www.dawn.com/news/489003/aafiaes-lawyers-to-visit-pakistan>

policemen from the press conference room where Dr. Aafia was being held. There was only one afghan officer they allowed into the room who had come from Kabul to investigate the newly captured prisoner.<sup>118</sup> That Afghan officer who was present in the room testified that he never saw Dr. Aafia pick up a gun or fire at the American soldiers.<sup>119</sup> The officer recounted how a US soldier (the warrant officer) looked behind the curtain where Dr. Aafia was being held and soon after the soldier looked behind the curtain, the Afghan officer heard shots and screams. Dr. Aafia had been shot twice in the abdomen by the soldier.<sup>120</sup> Dr. Aafia was never seen holding a gun or firing at anyone in the room. This is narrated by the only witness testimony under oath from a person who isn't employed by the US military. Dr. Aafia detailed in her testimony that she never fired a weapon at the soldiers in the press conference room and that she never picked up the soldiers M-4 rifle.<sup>121</sup>

The forensic evidence surrounding the Ghazni incident is as important as the testimony of the Afghan officer in the argument for the defense of Dr. Aafia. Both sides investigated the press conference room where Dr. Aafia allegedly fired at the soldiers and was shot in self defense. Multiple facts were concluded from this. There were no gun casings found that belonged to the M-4 rifle that Dr. Aafia allegedly fired. The only gun casings found at the scene were the casings of the US warrant officers' pistol sidearm<sup>122</sup> which he, by his own account, used to shoot Dr. Aafia twice in the stomach. Then after taking Dr. Aafia's fingerprints, the M-4 rifle which the prosecution claimed she used to fire at the army personnel, appeared to not have any trace of Dr. Aafia's fingerprints on it.<sup>123124</sup>

<sup>118</sup> *Aafia Siddiqui: Just the Facts*. (2011, February). International Justice Network. Retrieved March 23, 2021 from <https://docs.google.com/a/ijnetwork.org/viewer?a=v&pid=sites&srcid=aWpuZXR3b3JrLm9yZ3xkci1hYWZpYS1zaWRkaXF1aS1yZXBvcnR8Z3g6NTk2NGQzMjc5ZmM3ZmJh>

<sup>119</sup> *Aafia Siddiqui: Just the Facts*. (2011, February). International Justice Network. Retrieved March 23, 2021 from <https://docs.google.com/a/ijnetwork.org/viewer?a=v&pid=sites&srcid=aWpuZXR3b3JrLm9yZ3xkci1hYWZpYS1zaWRkaXF1aS1yZXBvcnR8Z3g6NTk2NGQzMjc5ZmM3ZmJh>

<sup>120</sup> *Aafia Siddiqui: Just the Facts*. (2011, February). International Justice Network. Retrieved March 23, 2021 from <https://docs.google.com/a/ijnetwork.org/viewer?a=v&pid=sites&srcid=aWpuZXR3b3JrLm9yZ3xkci1hYWZpYS1zaWRkaXF1aS1yZXBvcnR8Z3g6NTk2NGQzMjc5ZmM3ZmJh>

<sup>121</sup> *Aafia Siddiqui: Just the Facts*. (2011, February). International Justice Network. Retrieved March 23, 2021 from <https://docs.google.com/a/ijnetwork.org/viewer?a=v&pid=sites&srcid=aWpuZXR3b3JrLm9yZ3xkci1hYWZpYS1zaWRkaXF1aS1yZXBvcnR8Z3g6NTk2NGQzMjc5ZmM3ZmJh>

<sup>122</sup> *The Case of Dr. Aafia Siddiqui: A Human Rights Presentation*. (2014, January 15). [Video]. YouTube. Retrieved March 23, 2021 from <https://www.youtube.com/watch?v=PEgY7rJ8IO0>

<sup>123</sup> *The Case of Dr. Aafia Siddiqui: A Human Rights Presentation*. (2014, January 15). [Video]. YouTube. Retrieved March 23, 2021 from <https://www.youtube.com/watch?v=PEgY7rJ8IO0>

<sup>124</sup> *Aafia Siddiqui: Just the Facts*. (2011, February). International Justice Network. Retrieved March 23, 2021 from <https://docs.google.com/a/ijnetwork.org/viewer?a=v&pid=sites&srcid=aWpuZXR3b3JrLm9yZ3xkci1hYWZpYS1zaWRkaXF1aS1yZXBvcnR8Z3g6NTk2NGQzMjc5ZmM3ZmJh>

The final but maybe most important forensic evidence at hand is the bullet holes in the wall of the press conference room which the prosecution claims came from Dr. Aafia when she initially fired the M-4 rifle at the army personnel. After forensic investigation, it was revealed that the bullet holes in the wall did not belong to the type of bullet fired by the M-4 rifle nor those of the warrant officers sidearm. The bullets came from an entirely different weapon. Photos and videos of the press conference room prior to July 18, 2008, showed that the same bullet holes existed in that wall.<sup>125</sup> Thus showing that the bullet holes didn't even come from the Ghazni incident as the prosecution alleged. The defense argued that if there were no M-4 bullet shells to be found at the scene and if the holes in the wall did not come from the M-4 rifle, then there is no forensic evidence to show that Dr. Aafia fired the M-4 rifle during the Ghazni incident. The only forensic evidence available shows that the warrant officer's pistol was the only weapon fired.<sup>126</sup>

### **Contradictions and Concessions**

The contradictions between the prosecution witnesses have been remarked by many as clear-cut perjury<sup>127</sup>. Some of the prosecution witnesses alleged that after Dr. Aafia shot the initial bullets from the M-4 rifle, she then tackled two soldiers to the ground, and continued to struggle after being shot in the stomach. Other prosecution witnesses said they never saw Dr. Aafia holding a gun or firing it at soldiers.<sup>128</sup> Some witnesses say that Dr. Aafia was kneeling when she fired and others say she was standing when she fired. It remains unclear after taking in all of the prosecution's witnesses whether Dr. Aafia even held a gun in the press conference room, let alone having fired it at the US army personnel.

