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## How the US treated David Hicks

By Tom Allard, Foreign Affairs Reporter  
May 20, 2004

The alleged Australian Taliban fighter David Hicks received a prolonged beating from US military personnel during an interrogation soon after his capture in Afghanistan.

Accounts given to the *Herald* by several sources reveal that Mr Hicks was beaten extensively during at least one interrogation, and was shackled and denied sleep for long periods.

His lawyer, Stephen Kenny, gave no details of the abuse but said it was sanctioned by higher authorities and "not just the work of individual guards".

The revelations raise new questions about the length and extent of US maltreatment of prisoners and what the Australian Government knew about them.

Transcripts of the Hicks interrogation were taken and it is believed there is also video and photographic documentation. Mr Hicks was captured by Northern Alliance fighters, who also beat him, the *Herald* has been told. He was then handed to the US.

Mr Hicks spent time on US Navy warships, where interrogations took place.

Australian troops were in Afghanistan at the time, including at the Bagram airbase, north of Kabul, where Mr Hicks stayed before being sent to Guantanamo Bay in Cuba. He has been detained there as an "unlawful combatant" for more than two years without charge.

The Australian Defence Force "wasn't involved in the incarceration or interrogation of detainees", a spokesman said last night, but was unable to answer questions from the *Herald* posed 10 days ago about whether its forces were aware of US abuses of prisoners and any mistreatment of Mr Hicks.

Mr Kenny said there had been no allegations that Australians participated in the violent interrogations that "breached the Geneva convention" but that Mr Hicks had been "mistreated" by US forces soon after his capture in late 2001.

"Circumstances surrounding it indicated to me that there was a high level of involvement by officers and commanders," Mr Kenny said. He said he was unable to comment on the nature of the alleged abuses because of a gag imposed by the US.

Australian intelligence authorities interviewed Mr Hicks in Bagram but the transcripts have not been made available to Mr Kenny for "national security reasons". Nor have transcripts or any video or photographs from the interrogations been made available by the US military.

Australia has accepted US assurances that Mr Hicks and another Australian at Guantanamo Bay, Mamdouh Habib, have been treated in accordance with international law. "We'll look at any new allegations," a spokesman for the Foreign Minister, Alexander Downer, said. "The problem is that the lawyers of Hicks and Habib weren't saying this before, not until the incidents [of abuse of prisoners] in Iraq."

The US and Australian governments believe that Mr Hicks had close links to terrorists. His family and lawyer deny this and portray the former Adelaide man as an adventurer and devout Muslim who was merely in the wrong place at the wrong time.

Well before the prisoner abuse scandal in Iraq rocked the US, allegations of deaths and abuse at Bagram came to light, resulting in charges being laid.

The International Committee of the Red Cross wrote a report on the treatment of prisoners in Afghanistan. It was sent to the White House but not to Australia, Mr Downer's spokesman said.

UNITED STATES DEPARTMENT OF STATE  
REVIEW AUTHORITY: HARRY R MELONE  
DATE/CASE ID: 30 NOV 2004 200303827

<http://www.smh.com.au/articles/2004/05/19/1084917657938.html>

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