

“All those involved in my treatment should be jailed for war crimes”

Former Guantánamo Bay prisoner Mamdouh Habib speaks with WSWS

Richard Phillips
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On December 17, the Labor government of Prime Minister Julia Gillard signed an out-of-court settlement with former Guantánamo Bay prisoner Mamdouh Habib to end his legal action over the Australian government's complicity in his illegal detention, extraordinary rendition, and torture by officials from the United States, Pakistan and Egypt between 2001 and 2005.

The government's sudden decision came after 54-year-old Habib presented its lawyers with testimony from a former Egyptian military intelligence officer, and from ex-detainee Muhammad Saad Iqbal Madni, who was incarcerated with Habib in Egypt and at Guantánamo Bay.

Habib was seized by Pakistani police in October 2001, just after the September 11 terror attacks in the United States. Interrogated for three weeks, he was then rendered to Egypt, where he was incarcerated for seven months. During this time, he was systematically tortured and then transferred, via Afghanistan, to Guantánamo Bay, Cuba. He was finally released and repatriated to Australia without charge in January 2005.

From the outset, the former Liberal-National government of Prime Minister John Howard claimed it had no knowledge of Habib's rendition from Pakistan to Egypt. When news began to filter out in 2002 that Habib was imprisoned in Egypt, the government, backed by the Labor Party Opposition, rejected outright any investigation. Instead, senior government ministers consistently accused Habib of being an “Islamic terrorist”.

Department of Foreign Affairs media officers were directed to tell journalists that the government had no knowledge about the Australian's kidnapping, but they had recently received “credible advice that [Habib] is well and being treated well”.

Australian Security and Intelligence Organisation (ASIO) officers claimed to have had no contact with Habib in Egypt. A spokeswoman for then attorney general Philip Ruddock told reporters that, “No Australian official, including ASIO, was ever provided with access to Mr Habib [in Egypt].”

Ruddock continued to insist, even up until a few days before the Australian's release, that Washington had enough evidence to try Habib in a Guantánamo Bay military kangaroo court.

Questioned in February 2005, then foreign minister Alexander Downer conceded that Habib “may have been tortured” in Egypt, but denied that any Australian officials were present.

Habib's legal case for compensation was strenuously opposed by the Howard government and the subsequent Labor administrations of Kevin Rudd and Julia Gillard. All of them tried to quash the case and protect those involved in the crimes perpetrated against Habib.

The Gillard government has now initiated an inquiry by the Inspector-General of Security and Intelligence (IGIS) into actions taken by Australian intelligence agencies against the Australian citizen. The

inquiry, which will be held in secret, is designed to maintain the cover-up.

Under the terms of the legal settlement, Habib cannot disclose the amount of his compensation payment. He has, however, provided the WSWS access to some of the damning testimony that compelled the government to produce its sudden offer.

The former Egyptian intelligence officer, who was employed at the prison where Habib was incarcerated, categorically states that “each nationality” had embassy, intelligence and medical officials at the Egyptian prison facilities where their rendered citizens were imprisoned.

“During Habib's presence some of the Australian officials attended many times and some of them were women... The same official who came the first time used to come with them... Habib was tortured a lot and all the time, as foreign intelligence wanted quick and fast information...”

The former intelligence officer's statement includes the first name and a description of one Australian official who witnessed Habib's treatment on a number of occasions.

Testimony from Muhammad Saad Iqbal Madni, who was incarcerated with Habib in Egypt and Guantánamo Bay and repeatedly tortured, is equally damning. He was released from Guantánamo in 2009, without charge.

Madni states: “I was handcuffed the whole time and was either suspended from hooks on the wall. I was badly beaten, I was punched, kicked all over my body. I was tortured with electric shocks, which made me bleed from the ears and resulted in me developing a long-term hearing problem... The torture would only end if I agreed to whatever the interrogator wanted me to confess to at the time...”

Madni says he was interrogated by Egyptian, Australian, Israeli and US intelligence agencies. “Omar Suleiman [Egyptian Intelligence Director and now Vice President] and Gamal Mubarak, the son of the Egyptian President Hosni Mubarak, were both present at the same point when I was interrogated and tortured.

“An Egyptian interrogator told me that the Australian intelligence organisation wanted to ask me questions about Mamdouh Habib, the Australian man who was seized in Pakistan and then rendered to Egypt. An officer... asked me how did you know or where did you meet Mamdouh Habib; was it in Pakistan or was it in Indonesia?”

“During the interrogation with Australian intelligence I was blindfolded but I could see from underneath if I put my head back. Indeed, I could hear Mamdouh Habib screaming in pain during his interrogation. I was told that he had been held in Egypt for some time prior to my arrival. I was also told by guards towards the end of our detention that Mamdouh, the Australian, was very sick and perhaps even dying and they needed to have him transferred to a different cell for treatment. This naturally [made me] feel even more what was happening to me.”