There was one contradiction that the prosecution made in the trial which would have been decisive in swaying the jury's decision had it not been for the bias and misinformation surrounding Dr. Aafia's case. The prosecution

<sup>125</sup> *Aafia Siddiqui: Just the Facts*. (2011, February). International Justice Network. Retrieved March 23, 2021 from <https://docs.google.com/a/ijnetwork.org/viewer?a=v&pid=sites&srcid=aWpuZXR3b3JrLm9yZ3xkci1hYWZpYS1zaWRkaXF1aS1yZXBvcnR8Z3g6NTk2NGQzMjc5ZmM3ZmJh>

<sup>126</sup> *The Case of Dr. Aafia Siddiqui: A Human Rights Presentation*. (2014, January 15). [Video]. YouTube. Retrieved March 23, 2021 from <https://www.youtube.com/watch?v=PEgY7rJ8lO0>

<sup>127</sup> *The Case of Dr. Aafia Siddiqui: A Human Rights Presentation*. (2014, January 15). [Video]. YouTube. Retrieved March 23, 2021 from <https://www.youtube.com/watch?v=PEgY7rJ8lO0>

<sup>128</sup> *Aafia Siddiqui: Just the Facts*. (2011, February). International Justice Network. Retrieved March 23, 2021 from <https://docs.google.com/a/ijnetwork.org/viewer?a=v&pid=sites&srcid=aWpuZXR3b3JrLm9yZ3xkci1hYWZpYS1zaWRkaXF1aS1yZXBvcnR8Z3g6NTk2NGQzMjc5ZmM3ZmJh>

presented a photo of the press conference room's wall in the Afghan compound in which two bullet holes could be seen in the wall. The prosecution claimed that these two bullet holes came from the M-4 rifle that Dr. Aafia fired at the soldiers. The defense team in response hired experts including a former FBI metallurgist to determine if these bullet holes could have been caused by an M-4 rifle.<sup>129</sup> The defense team examined the very press conference room where the bullet holes were and where the shooting incident took place. The investigation yielded the observation that the bullet holes could not have come from the M-4 rifle which the prosecution claims it came from.<sup>130</sup>

Following the defense's presentation of this in court, the prosecution was forced to concede that the bullet holes in the wall did not belong to the M-4 rifle as they had previously claimed.<sup>131</sup> Not only that, but the prosecution soon admitted that the bullet holes in the wall existed before the Ghazni incident happened. This is evidenced by when prosecutor David Rody presented a DVD video taken of the Afghan compound press conference room the day before the Ghazni incident took place. In this video, the bullet holes in the wall can be seen which is further evidence that the prosecution was lying about the holes coming from Dr. Aafia allegedly firing an M-4 rifle. David Rody and the prosecution claimed that they had not known about the contents of the video until the day they presented the video.<sup>132</sup> All of this was only revealed after the defense team's investigation. Nevertheless, the prosecution had been trying to prove Dr. Aafia's guilt based on a piece of evidence that existed before the Ghazni incident. The forensic evidence surrounding the Ghazni incident now stood completely in line with Dr. Aafia's accounting of the story. The prosecution's witness testimonies had no forensic evidence to support them.

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<sup>129</sup> *Aafia Siddiqui: Just the Facts*. (2011, February). International Justice Network. Retrieved March 23, 2021 from <https://docs.google.com/a/ijnetwork.org/viewer?a=v&pid=sites&srcid=aWpuZXR3b3JrLm9yZ3xkci1hYWZpYS1zaWRkaXF1aS1yZXBvcnR8Z3g6NTk2NGQzMjc5ZmM3ZmJh>

<sup>130</sup> *Aafia Siddiqui: Just the Facts*. (2011, February). International Justice Network. Retrieved March 23, 2021 from <https://docs.google.com/a/ijnetwork.org/viewer?a=v&pid=sites&srcid=aWpuZXR3b3JrLm9yZ3xkci1hYWZpYS1zaWRkaXF1aS1yZXBvcnR8Z3g6NTk2NGQzMjc5ZmM3ZmJh>

<sup>131</sup> *Aafia Siddiqui: Just the Facts*. (2011, February). International Justice Network. Retrieved March 23, 2021 from <https://docs.google.com/a/ijnetwork.org/viewer?a=v&pid=sites&srcid=aWpuZXR3b3JrLm9yZ3xkci1hYWZpYS1zaWRkaXF1aS1yZXBvcnR8Z3g6NTk2NGQzMjc5ZmM3ZmJh>

<sup>132</sup> *Aafia Siddiqui: Just the Facts*. (2011, February). International Justice Network. Retrieved March 23, 2021 from <https://docs.google.com/a/ijnetwork.org/viewer?a=v&pid=sites&srcid=aWpuZXR3b3JrLm9yZ3xkci1hYWZpYS1zaWRkaXF1aS1yZXBvcnR8Z3g6NTk2NGQzMjc5ZmM3ZmJh>

## **Mental stability**

The state of Dr. Aafia's mental health before and during the trial is a topic that is seldom discussed. Before 2003, Dr. Aafia had been facing domestic abuse at the hands of Dr. Khan back at home. Dr. Khan was later blamed for the heart attack that killed Dr. Aafia's father. This indicates that she had already been under lots of psychological pressure prior to the abduction to begin with. Combine this with torture, child separation, solitary confinement, and any human being's mental stability would drastically decline.

