

# Father of Australian Guantanamo prisoner speaks to WSWS

**Richard Phillips**  
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Terry Hicks, the father of 28-year-old David Hicks, one of two Australians imprisoned by US military in Guantanamo Bay, Cuba, has stepped up his campaign to secure his son's release by visiting Pakistan, Afghanistan and the United States. The three-week trip, which began in late June, was Terry Hicks's first journey outside Australia. He was accompanied by Australian filmmaker Curtis Levy who is making a documentary about David Hicks's illegal imprisonment.

Northern Alliance forces in Afghanistan captured David Hicks in early December 2001 just after the Bush administration began its military assault and occupation of that country. Hicks is alleged to have been a member of a Taliban militia group and was detained for 10 days by the Northern Alliance. He was then handed over to the US military and transferred to Guantanamo Bay. Since then he, like fellow Australian 47-year-old Mamdouh Habib also imprisoned at Guantanamo Bay, has been kept in isolation without charge, denied access to his lawyers and family and subjected to intense interrogation, including the use of psychological stress techniques, for more than 20 months.

Last month the Bush administration announced that it planned to put Hicks, British citizens Moazzam Begg and Abbasi Feroz, and three other Guantanamo Bay prisoners on trial before a military tribunal on as yet undisclosed charges. The Howard government has enthusiastically supported this flagrant contravention of the Geneva Conventions on prisoners of war and claimed that the kangaroo court would provide a "fair trial". [See: Australian and British governments claim military trials will be "fair"]

Terry Hicks first learnt that his son could face a US military tribunal in the Bangkok airport transit lounge on his way to Pakistan. He spoke last week with the *World Socialist Web Site*, a few days after his return to Australia.

*Richard Phillips:* Could you recount which countries you visited and some of the information uncovered?

*Terry Hicks:* I spent a week in Pakistan, travelled to Afghanistan and after that America. It was difficult in Pakistan because there seemed to be a lot of political pressure on people not to talk to us. I tried to make contact with a friend of David's but was only able to talk to his father, who acted as a go-between. We sent someone back the next day to see if he could set up a meeting somewhere out of the way and with no one else around but they didn't want to do it. Apparently, after David was first picked up, this person was taken away and heavily interrogated for several days. The family was told not to talk to media or friends otherwise he would disappear again.

We visited a couple of the madrasses [Islamic colleges] where we thought David had stayed. They checked their records and said that he

had been there but they weren't prepared to give any other information. It seemed pretty clear that they were worried about the Pakistani intelligence services.

We travelled to Afghanistan and although I wasn't able to find out about David's transition from Pakistan to Afghanistan, I did speak to a gentleman who was released from Guantanamo Bay last year. He had been in the next cell to David and knew him well. It was a very good meeting and I spent about two and a half hours with him. He'd been away for two and a half months receiving psychiatric treatment, which I presume was because of what happened in Guantanamo Bay. I asked him about this but he wouldn't elaborate.

He told me that David had photos of the family and letters, which established that this man had been there and really did know David. I asked him about media reports that David had threatened to kill an American guard. He rejected this and said that David got on very well with the guards and had even been used as an interpreter between the prisoners, most of whom couldn't speak any English, and the US military. The picture he painted was entirely different to the demonised version used by the Americans and the media.

*RP:* Did you ask about the conditions in Guantanamo Bay and whether he had been tortured?

*TH:* This is one thing he wouldn't give any details on. I tried to approach it in different ways but he didn't want to talk about it. I guess he was probably very worried that there might be repercussions. He did tell me that David was fit and always doing pushups, sit-ups, had become a fully-fledged Muslim, regularly reads the Koran, and is able to speak Pashtun and Urdu.

We visited Pul-e-Khumri where David was captured and I spoke to the bloke that arrested him. He told me that David was pulled up in a van with a lot of other people and all of them except David were let go because they weren't Taliban but local farmers and so on. David was grabbed because he was a foreigner. The arresting officer even told me they took David sightseeing, which I thought was odd, and asked why. He told me that David was "a nice man" and gave them no trouble and so they decided to show him around.

There have been allegations in the media that David was fighting US forces at this time. This is wrong. The Northern Alliance officer told me that David couldn't have fired a shot against American soldiers because they weren't in the area at that time and that he was unarmed when arrested. All he had was a bag of dirty clothes.

Some sections of the media have also reported that he was held for 5 days, but it was 10. As soon as the American forces arrived in this area and found out, they seized David. I spoke to the prison commandant, who wasn't there when the Americans arrived. Apparently he wasn't happy that David had been handed over to the

US because he hadn't spoken to David and no one really knew whether he was a tourist, a journalist or whatever.

Talking to these people was good and settled my mind about a lot of the false allegations from the media and the Howard government over the last 20 months.

