Another exposure of Australian government involvement in citizen's torture

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Twelve months after Mamdouh Habib was released without charge from Guantánamo Bay, documents obtained by the *Sydney Morning Herald* in January confirm that the Howard government and its intelligence agencies were deeply implicated in the illegal rendition and imprisonment of the Australian citizen.

Pakistani police arrested Habib in October 2001. Accused of being an Islamic terrorist, he was illegally transferred, under the direction of the US Central Intelligence Agency (CIA), to Egypt, where he was subjected to six months of physical and psychological abuse. In May 2002, he was handed back to the US military in Afghanistan and then sent to Guantánamo Bay where he was held for almost three years.

The Howard government has always publicly claimed that it knew nothing about the Australian's treatment in Egypt or how he got there. It has also insisted that although imprisoned without charge for three and a half years, he was not illegally detained or abused by Pakistani, Egyptian or American authorities.

While the documents obtained by the *Sydney Morning Herald* through Freedom of Information (FOI) were heavily censored, they reveal that senior Australian officials were fully aware that Habib was a victim of the CIA's rendition program and desperately tried to cover it up.

As Habib has explained in several media interviews, Australian officials ignored his requests for access to a lawyer after he was arrested in Pakistan. Despite his denials of any connection with terrorist organisations, he was hooded, beaten, handcuffed and then hung from the wall by his wrists by Pakistani and US forces. Habib told Australian officials in Pakistan about this abuse, but his appeals for assistance were completely ignored.

After several weeks he was taken to a military airport, beaten, stripped naked, administered an unknown suppository drug and then tied up, hooded and flown to Egypt. Australian government official Alistair Adams witnessed these events, according to testimony by Habib.

While Australian Foreign Minister Alexander Downer and then Attorney-General Daryl Williams told the media in late 2001 and early 2002 that they had no knowledge of whether Habib had been sent to Egypt, an Australian foreign ministry cable sent on November 19, 2001, to its embassy in Cairo exposes this as a lie.

The cable categorically stated that Habib was in Egypt, declaring: "An Australian citizen born in Egypt who had been detained in Pakistan has been transferred to Egypt at the request of Egyptian authorities. Grateful you make urgent inquiries to locate confirm detention and seek access."

While the cable falsely claimed that Egypt "requested" the rendition, it backs up Habib's accusations. Moreover, the FOI documents indicate that Australian Security Intelligence Organisation (ASIO) officers visited Egypt on at least two occasions and held secret negotiations about Habib with local authorities.

An unnamed former government official cited by the *Herald* explained: "ASIO was involved in its own negotiations with the Egyptian intelligence services to allow an Australian intelligence officer to interrogate Habib in the Egyptian prison." The former official told the newspaper that the then ASIO chief Denis Richardson established "a parallel process" to question Habib in Egypt.

Although the Howard government has since claimed that it was unable to gain access to Habib, these comments make clear that Egyptian interrogators were collaborating with Australian officials.

According to Habib, Egyptian authorities demanded that he provide information about names and telephone numbers taken from a SIM card seized during a raid on his Sydney home in September 2001. The Egyptians could have obtained this material only from Australian police and intelligence agencies.

Other documents show that ASIO repeated Egyptian intelligence claims that Habib was in "good health". These assertions were then incorporated into a special memo issued by Australia's Department of Foreign Affairs to its media liaison officers in March 2002.

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The "Talking Points" memo advised officials to tell journalists that, "Australian authorities (if asked: intelligence authorities) have been told that the man is well and being treated well".

In fact, as Australian government and intelligence officials knew, Egyptian authorities were abusing Habib. This included electric shock treatment, water torture, beatings, drugs and being told that his wife and family had been killed. At one stage he was stripped and threatened that a specially trained dog would rape him.

As well as cynically attempting to maintain the fiction that Habib was being "treated well," the "Talking Points" memo stated that officials should emphasise that Australian foreign affairs, ASIO and the attorney-general's department had "not requested" any information from the US about Habib's transfer to Egypt.

If asked to explain why, officials had to say that the Australian government "made representations on consular access to Mr Habib with the state we believed was detaining him". This crude obfuscation was clearly aimed at deflecting attention from Washington's rendition program and Australia's involvement in it. Moreover, as an unnamed former Howard cabinet minister admitted to the *Herald*, he "could not recall a government official ever raising a legal question over Habib's transfer to Egypt when it happened".

Other FOI documents obtained by the *Herald* include a US military medical report on the 49-year-old Australian citizen after his arrival in Guantánamo Bay in May 2002. The summary provided to Australian officials made clear that Habib had been tortured in Egypt.

It reported that Habib had "a history of intrusive thoughts of an incarceration in a foreign country two months prior, nightmares of beatings and increased startle responses as well as hyper-arousal symptoms".

Officially diagnosed with post-traumatic stress disorder, major depression and a third unspecified psychiatric disorder caused by "recollections of torture he experienced in a foreign country," he was treated with anti-psychotic and anti-depressant drugs.

Attorney-General Williams and Foreign Minister Downer, however, continued to tell the Australian media, that Habib, who had still not been given access to a lawyer, was in "good health".

Incarcerated in Guantanamo, Habib told every visiting Australian official—consular representatives and intelligence officers—about the abuse he had suffered. These appeals were ignored while senior government ministers continued to publicly slander Habib as a dangerous Islamic terrorist.

Habib was eventually given access to a civilian lawyer in October 2004 and made a sworn statement about his illegal detention and treatment. His statement was finally made public in a US court in November 2004.

Washington, which had previously assured the Howard government that Habib would be charged with terrorism crimes, then faced possible civil court action that might reveal details about its rendition program. In what was a severe embarrassment for the Howard government, the US suddenly decided to release the Australian and thus circumvent any detailed exposure of its involvement in abduction and torture.

The Howard government, with active support from the Labor Party and the Murdoch media, has been able to ride out demands for an investigation into the criminal violation of Habib's basic rights.

Labor voted with the government to quash a resolution by Greens and Democrat Senators for a parliamentary inquiry into Habib's treatment.

Labor leader Kim Beazley told the media that Habib should not be given any opportunity to present evidence to a Senate committee and "we shouldn't waste a minute on him".

In December, Habib's lawyers launched legal action against the Howard government, ASIO chief Richardson and Australian Federal Police Commissioner Mick Keelty, alleging the complicity of their officers in his kidnap, false imprisonment and torture. The case, if heard, could provide more evidence of the Australian government's crimes.

As well as the documents obtained by the *Sydney Morning Herald*, the Howard government was delivered another blow this month when Major General Ahmed Omar, assistant to Egypt's interior minister, told an Egyptian newspaper that Australian authorities knew all about Habib's treatment.

In an attempt to deny Habib had been "rendered", Omar told the Cairo-based *Al-Ahram Weekly*'s January 11 edition that the Australian embassy in Egypt had "full details of [Habib's] arrival and departure" from that country.

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