Dr. Aafia was assessed by prosecution psychologists in NY to determine if she was mentally stable or not. To which they judged that she was stable apart from her "delusional beliefs". Independent psychologists when evaluating her determined her to not be mentally stable and not competent enough to stand trial. The prosecution psychologists released a "Forensic Psychological Report" which repeated their claims that Dr. Aafia was fit to stand trial. Dr. Aafia's defense lawyers said that although Dr. Aafia appeared to be mentally stable, she was not, and was very good at hiding her instability under high language proficiency, etc. The mental health of Dr. Aafia matters when viewing the future of this case and the possibility of Dr. Aafia's release from prison.

## **Dr. Aafia's children**

It is often forgotten who the other victims of this case are. Dr. Aafia had three children when she was abducted in March of 2003. According to the recounting of her oldest son Ahmed, Suleiman who was 6 months old at the time is believed to have been killed during the initial abduction. Ahmed and his younger sister Mariam are currently free and back in the custody of the Siddiqui family. Ahmed reappeared with his mother during the Ghazni incident and was soon handed back to the family. Mariam, on the other hand, mysteriously reappeared in front of the Siddiqui family home following Dr. Aafia's trial in 2010. Mariam had a collar around her neck indicating her identity which a DNA test soon confirmed. It remains a mystery until today who dropped Mariam off at the Siddiqui family home.<sup>133</sup> Suleiman's whereabouts are still unknown to this day, he is believed dead. Dr. Aafia's children have had their lives stolen and their futures permanently damaged through this injustice. A fact which is often forgotten.

<sup>133</sup> *Aafia Siddiqui: Just the Facts*. (2011, February). International Justice Network. Retrieved March 23, 2021 from <https://docs.google.com/a/ijnetwork.org/viewer?a=v&pid=sites&srcid=aWpuZXR3b3JrLm9yZ3xkci1hYWZpYS1zaWRkaXF1aS1yZXBvcnR8Z3g6NTk2NGQzMjc5ZmM3ZmJh>

## Sentencing / Summary

It is important to note that Dr. Aafia had very little contact with her family from the time of the Ghazni incident to the time of the sentencing. Dr. Aafia was able to divulge some information regarding her location from 2003-2008 despite Judge Berman's ban on any discussion of events prior to the Ghazni incident. Dr. Aafia confirmed that she had been imprisoned in a secret US prison without due process from 2003-2008. Dr. Aafia also maintained that she had been abducted and tortured during that period of time and had not seen her children.

As shown in the above points, the prosecution's arguments were far from sufficient in proving Dr. Aafia's guilt. Everything from the witness contradictions to the lack of forensic evidence all collapsed when put against the defense's forensic investigation and pragmatic outlook on the incident. The jury voted to convict Dr. Aafia on all 7 counts of the indictment and on September 23rd, 2010 Dr. Aafia was sentenced to 86 years in the Federal Medical Center Carswell maximum security prison in Fort Worth Texas.<sup>134</sup> A sentence that was given to a person who never harmed, injured, or killed a single person, let alone was convicted of a single terrorism charge. In the days following the sentencing of Dr. Aafia in New York, tens of thousands of people gathered in the streets of Karachi Pakistan to protest the 86 year sentence against Dr. Aafia.<sup>135</sup>

It is important to note that soon after the sentencing, a Wikileaks document from the department of defense confirmed Dr. Aafia's testimony that she never fired a gun at US soldiers. This is further evidence that the trial was a sham and the US government knew it was. By the time this document was leaked Dr. Aafia had already begun her sentence without the possibility of parole.<sup>136</sup>

<sup>134</sup> *Aafia Siddiqui: Just the Facts*. (2011, February). International Justice Network. Retrieved March 23, 2021 from <https://docs.google.com/a/ijnetwork.org/viewer?a=v&pid=sites&srcid=aWpuZXR3b3JrLm9yZ3xkci1hYWZpYS1zaWRkaXF1aS1yZXBvcnR8Z3g6NTk2NGQzMjc5ZmM3ZmJh>

<sup>135</sup> Hasan, B. S. (2010, September 28). *Thousands rally in Karachi over scientist jailed in US*. BBC News. Retrieved March 23, 2021 from <https://www.bbc.com/news/world-south-asia-11431179>

<sup>136</sup> *Aafia Siddiqui: Just the Facts*. (2011, February). International Justice Network. Retrieved March 23, 2021 from <https://docs.google.com/a/ijnetwork.org/viewer?a=v&pid=sites&srcid=aWpuZXR3b3JrLm9yZ3xkci1hYWZpYS1zaWRkaXF1aS1yZXBvcnR8Z3g6NTk2NGQzMjc5ZmM3ZmJh>

## Reassessing Accusations (FAQ)

### **Did Dr. Aafia marry Ammar al-Baluchi, the nephew of Khalid Sheikh Mohammad, after her divorce from Amjad Khan and her return to Pakistan? Is Dr. Aafia a terrorist?**

This accusation often seems plausible to someone unfamiliar with the case, but it must be assessed further to ascertain the truth. This accusation is often attributed to media articles such as the one written by the Guardian<sup>137</sup> which proclaims that Dr. Aafia,

“married Ammar al-Baluchi, a nephew of the 9/11 mastermind, Khalid Sheikh Mohammed, at a small ceremony near Karachi. Siddiqui’s family denies the wedding took place, but it has been confirmed by Pakistani and US intelligence, al-Baluchi’s relatives and, according to FBI interview reports recently filed in court, Siddiqui herself.”<sup>138</sup>

When examining the sources of evidence that the media uses, it’s clear to see that they are based almost exclusively on reports from the US and Pakistani governments. In fact, the Guardian, as well as other news sources,<sup>139</sup> do not cite the exact reports released by the US and Pakistani intelligence which assert Dr. Aafia’s ties to terrorists.

