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

By Richard Phillips

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 2009.

The government’s sudden decision came after 54-year-old Habib presented its lawyers with testimony from a former Egyptian military intelligence office, and from embassy employment at the Egyptian embassy in Jakarta.

Mamdouh Habib

On April 2, 2002, where they were “both humiliated, stripped naked and photographed all over and re-dressed”. Habib was “hallucinating”, he states, but kept repeating the names of those involved in his rendition and detention. The two men were then transferred to Afghanistan and then Guantánamo Bay.

Just before Habib was moved to Guantánamo, the Australian government decided 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.

Habib, who lives in Sydney’s south-western suburbs, told 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 reputation.

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 even 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 Mukhtarab [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. I’ll use my Australian passport, if I could get it, but the Australian government would have 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 court?

The government also knows that a lot of people are contact- ing 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 been con- tacted by the Egyptian government and there’ll be others who will be prepared to give evidence.

RG: What’s your comment about WikiLeaks? ME: 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—and but they’re ones that should be in prison.

They think that by giving me a settlement, I’ll shut up. I’m happy that the government has signed an out-of-court settlement with me, 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.

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.

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ASIO officials told the courts that I said about their involvement in my inter- rogation 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: Your comment on the IGS investigation? ME: ASIO already knows everything that happened to me and who was involved. This investigation will do nothing. The government also tells me 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 would be interested in finding out 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.

MH: Yes, they’re worried about WikiLeaks. I believe Julian Assange has a lot of docu- ments 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 stron- gest weapons till last.

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RG: Obama promised to close Guantánamo Bay 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 that those crimes have been committed, and are still being committed. They can’t af- ford to let these secrets out. Guantánamo Bay is still being used as an experiment or train- ing ground for interrogators and how to learn to torture.