

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
AUSTRALIAN SECURITY INTELLIGENCE ORGANISATION

Question No. 99

Senator Brown asked the following question at the hearing on 20 October 2008:

On 23 June 2008, Mr Paul O'Sullivan, ASIO Director-General of Security, confirmed to the Legal & Constitutional Affairs Committee that former ASIO head Dennis Richardson was asked by a "US government official" in Canberra on 21 October 2001 for Australia's views on Mr Mamdouh Habib's transfer to Egypt.

- a) Which US official made the approach?
- b) What was Mr Richardson's reply to the US official?
- c) Who did he report this exchange to?
- d) Did he relay the information to the Prime Minister's office?
- e) Did he take any steps to stop the rendition of Mr Habib?
- f) Were steps taken by anyone in ASIO to stop the rendition of Mr Habib?
- g) Did Mr Richardson, or any other government official to ASIO's knowledge, have subsequent exchanged with US officials about Mr Habib's transfer? If so, what were the details of those exchanges?
- h) When Mr Habib "disappeared" did Mr Richardson, or any other government official to ASIO's knowledge, ask US officials if they followed through with the plan to transfer Mr Habib to Egypt?
- i) If not, why not, and
- j) If so, what was the answer?

The answer to the honourable senator's question is as follows:

- a) The Australian Government can not comment further because to do so would jeopardise liaison relationships with foreign governments and national security.
- b) As the Director-General advised the Senate in May 2008, Mr Richardson conveyed the Australian Government's view that it could not agree to a transfer of Mr Habib to Egypt.
- c) As the Director-General advised the Senate in May 2008, the discussion in Canberra was referred to in an intelligence report which also contained other non-related highly sensitive government information. It would be inappropriate to place on the public record the content of the report and associated distribution list.
- d) Refer to (c) above.
- e) As the Director-General advised the Senate in May 2008, Mr Richardson conveyed that the Australian Government could not agree to the transfer of Mr Habib to Egypt.
- f) Refer to (e) above.
- g) Refer to (a) above.

h) Refer to (a) above.

i) Refer to (a) above.

j) Refer to (a) above.