Furthermore, the Guardian’s claim that Ammar al Baluchi’s family admitted to the marriage is not exact and does not list the source of this information. There is a strong possibility they are referring to the waterboarding of Khalid Sheikh Mohammad, Baluschis uncle. The waterboarding of Khalid Sheikh Mohammad 183 times in March of 2003<sup>140</sup>, leads many to suspect that Sheikh Mohammad was forced to confess things to the FBI that were not necessarily true (such as

<sup>137</sup> Walsh, D. (2017, November 25). *The mystery of Dr Aafia Siddiqui*. The Guardian. Retrieved March 23, 2021 from <https://www.theguardian.com/world/2009/nov/24/aafia-siddiqui-al-qaida>

<sup>138</sup> Walsh, D. (2017, November 25). *The mystery of Dr Aafia Siddiqui*. The Guardian. Retrieved March 23, 2021 from <https://www.theguardian.com/world/2009/nov/24/aafia-siddiqui-al-qaida>

<sup>139</sup> McCoy, T. (2014, August 28). ‘Lady al-Qaeda’: The American-educated PhD the Islamic State desperately wants freed. Washington Post. <https://www.washingtonpost.com/news/morning-mix/wp/2014/08/28/lady-al-qaeda-the-american-educated-doctor-the-islamic-state-desperately-wants-freed/>

<sup>140</sup> CNN Editorial Research. (2020, December 25). *Khalid Sheikh Mohammed Fast Facts*. CNN. Retrieved March 23, 2021 from <https://edition.cnn.com/2013/02/03/world/meast/khalid-sheikh-mohammed-fast-facts/index.html>

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Dr. Aafia's relationship to the family). Khalid Sheikh Mohammad's lengthy torture leads us to believe that there may have been inconsistencies, misunderstandings, and outright lies that he gave to the US government regarding the identity of other terrorists and Al-Qaeda sympathizers. Dr. Aafia was abducted just days after Khalid Sheikh Mohammad's torture as well.<sup>141</sup>

It is not certain if Khalid Sheikh Mohammad told the FBI about Dr. Aafia at all, but given Dr. Aafia's abduction soon after his torture,<sup>142</sup> it does hint at a connection between the two. Dr. Aafia was already on the FBI's watchlist during this time.

Either way, if Khalid Sheikh Mohammad testified truthfully or falsely that Dr. Aafia was involved with Al-Qaeda, we remain incapable of discovering the truth surrounding the accusation until more evidence surfaces regarding this claim. Much of this evidence relies on the release of classified information by the US government which there is no evidence even exists. This leads many to assert that this accusation is baseless until the US government substantiates their claim that Dr. Aafia is connected to Al-Qaeda.

The second source which the Guardian attributes to asserting the accusation levied by the US government is that of Dr. Aafia's confession during her mental evaluation/personal court interview. They did not cite which reports detail this confession. The closest document to the ones mentioned in news articles, such as the guardian, is the forensic psychological evaluation which states:

“Dr. Aafia purportedly married a second time in March or April of 2003... Dr. Aafia Siddiqui claims that she was unaware of his alleged connections to Al-Qaeda or any other terrorist organization or that he is the nephew of Khalid Sheikh Mohammad.”<sup>143</sup>

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<sup>141</sup> Ghazanavi, D. (2019b). *Aafia Unheard: Uncovering the Personal and Legal Mysteries Surrounding FBI's Most Wanted Woman!* BookBaby.

<sup>142</sup> Ghazanavi, D. (2019b). *Aafia Unheard: Uncovering the Personal and Legal Mysteries Surrounding FBI's Most Wanted Woman!* BookBaby.

<sup>143</sup> KUCHARSKI, T. K. (2009, June). *Aafia Siddiqui Forensic Psychological Evaluation*. Retrieved March 23, 2021 from <http://intelfiles.egoplex.com/2009-07-01-Siddiqui-psych-report.pdf>

Dr. Aafia denies admitting this to the FBI agents.<sup>144</sup> She maintains that her marriage to Ammar al Balushi is a lie.

The most important fact is that if the US government was in possession of the necessary evidence to prove Dr. Aafia's guilt then it would have been straightforward for them to prosecute Dr. Aafia on terrorism charges during her court trial. Instead, Dr. Aafia was charged with attacking American soldiers at Ghazni, something that is explored in Points 4 and 5.

**Did Dr. Aafia study neuroscience at MIT and Brandeis for terrorist purposes and biomedical warfare? Was there any suspicion that she would use her education to support terrorist organizations like Al-Qaeda?**

After Dr. Aafia completed her biology degree at MIT, she studied neuroscience at Brandeis. Dr. Aafia wrote her Ph.D. dissertation on the “effects imitation has on perceptual learning and memory,”<sup>145</sup> and the idea of learning in adults and children through imitation. Her research had nothing to do with biochemical weapons or terrorist attacks. Her teachers such as Professor DiZio at Brandeis reported that Dr. Aafia's research could not have been used for terrorist activities.<sup>146</sup>

**Did Dr. Aafia complete target practice training at MIT?**

Dr. Aafia Siddiqui was alleged to complete 6 hours of target practice during her time at MIT, verified by one witness during the trial.<sup>147</sup>

Dr. Aafia graduated from MIT in 1995, 25 years before her court case, and 7 years before she was initially investigated by the FBI. The target practice date having such a large amount of time before these events make it incredibly difficult

<sup>144</sup> *Aafia Siddiqui: Just the Facts*. (2011, February). International Justice Network. Retrieved March 23, 2021 from <https://docs.google.com/a/ijnetwork.org/viewer?a=v&pid=sites&srcid=aWpuZXR3b3JrLm9yZ3xkci1hYWZpYS1zaWRkaXF1aS1yZXBvcnR8Z3g6NTk2NGQzMjc5ZmM3ZmJh>

<sup>145</sup> KUCHARSKI, T. K. (2009, June). *Aafia Siddiqui Forensic Psychological Evaluation*. Retrieved March 23, 2021 from <http://intelfiles.egoplex.com/2009-07-01-Siddiqui-psych-report.pdf>

<sup>146</sup> CAGE. (2009). *Aafia Siddiqui: A Case of Lies and Inconsistencies*. Retrieved March 23, 2021 from <https://drive.google.com/drive/u/1/folders/1-wJh3BpiYYEsfGfle3CC03zpgVzfEG91>

<sup>147</sup> Hughes, C.J. (2010, February 3). *Pakistani Scientist Found Guilty of Shootings*. The New York Times. Retrieved March 23, 2021 from <https://www.nytimes.com/2010/02/04/nyregion/04siddiqui.html>

for it to be justified for malicious intent. Thousands of individuals take target practice classes in the United States for various reasons ranging from self defense to hunting or shooting sports. The connection between taking a target practice class and joining Al-Qaeda is non-existent in this accusation.

