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US Refuses to Let Guantanamo Man Cross Airspace

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WASHINGTON - Washington has refused to allow an Australian terrorism suspect due to be freed from the Guantanamo prison in Cuba to be flown across the United States because Canberra will not shackle him, an Australian official said on Thursday. The United States has agreed under pressure from its ally to free Mamdouh Habib, who has been held at the U.S. naval base for almost three years as an "enemy combatant" on suspicion he helped al Qaeda. Washington has brought no charges against the Australian but says it still regards him as a "threat."

"The United States has a requirement that he does not return home via the United States," Matt Francis, a spokesman at the Australian Embassy in Washington, said.

The United States sparked criticism around the world, including from major allied governments, by shackling and blindfolding detainees it transported to Guantanamo when it started the prison for terrorism suspects in 2002.

Habib was arrested while crossing from Pakistan into Afghanistan three weeks after the Sept. 11, 2001, attacks. Human rights groups have urged Australia to investigate claims he was tortured while in U.S. custody.

Australia's Attorney-General Philip Ruddock has said Habib remains a "security interest" but will not be shackled as the government transports him half way around the world because he will not be charged with anything on his return.

That decision has raised concerns Habib could conceivably demand to be let off the aircraft at refueling stops and Australian officials might be powerless to stop him, according to Ruddock.

"The timing of the detainee's return to Australia remains under discussion between our two governments," a State Department spokeswoman Darla Jordan said, without giving details.

Francis said the refusal to allow Habib to pass through U.S. airspace would not delay his repatriation "unnecessarily."

In working out an alternative route, Australia will have to negotiate with other governments about Habib's conditions during refueling stops, he said.

The United States is holding more than 500 foreigners at the Guantanamo Bay facility after releasing about 200 prisoners to date.