*Al Jazeera* interviewed me in Afghanistan. This was interesting because they do an instant translation into Arabic. I hope Howard can understand Arabic because I called him a "spineless twit" and that was broadcast to over 30 million people in the Middle East and Asia.

*RP:* Can you describe the situation in Afghanistan?

*TH:* It's absolutely shocking—the place is ruined and will never recover. It is said that a terrorist is someone who kills and murders innocent civilians. But President Bush and the US military are responsible for more civilian deaths in that country than were killed in the Twin Towers on September 11, 2001.

Basic things that we take for granted are not there or have been destroyed by the war. For example, it took us five and a half hours to travel about 150 kilometres out of Kabul because the roads have been destroyed, bridges blown up and the place is a mess. Communications are virtually non-existent and it's difficult to get access to a phone, let alone the Internet. I found a place with four phones but there were hundreds of people waiting to use them. We drove for miles and miles alongside power pylons, but there are no lines there and they will never be replaced.

There is no economy and the only ones doing alright are the local chieftains. The majority of the population is virtually starving. Outside of Kabul it's lawless and many people I spoke to are now leaning back towards the Taliban. Even though the Taliban had very unpleasant medieval ideas, you could at least travel from village to village and not be attacked during the night. This has all changed. The drivers we used were not prepared to travel overnight because it too dangerous.

*RP:* You then visited the US and conducted a demonstration in New York.

*TH:* Yes, I decided that the best way of publicising David's situation was to hold a protest in New York. I was put in contact with a performance artist. He assisted in the construction of a wire cage, the same size as Guantanamo Bay cells. The cage was set up on Broadway—we held a press conference—and I spent about two and a half hours inside the cage.

*RP:* What was the response?

*TH:* Very good. I didn't get a single negative comment. Of course I was a bit nervous at first and was worried that there could be trouble and someone might try to shoot me or something. But as soon as I began talking to ordinary people, all my concerns dropped away. There was quite a bit of interest from the US media and the New York public was great. They just don't know what's going on in Guantanamo Bay and were stunned that the US government would keep people like that. Many people spoke to me—black and white, office workers, all sorts. In fact, an African-American girl, who worked across the road from the protest, spoke to me for ages. She was astounded at what had happened to David. Many people asked me about what they could do and whether they could sign petitions to the government.

*RP:* The Howard government now claims that the US military will give David a fair trial. What's your comment?

*TH:* This is ridiculous and disgusting. How can anyone have a fair trial when only one of the seven presiding military judges is a lawyer and there is no jury?

Even if I can prove that David is innocent, the only evidence they will allow is the intelligence they've gathered at Guantanamo Bay. This means information gathered under stress and duress, which would not be admissible in any Australian court. And the bottom line in these trials is that President Bush makes the final decision on everything. How fair is that?

David is probably being forced to admit to all sorts of things. But even if he refuses to buckle under this pressure and is found not guilty, the US military can still keep him for as long as it likes. We still don't even know when and where the trial will be held, or who is on it and how it will operate. The Australian people have got to start thinking about what this means and where it's leading.

There are so many things wrong about this that it's hard to know when to stop. One thing that should happen though is that Mr Howard should be hauled into court for saying that David Hicks is guilty before he has been charged or put on trial. This is illegal.

Howard has violated Australian law and I think this is one of the reasons they don't want to put David on trial here. I don't know how he gets away with it. Look at Howard's record—there was the governor general fiasco, the children overboard issue, the lies about weapons of mass destruction and now David Hicks and Mamdouh Habib. The lies and deceit are incredible, but the media says nothing. The Howard government should also be prosecuted for refusing to take up the defence of its own citizens, but my guess is they want to have a show trial in order to justify the so-called war against terrorism.

*RP:* Have you had any contact from the government, apart from notification that David could be put before a military tribunal?

*TH:* Absolutely nothing. Howard, Downer and other ministers keep telling the media that the government is in constant contact with the Hicks family. This is an outright lie. I visited Mrs Habib in Sydney on my way to Pakistan and she hasn't been told anything either. We're kept totally in the dark.

Howard can say what he likes, when he likes and the media broadcast it night and day. This is very difficult to deal with, particularly for someone like Maha Habib. I'm regarded as a true blue Australian and that sort of thing by the media and try to say what I like when I get the opportunity. Maha Habib is from an immigrant background and it's much more difficult for her. This is another hurdle she has to deal with.

Regardless of whether David or Mamdouh are innocent or guilty, they cannot be kept prisoner in this way. This is a total violation of human rights. My basic point is since they haven't been charged after 20 months, they should be released. If it can be done with prisoners from other countries like Afghanistan and Pakistan then why can't it be done with Australian citizens. The US and Australian governments keep trying to create the impression that if the Guantanamo Bay prisoners are released, they'll return home and become sleeper terrorists. Howard's attempts at this sort of thing are pathetic. He is clutching at straws, but the straws are getting shorter.



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