In addition, only one single witness was able to verify this claim. If this was truly pertinent, more evidence, as well as a longer class time, would appear.

### **Did Dr. Aafia raise funds for charities that were secretly funding terrorist groups like Al-Qaeda?**

According to Newsweek,<sup>148</sup> Dr. Aafia sent donations to charity organizations such as ‘Benevolence International’ and ‘Al-Kifah refugee center’ during the 1990’s Yugoslav Wars. The charities were later revealed by the UN<sup>149</sup> and others like the New York Times<sup>150</sup> to be funding terrorist organizations like Al-Qaeda.

Dr. Aafia had been a very vocal supporter of the Bosniak Muslims that were being violently persecuted during the Yugoslav wars. These charities kept their terrorist affiliations hidden, and used the cover of humanitarian aid to raise funds for malicious intent. Dr. Aafia cannot be held accountable for donating to a charity that she had no ranking affiliation in. The ties to Al-Qaeda came from the leadership of these charities and not small time donors. There is no evidence to show that Dr. Aafia was aware of the terrorist affiliation of these charities.

### **Was Dr. Aafia a terrorist who purported extremist ideas during her time as an exchange student in the US?**

The reaction of Dr. Aafia’s colleagues to the FBI notice regarding Dr. Aafia and then her surprise disappearance was pure shock.<sup>151</sup> Dr. Aafia was always perceived to be a good-hearted person by her coworkers and colleagues. She was

<sup>148</sup>Isikoff, M. (2010, March 14). *Terror Watch: Tangled Ties*. Newsweek. Retrieved March 23, 2021 from <https://www.newsweek.com/terror-watch-tangled-ties-125287>

<sup>149</sup>BENEVOLENCE INTERNATIONAL FOUNDATION | *United Nations Security Council*. (n.d.). Un.Org. Retrieved March 23, 2021 from [https://www.un.org/securitycouncil/sanctions/1267/aq\\_sanctions\\_list/summaries/entity/benevolence-international-foundati](https://www.un.org/securitycouncil/sanctions/1267/aq_sanctions_list/summaries/entity/benevolence-international-foundati)  
[on](https://www.un.org/securitycouncil/sanctions/1267/aq_sanctions_list/summaries/entity/benevolence-international-foundati)

<sup>150</sup>Weiser, B., & Kocieniewski, D. (1998, October 22). *U.S. Sees Brooklyn Link to World Terror Network*. The New York Times. Retrieved March 23, 2021 from <https://www.nytimes.com/1998/10/22/world/us-sees-brooklyn-link-to-world-terror-network.html>

<sup>151</sup> M. (2009, August 1). *Who was Dr. Aafia? An eyewitness account*. MuslimMatters.Org. <https://muslimmatters.org/2009/07/23/who-was-dr-aafia-an-eyewitness-account/>

reported to have been very focused on her family and raising her children.<sup>152</sup> There is no evidence to support the idea that Dr. Aafia was involved with any underground terrorist organizations or that she was involved with any terrorist plots. Dr. Aafia was an exceptional student who earned top marks at University.

### **Did Dr. Aafia open up a bank account for Al-Qaeda operatives (Majid Khan) on a visa trip to the US?**

The prosecution during Dr. Aafia's trial alleged that she opened a mailbox for Majid Khan<sup>153</sup>, a convicted terrorist who was affiliated with Al-Qaeda. This allegation comes from a government statement that has not been independently confirmed.<sup>154</sup>

That being said, the prosecution still only pressed charges for the Ghazni incident, and not on terrorism. If this piece of evidence was substantive, the prosecution would have pressed on terrorism charges as well. This shows that this evidence is not as substantive as it seems.

### **Did Dr. Aafia illustrate extremist views as her ex-husband claims she did before moving to Pakistan?**

According to Dr. Khan he<sup>155</sup> "was aware of Aafia's violent personality and extremist views and suspected her involvement in Jihadi activities." However, Dr. Aafia's ex-husband was proven to have abused his wife according to the Forensic Psychological Evaluation conducted during Dr. Aafia's court trial. As discussed in Point 1, the evaluation stated that her husband "admitted to only one incident of domestic violence... but former professors at Brandeis have

<sup>152</sup> M. (2009, August 1). *Who was Dr. Aafia? An eyewitness account*. MuslimMatters.Org. <https://muslimmatters.org/2009/07/23/who-was-dr-aafia-an-eyewitness-account/>

<sup>153</sup> Duncan, I. D. (2016, September 14). *Majid Khan, at Guantanamo Bay, apologizes, asks forgiveness for role in al-Qaida terror*. Baltimore Sun. Retrieved March 23, 2021 from <https://www.baltimoresun.com/maryland/bs-md-majid-khan-hearing-20160914-story.html>

<sup>154</sup> Schmitt, Eric (2008, August 5). *Pakistani Suspected of Qaeda Ties Is Held*. New York Times. Retrieved March 23, 2021 from [https://www.nytimes.com/2008/08/05/world/asia/05detain.html?\\_r=1&ref=world&oref=slogin](https://www.nytimes.com/2008/08/05/world/asia/05detain.html?_r=1&ref=world&oref=slogin)

