

A WORD ON HABIB

Prior to the announcement by the Federal Government that Mamdouh Habib would be released from Guantanamo Bay without charge, Mr Habib came in a poor second to David Hicks where our mainstream media was concerned. Since the capture of Australia's two 'terror' suspects, most media attention has focused on Mr Hicks.

Perhaps Mr Hicks was of more interest to the media than Mr Habib because it is difficult to believe that a white Anglo-Saxon man, who looks typically 'Australian', engaged in terrorist activity with the Taliban. It is no doubt easier to sell sensationalist stories with a white man accused of terrorism because his colouring makes him look less like a 'terrorist' (or rather, what we are told a 'terrorist' looks like).

Yet with Mr Habib's return to his wife and four kids, all eyes are now on him. Poor Mr Hicks is forgotten, at least for now. Yes, fickle is an understatement. Both men have endured and will continue to endure gross abuses of their human rights at the hands of the United States and Australian Governments. It is this story that needs to be told.

In Mr Habib's case, the human rights violations continue notwithstanding his release from Guantanamo Bay without charge. When Foreign Minister Downer and Attorney-General Ruddock announced that Mr Habib was going to be released from Guantanamo Bay without charge, they warned that Mr Habib 'remained of interest in a security context'. Mr Habib's passport has been confiscated and he continues to be monitored by ASIO. For some time after his release, the Government also claimed that it would invoke the proceeds of crime legislation to thwart any attempt by Mr Habib to sell his story to the media.

The Government eventually retreated from this claim and on 13 February 2005, Mr Habib told his story to *60 Minutes*. During the interview, Mr Habib provided some details of the torture inflicted on him. He said that he was told his wife and children were killed. He was forced to strip naked while a dog trained in committing sexual assault was made to stand behind him, threatening him with anal rape. He faced electric shocks by being forced to stand on an electrified barrel. He was constantly beaten and drugged. After removing a bloody tampon from her body, a prostitute threw the tampon in his face. He was kept in isolation in Guantanamo Bay and shackled. He said he was not treated like a human being. He gave the interrogators the answers he knew they wanted in an attempt to save his life.

The torture inflicted on Mr Habib occurred in Pakistan, Egypt and Guantanamo Bay. According to Mr Habib, the Australian Government was well aware of the way he was being treated. Mr Habib says that on two separate occasions, he was tortured in the presence of Australian officials. The officials in question did not conduct the torture — they stood by and watched.

The Australian Government denies Mr Habib's claim that Australian officials witnessed the torture inflicted on him. The Government also denies that Mr Habib was ever taken to Egypt on the basis that Egypt has never conceded to Australia that Mr Habib was held there. Following the *60 Minutes* interview, the Australian Federal Police stated that it found no physical evidence that Mr Habib was tortured in either Pakistan or Guantanamo Bay. This prompted Mr Habib's psychiatrist to publicly substantiate Mr Habib's torture allegations in breach of patient-doctor confidentiality.

Mr Habib's decision to sell his story to *60 Minutes* has forced the Government to respond to his allegations in the public domain. The Government has publicly acknowledged that there is no legal basis on which to charge Mr Habib yet it continues to conduct a media trial of Mr Habib. The nation's top legal officer, Attorney-General Ruddock, has participated in the adoption of a strategy of discrediting and slandering Mr Habib. The Government has been on the defensive since Mr Habib was released from Guantanamo Bay and its response to his allegations of torture highlights the despicably petty way in which it is pursuing a broken man wrongfully detained for three years. If the Government does have information suggesting that Mr Habib engaged in illegal conduct, then it needs to pursue this through the criminal justice system — after all, that's what it's there for. Otherwise, just give the guy a break.

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