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WARNING: TOPIC: HUMAN RIGHTS, INTERNATIONAL POLITICAL, TERRORISM

SERIAL: SEP20030210000091

COUNTRY: AUSTRALIA, UNITED STATES

SUBJ: GUANTANAMO AUSTRALIANS STILL DENIED LEGAL REPRESENTATION

SOURCE: MELBOURNE RADIO AUSTRALIA IN ENGLISH 0300 GMT 10 FEB 03

TEXT:

[FBIS TRANSCRIBED TEXT] GUANTANAMO AUSTRALIANS STILL DENIED  
LEGAL REPRESENTATION

TEXT OF REPORT BY RADIO AUSTRALIA ON 10 FEBRUARY

THE TWO AUSTRALIANS BEING HELD AT THE US MILITARY PRISON AT  
GUANTANAMO BAY IN CUBA CONTINUE TO BE REFUSED LEGAL REPRESENTATION.  
KEN WILSON REPORTS **DAVID HICKS** AND MAMDOUH HABIB ARE ACCUSED OF  
HAVING LINKS TO AL-QA'IDAH.

[WILSON] THE TWO MEN HAVE BEEN HELD WITHOUT CHARGE FOR MORE THAN  
A YEAR. **DAVID HICKS** WAS CAPTURED IN AFGHANISTAN, WHILE MAMDOUH  
HABIB WAS DETAINED IN PAKISTAN. OFFICIALS FOR THE  
ATTORNEY-GENERAL'S DEPARTMENT HAVE TOLD A SENATE ESTIMATES HEARING  
IN CANBERRA US AUTHORITIES HAVE REFUSED ACCESS TO THE PRISONERS TO  
ALL BUT THE RED CROSS AND AUSTRALIAN SECURITY AND INTELLIGENCE  
OFFICERS. LEGAL REPRESENTATION IS BEING DENIED ON THE GROUNDS THE  
TWO MEN HAVE NOT BEEN CHARGED WITH ANY CRIMINAL OFFENCE.  
THE FEDERAL JUSTICE MINISTER, CHRIS ELLISON, SAYS INVESTIGATIONS  
INTO WHETHER HICKS OR HABIB HAVE BREACHED ANY AUSTRALIAN LAW ARE  
CONTINUING, BUT ARE BEING HAMPERED BY A LACK OF EVIDENCE.

[ELLISON] CERTAINLY THE GOVERNMENT HAS SAID THIS IS A MATTER FOR  
THE AMERICANS AND NOT ONE [IN] WHICH WE HAVE JURISDICTION.

[WILSON] HE HAS NO OFFICIAL VIEW ON THE LEGITIMACY OF THE MEN'S  
ONGOING DETENTION.

[DESCRIPTION OF SOURCE: MELBOURNE RADIO AUSTRALIA IN ENGLISH --  
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