<sup>155</sup> *Dr Aafia Siddiqui's husband breaks his silence after six years*. (2009, February 17). The News International. Retrieved March 23, 2021 from <https://www.thenews.com.pk/archive/print/662734-dr-aafia-siddiqui%E2%80%99s-husband-breaks-his-silence-after-six-years>

[seen] bruises on her face, suggesting substantially more abuse.” Dr. Amjad Khan is also suspected by supporters of Dr. Aafia to have averted suspicion from himself onto his ex-wife during the FBI interviews in 2002.<sup>156</sup>

It is problematic to take the unsubstantiated word of an ex-husband as proof of a person's commitment to radical terrorist ideologies. We cannot reasonably use the words of her ex-husband to call Dr. Aafia an extremist or terrorist sympathizer.

### **If Dr. Aafia isn't an extremist, then why do terrorist groups ask for her when they hold American citizens as ransom?**

The incidents in which terrorist groups such as ISIS and al-Qaeda have demanded Dr. Aafia be handed over to them are not indications that she is a member of those terrorist organizations. The terrorist groups that demand Dr. Aafia's release have no knowledge of Dr. Aafia other than the rumors of a “Lady of Al-Qaeda”. These groups have no verifiable connections to Dr. Aafia and Aafia herself have denied these alleged connections in court.

The broader cultural phenomenon of the Aafia Siddiqui story has to be taken into account. She is seen as a national symbol in Pakistan, so potent that then-Prime Minister Yousaf Raza Gilani described Ms. Siddiqui as a “daughter of the nation,” and the then-opposition leader, Nawaz Sharif, promised to push for her release. Pakistani senators also have passed resolutions to demand her return to Pakistan.<sup>157</sup>

We can easily see how these terrorist groups seek to gain popular support by latching onto Dr. Aafia's story. Her case is able to justify their ideology through showing how the US continues to violate the human rights of Muslims worldwide. Terrorist groups like Al-Qaeda and ISIS do not follow the teachings of Islam<sup>158</sup> but capitalize on incidents of injustice to maintain their terrorist ideology and agenda.

<sup>156</sup> Ghazanavi, D. (2019b). *Aafia Unheard: Uncovering the Personal and Legal Mysteries Surrounding FBI's Most Wanted Woman!* BookBaby.

<sup>157</sup> Masood, S. and Gall, C. (2010, March 5). *U.S. Sees a Terror Threat; Pakistanis See a Heroine*. New York Times. Retrieved from <https://www.nytimes.com/2010/03/06/world/asia/06pstan.html>

<sup>158</sup> Ghannoum, A. (2020, August 2). *Misconceptions about Islam: Does Islam promote violence and terrorism?* Islamic Leadership Institute of America. Retrieved March 23, 2021 from <http://research.islamicleadership.org/does-islam-promote-violence/>

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## Closing

After having reviewed all the facts and evidence surrounding the case of Dr. Aafia Siddiqui, it becomes difficult for an unbiased viewer to firmly declare that Dr. Aafia is completely guilty of the crimes which the US government claims she has committed. The American government claims it is in possession of classified evidence which proves their accusations against Dr. Aafia.<sup>159</sup> The foundation for Dr. Aafia's prosecution remains shaky and insufficient to convict her of any crimes until the US government releases this declared classified evidence. Apart from the word of the US government, there is no reason to trust that the evidence they are in possession of proves the allegations against Dr. Aafia.

Unfortunately, it is the word of the US government which has convinced many people that Dr. Aafia cannot be innocent. For many people, it is too much to ask of them to stand for justice when it requires speaking out against their own government. Dr. Aafia's case is a textbook example of how fear and bigoted rhetoric can be utilized to silence opposition. The Muslim and South Asian communities in the United States have fallen victim to this silencing. The very mention of "Lady of Al-Qaeda" prompts most Americans to turn away from the case of Dr. Aafia, an unfortunate consequence of the demonization surrounding her case. This is why factual awareness surrounding Dr. Aafia's case must be expounded upon if there is any hope for justice to be served.

The evidence supporting the allegations presented in the previous section is far from sufficient to affirm Dr. Aafia's connection to terrorist groups/acts. The arguments for and against Dr. Aafia's innocence surrounding the Ghazni incident are clearly listed in Points 4 and 5. There remains very little proof to back up the allegation that Dr. Aafia fired the M-4 rifle. Why would the US government not charge Dr. Aafia with terrorism to begin with? If the US government has the evidence proving Dr. Aafia's guilt which the mainstream media repeatedly claims they do<sup>160</sup>, then why not prosecute her on terrorism charges? The clear and obvious answer to many is that there is no evidence to

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<sup>159</sup> Ghazanavi, D. (2019b). *Aafia Unheard: Uncovering the Personal and Legal Mysteries Surrounding FBI's Most Wanted Woman!* BookBaby.

<sup>160</sup> Walsh, D. (2017, November 25). *The mystery of Dr Aafia Siddiqui*. The Guardian. Retrieved March 23, 2021 from <https://www.theguardian.com/world/2009/nov/24/aafia-siddiqui-al-qaida>

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charge Dr. Aafia. Instead, the Ghazni incident was used to prosecute Dr. Aafia and cover up the injustice committed against her and her children. The leaked US state department document following the trial affirmed that Dr. Aafia never fired a weapon at the US soldiers in Ghazni.

What legitimacy is left to support the authenticity of the court trial? There remains very little doubt about the existence of an agenda surrounding Dr. Aafia and her whereabouts for the past 18 years.

