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Australia: Open letter to Prime Minister John Howard calling for David Hicks to be brought home

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Prime Minister the Hon. John Howard MP
Parliament House
Canberra ACT 2600
Australia

25 October 2006

Dear Prime Minister,

An Australian citizen, David Hicks, is languishing in a legal limbo in a US-run detention camp where he has been detained for five years, without charge or trial. That detention facility is Guantánamo Bay prison camp.

Prime Minister, as a leader of the democratic world that is challenged with addressing the threat of terrorism while also upholding the rule of law and respect for human rights, you have the duty to end this travesty of justice.

Bring Hicks home. Try him here, in Australia. If the Australian justice system, based on the rule of law and international human rights principles, can find no ground or evidence on the basis of which to prosecute him, then David Hicks must be released. It is that simple.

The camp in Guantánamo Bay is a legal black hole designed to put detainees outside the rule of law and the US Administration beyond the rule of law. It must be shut down. The detainees held there should either be released or, if they are suspected of having committed a recognizably criminal offence, they should be charged immediately and tried in fair proceedings.

Amnesty International is campaigning for the closure of Guantánamo Bay and disclosure of all other secret prison camps run by the US Administration in the name of counter-terrorism. Governments and opinion leaders around the world are increasingly acknowledging that Guantánamo Bay prison camp furthers no cause other than to fuel discontent and divide communities in a way that plays into the hands of extremists.

Your government has been resoundingly silent on the Guantánamo Bay prison camp, indifferent to the plight of fellow Australian David Hicks, and too ready to concede on the absolute ban against torture and cruel, inhuman or degrading treatment.

Sacrificing human rights in the name of terrorism is short-sighted. History shows that true security comes through respect for the international standards of human rights.

I ask you to:

bring David Hicks home to either face prosecution or be released;
oppose the use of torture and other cruel, inhuman and degrading treatment or punishment; and
call for the closure of the prison camp in Guantánamo Bay.

I call on you further to show the leadership that will demonstrate that Australia is indeed the land of a “fair go”, where no one is denied justice, whatever their alleged crime, and where Australian values are the global values of human rights and the rule of law.

On 2 November, the day on which I will have the honour to receive the Sydney Peace Prize, Amnesty International will launch a public appeal to bring David Hicks home to be tried or released. Our action will be a concrete recognition of the link between peace, justice and human rights.

I call on you to heed this appeal.

Yours sincerely,

Irene Khan

Secretary General

Note to Editors:

Irene Khan, Secretary General of Amnesty International, will be in Sydney, Australia, to deliver the 2006 Sydney Peace Prize Lecture on 1 November and to receive the 2006 Sydney Peace Prize on 2 November.

Public Document

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