Madni says that he and Habib were blindfolded and taken to another

location on 12 April, 2002 where they were “both humiliated, stripped naked and photographed all over and then re-dressed”. Habib was “hallucinating,” he states, but kept repeating the names of those involved in his rendition and detention. The two men were transferred to Afghanistan and then Guantánamo Bay.

Just before Habib was moved to Guantánamo, the Australian government declared that “US authorities have advised that Mr Habib is in good health”. The “good health” claims were repeated by senior government ministers during the next three years.

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Habib, who lives in Sydney’s south-western suburbs, spoke with the *World Socialist Web Site* recently about the five-year legal battle, his determination to expose those responsible for the war crimes committed against him, and his ongoing legal action to restore his Australian passport.

Richard Phillips: Could you explain what led up to the settlement?

Mamdouh Habib: The case started five years ago, after I returned to Australia and met with lawyers. My aim was to bring all my evidence to the public—not just to the court, because I knew it would not go anywhere there.

I got in contact with lawyers in Egypt and in Pakistan and every single person released from Guantánamo that I could. We were able to investigate and get a lot of evidence. This would have been much easier for me, if I’d been able to get to Egypt. I could get hold of many people who had been in the Mukhabarat [Egyptian intelligence agency] prisons and had information about me.

The Australian government knew this and that’s why they don’t want to give me a passport, even though they’ve settled the latest case. Some people have said this is a different issue, but it isn’t. The government is worried I’ll get hold of more evidence.

Eventually I was able to get in touch with a former Egyptian military intelligence guy. He said he was happy to appear in court and give evidence but I know from my own experiences—and every other Egyptian knows—that if he came and was identified he’d be killed, probably even before he left his house, or maybe even be disappeared. So I had to be very careful to protect him.

I sent a letter to the prime minister telling her that I had this evidence, could get footage, and had other people who would testify. I heard nothing from the prime minister—nothing—so I sent a similar letter to ASIO, the federal police and the Commonwealth lawyers. Two days later the lawyers came back to me and said they would settle the case.

RP: Why did you decide to settle out of court?

MH: I’m very happy that the government has settled the case but I’m really upset too, because the people that did these things to me are still free to walk the streets. They put me in jail—in Egypt and Guantánamo—but they’re the ones that should be in prison. They think that by giving me money they’ll shut me up, but they’re wrong. Yes, I need this money for my family, which has to survive, but I’ll continue to investigate and fight for my rights.

If they think this money will compensate me for even one hour of torture, or an hour of lying by government officials in court in front of my own eyes, then they’re wrong.

Look at how dirty this government is. It makes a settlement with me, but still refuses to give me a passport. I’ll use the money to take legal action against the Egyptian and American government and I’ve already been contacted by lawyers about this.

What makes me really angry and disgusted is that the Australian government and their people kept coming to the courts and lying.

ASIO officials told the courts that what I’d said about their involvement in my interrogation in Pakistan was not true. This is a lie. Others came to the court who interrogated me and then lied about it, not once but many times.

RP: What’s your comment on the IGIS investigation?

MH: IGIS already knows everything that happened to me and who was involved. This investigation will do nothing. The government also wants it to be a secret about how much money I’ve been given because they know that people will say this is not enough.

I’ve told the government many times that there should be an investigation into what ASIO, the federal police and others did, but it must be public. I’ve got nothing to hide. The public should know what goes on with these agencies. It’s about 10 years since I was rendered to Egypt and tortured. Still no one has been held accountable for what happened.

Some people say that Gillard is good for making a settlement but she’s protecting her back. They think they can shut me up, but I’m not the sort of person who is going to keep quiet. I know too much to shut up. I’ve seen what no other person has seen and I can’t be quiet about it. I wouldn’t be a human being if I shut my mouth about these things.

RP: Do you think the WikiLeaks revelations are a factor?

MH: Yes, they’re worried about WikiLeaks. I believe Julian Assange has a lot of documents about my case and there will be other people who have material, which will come out in the end. I think WikiLeaks is keeping some of its strongest documents to release later. It’s always best to keep your strongest weapons till last.

The government also knows that a lot of people are contacting me from overseas. In the beginning, I only had one or two witnesses. But now I have about 20, and with the situation in Egypt, which is now upside down, maybe other things will come out. I’ve already been contacted by the Egyptian media and there’ll be others who will be prepared to give evidence.

RP: Obama promised to close Guantánamo when he was elected. What’s your comment?

MH: When Obama was elected, the ABC brought me to their studio and asked me to comment on his promise to shut Guantánamo. I said he was lying and he might look good as a new president but he wouldn’t do it. He couldn’t do it because there’s too much evidence in there about the crimes that have been committed, and are still being committed. They can’t afford to let these secrets out. Guantánamo Bay is still being used as an experiment or training ground for interrogators and to learn how to torture.



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