It is clear to see that Dr. Aafia's 86 year sentence which started in 2010 and continues until today is unwarranted even if her attack on American soldiers or her suspected links to Al-Qaeda operations are assumed to be true. This is because Dr. Aafia has never verifiably harmed anyone, ranging from the Americans that she lived and worked alongside for over a decade to the soldiers in the Afgan compound that she allegedly fired the M-4 rifle at. A sentencing of 86 years in a maximum security prison for not harming a single person is an act of injustice to say the least.

It remains difficult to discern the true intention behind this terrible case of injustice which continues to be carried out before our own eyes. This document has compiled all of the facts, events, accusations, and arguments surrounding the case of Dr. Aafia Siddiqui. The authors of this document leave it up to the reader to determine if Dr. Aafia is deserving of the 86 year sentence she has been handed in prison.

### **Dr. Aafia's Children**

The most innocent victims of this case are also the most forgotten. Dr. Aafia had three children when she was abducted in March of 2003. According to the recounting of her oldest son Ahmed, Suleiman who was 6 months old at the time is believed to have been killed during the initial abduction. Ahmed and his younger sister Mariam are currently free and back in the custody of the Siddiqui family.<sup>161</sup> Ahmed reappeared with his mother during the Ghazni incident and was soon handed back to the family. Mariam, on the other hand, mysteriously reappeared in front of the Siddiqui family home following Dr. Aafia's trial in 2010. Mariam had a collar around her neck indicating her identity

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<sup>161</sup> Ghazanavi, D. (2019b). *Aafia Unheard: Uncovering the Personal and Legal Mysteries Surrounding FBI's Most Wanted Woman!* BookBaby.

which a DNA test soon confirmed.<sup>162</sup> It remains a mystery until today who dropped Mariam off at the Siddiqui family home.<sup>163</sup> Suleiman's whereabouts are still unknown to this day, he is believed dead. Dr. Aafia's children have had their lives stolen and their futures permanently damaged through this injustice. They are guilty of no crime other than being the children of Dr. Aafia Siddiqui.

## **Moving Forward**

After reevaluating this case, it becomes apparent that getting Dr. Aafia out of prison will require an awareness campaign and a public push to attain justice for Dr. Aafia. There are three main methods for campaigning for Dr. Aafia's release.

The first method of release is a prisoner exchange which would require the governments of Pakistan and the United States to agree on a trade of prisoners between the two countries. Dr. Aafia is a Pakistani citizen so there is a possibility her sentence could be carried out in Pakistan. In Pakistan, there is a possibility of her sentence being lessened or done away with completely.

The second method of release for Dr. Aafia is through a process known as compassionate release which entails the release of a prisoner whose physical or psychological well being is deteriorating and whose continued imprisonment will only worsen the deterioration of the prisoner's health. A prisoner is released compassionately and allowed to walk free. Dr. Aafia has now been imprisoned between Bagram, New York, and Fort Worth, Texas for nearly 20 years. Her psychological well-being has been subjected to high levels of exertion especially due to the solitary confinement she endured at Bagram and she continues to endure at the FMC Carswell. By showing that Dr. Aafia no longer poses a threat to society due to her health as well as the truth surrounding the accusations against her, the campaign for a compassionate release becomes more relevant when considering options for her release

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<sup>162</sup> Ghazanavi, D. (2019b). *Aafia Unheard: Uncovering the Personal and Legal Mysteries Surrounding FBI's Most Wanted Woman!* BookBaby.

<sup>163</sup> *Aafia Siddiqui: Just the Facts*. (2011, February). International Justice Network. Retrieved March 23, 2021 from <https://docs.google.com/a/ijnetwork.org/viewer?a=v&pid=sites&srcid=aWpuZXR3b3JrLm9yZ3xkci1hYWZpYS1zaWRkaXF1aS1yZXBvcnR8Z3g6NTk2NGQzMjc5ZmM3ZmJh>

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The third and final method for Dr. Aafia's release is a presidential pardon which would grant Dr. Aafia immediate release from prison. This method is dependent on the current President in office (Joe Biden) and the Democratic Party's open-mindedness towards reevaluating Dr. Aafia's case. This method of release is arguably the most difficult due to the many other issues occupying the president's attention. In order to bring this case to the attention of the Biden presidency, a large awareness campaign is required in which calls for Dr. Aafia's release, as well as answers regarding her period of disappearance, are to be demanded.

Many influential leaders, activists, and voices in our communities have commented and spoken out about the case of Dr. Aafia. This section will detail these voices and their commentary.

Former United States Attorney General Ramsey Clark<sup>164</sup> said regarding Siddiqui's case: "Justice demands that Aafia Siddiqui should immediately be released. I haven't witnessed such bare injustice in my entire career."<sup>165</sup>

Khurshid Kasuri, Pakistan's foreign minister under Pervez Musharraf, the President at the time of Aafia's disappearance, has stated, "I'm so sorry for handing over the innocent Dr. Aafia Siddiqui to the Americans. It was my biggest mistake ever."<sup>166</sup>

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<sup>164</sup> Williams, D. (2020, December 14). *Ramsey Clark*. *Encyclopedia Britannica*. Retrieved March 23, 2021 from <https://www.britannica.com/biography/Ramsey-Clark>

<sup>165</sup> *Andy Worthington Speaks at Event in London Marking Two Years Since Aafia Siddiqui's Barbaric 86-Year Sentence* | Andy Worthington. (2012, September 22). Andyworthington.Co.Uk. Retrieved March 23, 2021 from <http://www.andyworthington.co.uk/2012/09/22/andy-worthington-speaks-at-event-in-london-marking-two-years-since-aafia-siddiquis-barbaric-86-year-sentence/>

<sup>166</sup> *Andy Worthington Speaks at Event in London Marking Two Years Since Aafia Siddiqui's Barbaric 86-Year Sentence* | Andy Worthington. (2012, September 22). Andyworthington.Co.Uk. Retrieved March 23, 2021 from <http://www.andyworthington.co.uk/2012/09/22/andy-worthington-speaks-at-event-in-london-marking-two-years-since-aafia-siddiquis-barbaric-86-year-sentence/>

