

A Coalition of Support: Parliamentarians for Julian Assange

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Australian politicians, and the consular staff of the country, are rarely that engaged on the subject of protecting their citizens. In a couple of notorious cases, Australian authorities demonstrated, not only an indifference, but a consciously venal approach to its citizens in overseas theatres.

Mamdouh Ahmed Habib (image below), a dual Australian-Egyptian national, was detained in Pakistan in October 2001 and subsequently sent to Guantánamo Bay via Bagram in Afghanistan and Egypt. His subsequent detention till 2005 in a chapter of that sinisterly framed Global War on Terror was without charge and heavy with speculation. In April 2002, the Australian Security Intelligence Organisation formed the view that Habib had not been involved in the planning of future terrorist attacks, a point deemed insufficient in securing his early release. On his release, he initiated federal court proceedings against the Australian government over their complicity in the matter. The case was settled in 2010.



The squalid affair is worth nothing for the essential connivance of Australian officials in the ongoing detention of Habib. Even intelligence assessments within the intelligence fraternity pointing to his innocence were dismissed. In a joint media statement from the Attorney-General and the Minister for Foreign Affairs on January 11, 2005, the standard line [was reiterated](#):

“it remained the strong view of the United States that, based on information available to it, Mr Habib had prior knowledge of the terrorist attacks on or before 11 September 2001.”

What the US suspected, went.

In a wordy and not particularly illuminating [report](#) on the case by the Australian Inspector-General of Intelligence and Security, it was “found that communication to the Habib family in respect of Mr Habib’s welfare was not adequate and recommends that an apology be made.” Stress was made that Australian intelligence officials were not directly involved in his rendering to Guantánamo Bay, though it was noted that “ASIO should have made active enquiries about how Mr Habib would be treated in Egypt before providing information which may have been used in his questioning in Egypt.”

An even more notable case of crude, dismissive abandonment can be found in the plight of David Hicks (image below), another Australian who found himself facing an array of charges brought forth by the “war” on terror. His role in US legal history in fighting that dubious category of “unlawful combatant” and military commissions is assured, but what stood out in the case was an abject refusal on the part of Prime Minister John Howard and his foreign minister Alexander Downer to engage in anything resembling assistance.



In May 2003, with rumours thick that some detainees from Guantánamo Bay were being released, Downer [was quick](#) to scratch Hicks from the list.

“After all, remember David Hicks was somebody who was allegedly involved with both al-Qaeda and the Taliban, the Taliban being the political articulation of the view of al-Qaeda.”

When pressed by ABC Radio on Australian contributory negligence, Downer merely swatted the allegation, insisting on cryptic and inchoate legal categories.

“He’s being held though, let me just make this clear, he’s being held as an unlawful combatant, as somebody who was detained initially by the Northern Alliance and subsequently by the United States”.

Amnesty secretary general Irene Khan, [in an open letter](#) to Australian prime minister John Howard, made the case that Hicks had been abandoned. Even after the finding by the US Supreme Court that specifically established military commissions were unconstitutional, the

Australian government remained approving of that most curious of aberrations.

“They have not taken any effort to ensure that he gets a fair trial.”

In every sense, the Australian response to Julian Assange’s detention, both during his time in the Ecuadorean embassy and in Belmarsh, betrays an unhealthy tendency to regard the controversial citizen as a menace best distanced. Let another country deal with him, and if that country be the United States, all the better.

In recent days, a sense of momentum is gathering suggesting that Australia’s political classes might be tiring of this view. Nationals MP Barnaby Joyce has been shooting off his mouth for [reasons](#) more constructive than usual.

“Whether you like a person or not, they should be afforded the proper rights and protections and the process of justice, as determined by an Australian parliament, not another nation’s parliament.”

Grounds for extradition to the United States from the UK, argued Joyce, had not been made out.

“If a person is residing in Australia and commits a crime in another country, I don’t believe that is a position for extradition.”

Independent Tasmanian MP Andrew Wilkie is also mucking in, [hoping](#) to cobble together a coalition of supporters in the Australian parliament to support Assange’s return to Australia.

“The only party I’m having to work extra hard on getting members of the group is Labor.”

The more traditional front, however, is [being maintained](#) by the Treasurer, Josh Frydenberg.

“He [Assange] ultimately will face the justice for what he’s been alleged to have done, but that is a legal process that will run its course.”

Rather weakly, Frydenberg made a lukewarm concession: that “we will continue, as a government, to provide him with the appropriate consular services.”

If there was a time to fight legal eccentricity and viciousness, it is now. Just as Hicks and Habib faced complicity and a range of stretched and flexible legal categories, Assange faces that most elastic of instruments designed to stifle publishing and whistleblowing: the US Espionage Act of 1917. Should he be extradited from the United Kingdom and face the imperial goon squad in Washington, we will be spectators to that most depraved of state acts: the criminalisation of publishing. Australia’s parliamentarians, never the sharpest tools in the political box, are starting to stir with that realisation.

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