Former US Senator Mike Gravel<sup>167</sup> on his trip to Pakistan with Dr. Aafia's attorney Tina Foster stated the following:

"Dr. Siddiqui is not a US citizen, so the US government should not be left to determine her fate, she should be returned to Pakistan so that she can begin to recover from the horrible torture and abuse that she has suffered."<sup>168</sup>

Senator Gravel later renewed his appeal for Dr. Aafia's release in 2015 when he called upon President Barack Obama to grant Dr. Aafia a presidential pardon.<sup>169</sup>

Cindy Sheehan<sup>170</sup> The famous American anti-war activist said the following about Dr. Aafia's case, "Even if Dr. Siddiqui did shoot at the Americans, reflect on this. Say this case was being tried in Pakistan under similar circumstances for an American woman named Dr. Betty Brown who was captured and repeatedly tortured and raped by the ISI - here in the states that woman would be a hero if she shot at her captors - not demonized and taken away from her life and her children."<sup>171</sup>

Ismat Siddiqui, Dr. Aafia's late mother said the following in the interviews following her daughter's disappearance:

"Rest assured, my daughter has nothing to do with al-Qaida or any other organization,"<sup>172</sup>

Yvonne Ridley stated in an article on ceasefire magazine,

"To their eternal shame, the US soldiers serving in Afghanistan claimed in court under oath that the diminutive, fragile academic leapt at them from behind a prison cell curtain, snatching one of their guns to shoot and kill them. It was a fabricated story that any defence lawyer worth his or her salt would have ripped

<sup>167</sup> Britannica, T. Editors of Encyclopaedia (2020, July 22). *Mike Gravel*. *Encyclopedia Britannica*. Retrieved March 23, 2021 from <https://www.britannica.com/biography/Mike-Gravel>

<sup>168</sup> Tribune. (2012, September 19). *No formal request ever made for Dr Aafia's repatriation: Lawyer*. The Express Tribune. Retrieved March 23, 2021 from <https://tribune.com.pk/story/438790/no-formal-request-ever-made-for-dr-aafias-repatriation-lawyer>

<sup>169</sup> Tribune. (2015, September 16). *Free aafia: Former US senator appeals for release*. The Express Tribune. Retrieved March 23, 2021 from <https://tribune.com.pk/story/957546/free-aafia-former-us-senator-appeals-for-release>

<sup>170</sup> Worsham, S. (2020, July 6). *Cindy Sheehan*. *Encyclopedia Britannica*. Retrieved March 23, 2021 from <https://www.britannica.com/biography/Cindy-Sheehan>

<sup>171</sup> Peace thru Justice Foundation. (2012). *Dr. Aafia Siddiqui: Other Voices*. The Aafia Foundation.

<sup>172</sup> Khan, Z. K. (2003, April 23). *Pakistani Woman Wanted by FBI*. AP NEWS. Retrieved March 23, 2021 from <https://apnews.com/article/1e6bf0e5e73041baeb988dc189c8fa3d>

apart at the seams.. The scenario painted in court was incredulous and more importantly, the evidence non-existent — no gunshot residue on her hands or clothes, no bullets from the discharged gun, no fingerprints belonging to Dr. Aafia on the gun. Other vital evidence removed by the US military from the scene went missing before the trial ... After being patched up in a medical wing in Bagram, she was then ‘renditioned’ to America to stand trial for an alleged crime committed in Afghanistan. Flouting the Vienna and Geneva Conventions, she wasn’t given consular access until the day she made her first court appearance.”<sup>173</sup>

Dr. Aafia’s sister Fouzia Siddiqui stated, “Aafia is my baby sister. She is a loving mother, daughter, sister, and she is a devout Muslim woman. She is not a terrorist.”<sup>174</sup> Fouzia also stated “It is always believed one is innocent until proven guilty, not the other way round”<sup>175</sup>

Dr. Aafia stated the following to her supporters after her sentencing “I am one person, and the Prophet Mohammed, peace be upon him, forgave all of his personal enemies. Forgive everybody in my case, please...the world is full of injustices, I am just one person...and also forgive Judge Berman.”<sup>176</sup>

<sup>173</sup> Ridley, Y. (2013, January 27). *Special Report | Who is Dr Aafia Siddiqui? And why are Algerian hostage-takers demanding her release?* Ceasefire Magazine. Retrieved March 23, 2021 from <https://ceasefiremagazine.co.uk/algerian-kidnappers-demand-release-dr-aafia-siddiqui/>

<sup>174</sup> Hughes, L. (2013, April 13). *Lady Qaeda*. Aafia Movement. Retrieved March 23, 2021 from <http://aafiainovement.com/lady-qaeda/>

<sup>175</sup> Hasan, S. (2008, August 06). *Mystery of Siddiqui disappearance*. Retrieved February 24, 2021, from [http://news.bbc.co.uk/2/hi/south\\_asia/7544008.stm#:~:text=Aafia%20Siddiqui%2C%20whom%20the%20US,into%20custody%20on%20terrorism%20charges.&text=The%20mother%20also%20related%20the%20affair%20to%20other%20newspapers](http://news.bbc.co.uk/2/hi/south_asia/7544008.stm#:~:text=Aafia%20Siddiqui%2C%20whom%20the%20US,into%20custody%20on%20terrorism%20charges.&text=The%20mother%20also%20related%20the%20affair%20to%20other%20newspapers)

<sup>176</sup> Saalakhani, M. S. (2010b, December). *The Case of Dr. Aafia Siddiqui: A Profile in Persecution and Faith*. WRMEA. Retrieved March 23, 2021 from <https://www.wrmea.org/010-december/the-case-of-dr.-aafia-siddiqui-a-profile-in-persecution-and-faith.html>