

Part 1

Assange Extradition Hearing

This is the first in a two-part collection of news and analysis concerning the fraudulent extradition process inflicted on Julian Assange during 2020 by British authorities in complicity with the U.S. government. The principal language is English, with a few items in Swedish. For additional information, see References on page 264.

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www.nnn.se/nordic/assange/docs/hearnews-2.pdf

www.nnn.se/nordic/assange/docs/hearnews-1.pdf

Ex-Australian foreign minister calls for release of Julian Assange to halt damage to US alliance

Mike Head

World Socialist Web Site

4 January 2020

In a revealing intervention, former Foreign Minister Bob Carr has urged the Australian government to ask the Trump administration to drop its extradition proceedings against imprisoned WikiLeaks founder Julian Assange, for fear of further eroding public support for the US military and intelligence alliance.

Carr's call, published today as an opinion column in Nine (previously Fairfax) Media newspapers, is expressed in the most deferential language. Canberra is a "good ally" to Washington, he emphasises, to the point of dispatching a warship to the Persian Gulf, risking a conflict with Iran, and hosting "two communications bases that probably make Australian territory a nuclear target...

"All said, we are entitled to one modest request: that in the spirit with which Barack Obama pardoned Chelsea Manning, and given President Trump's own objection to 'endless wars' in desert sands, it would be better if the extradition of Assange were quietly dropped."

Carr's statement is, first of all, a symptom of the alarm within the ruling class about the mounting popular demand for Assange's freedom, both in Australia and internationally. A life-long supporter of the US alliance, he specifically warns that the treatment of Assange is dangerously undermining support for it. He refers to a survey by the Lowy Institute, a pro-US think-tank, showing support for the alliance had "fallen from 78 percent to 66 percent and that only 25 percent of Australians had confidence in the US President. Among Australians under 29 years it was almost non-existent."

Carr voices concern about the naked assertion by Washington of its right to extradite any journalist, anywhere in the world. "If the American bid succeeds, this extra-territorial reach will be brought home sometime in 2020 when we see Assange in shackles, escorted across a British airfield into a CIA aircraft to be flown to Virginia."

Carr, who was foreign minister in the last Labor government, from March 2012 until its landslide defeat in September 2013, says the danger is that Assange is being turned into a "martyr" just like Daniel Ellsberg, who leaked the Pentagon Papers in 1971. Those documents exposed the lies and war crimes committed by successive US administrations in the Vietnam War, and ultimately leading to the political crisis that forced the resignation of President Richard Nixon.

"How better to seed sourness about the alliance than running a year's trial in British courts against this Aussie maverick, followed by a battle in American courts, with liberal media defining it as an issue of freedom, transmuting him into a second Daniel Ellsberg [sic]," Carr writes.

Despite the end of Assange's sentence for supposedly skipping bail by seeking political asylum in Ecuador in 2012, to avoid extradition to Sweden and likely rendition to the US, he remains incarcerated in London's notoriously brutal Belmarsh prison. He is being held in solitary confinement and sedated in what doctors globally and UN Rapporteur on Torture Nils Melzer have condemned as psychological torture and a threat to his life.

Like Ellsberg, Assange faces charges under the US Espionage Act that could see him locked away for life, if not placed on death row. Ellsberg ultimately escaped imprisonment when a federal judge declared a mistrial because of the Nixon administration's illegal bugging of his medical files.

Chelsea Manning, the young US soldier convicted of giving WikiLeaks tens of thousands of damning files documenting US war crimes in Afghanistan and Iraq and anti-democratic interventions around the world, is also back behind bars. Contrary to Carr's statement, Obama's administration did not pardon her after jailing her in military prisons for seven years, but only commuted her sentence. This left her open to being imprisoned again — now indefinitely — to try to compel her to testify against Assange.

Carr's media column is all the more extraordinary because of the political reversal involved. As foreign minister, Carr repeatedly refused to defend Assange. In fact, he played a pivotal part in the assistance provided to Washington's persecution of Assange by the Greens-backed Labor minority government of Julia Gillard.

Gillard's government pioneered the refusal of every Australian government over the past decade to exercise its legal and diplomatic powers to intervene on behalf of Assange, as an Australian citizen. Gillard declared publicly that WikiLeaks' exposures were "illegal" and launched an unsuccessful investigation into charging Assange under Australia's own draconian espionage and official secrets laws.

Gillard had been installed in office in mid-2010, ousting Kevin Rudd, as the result of a backroom coup. Labor Party and trade union leaders who were later identified, in documents published by WikiLeaks, to be "protected sources" of the US embassy in Canberra, were centrally involved. Rudd had no difference at all with the US alliance, but he had suggested that the US should make some room for the rise of China.

Carr, like all his fellow cabinet ministers, falsely denied any knowledge of the US grand jury established by the Obama administration to pursue Espionage Act charges against Assange. Instead, he adhered to the line of the US and British governments that Assange was only facing extradition to Sweden for questioning on what were trumped-up allegations of sexual assault.

"As foreign minister I explained that the dispute between Sweden and Assange was something in which Canberra had no standing," Carr writes in an attempt to justify Labor's complicity. "His supporters did not like to hear that."

Right up until Assange was dragged out of his asylum inside Ecuador's London embassy last April, every Australian government insisted it had "no evidence" of US attempts to extradite the Australian citizen. In reality, as far back as 2012 — when Carr was in office — declassified cables, obtained under Freedom of Information laws, revealed that Australian embassy officials in Washington had informed the Gillard government in detail about US plans to prosecute Assange.

The Labor Party, which committed Australia to the US "pivot to Asia" against China and expanded US military access across the country under Gillard, has never shifted from its hostility toward WikiLeaks.

What then accounts for Carr's about-face? It can be understood only in the context of the deepening movement against US militarism, as well as the mass uprisings that have erupted globally against the yawning social inequality, attacks on working class conditions, corporate corruption, authoritarian regimes and environmental disasters being produced by the capitalist profit system.

The growing support for Assange is a key aspect of this seething discontent. In the lead-up to his extradition trial in February, protests demanding his freedom are emerging in many parts of Australia. And there is growing support for the campaign launched by the WSWs to mobilise working class opposition globally.

Another indicator of the concern in ruling circles came with a call on Friday by Mexico's President Andres Manuel Lopez Obrador for Assange to be released from prison in London, to end his "torture" in detention (see: "Mexican president calls for Julian Assange's freedom").

At rallies and public meetings over the past 18 months, the Socialist Equality Party has raised the demand that the Australian government intervene diplomatically and legally to secure Assange's release and ensure his right to return to Australia with a guarantee of protection from extradition to the US.

There must be no illusions in the Australian political and media establishment, however. From Gillard's government to the current Liberal-National Coalition government of Scott Morrison, it is directly responsible and culpable for Assange being incarcerated.

That is why everything depends on turning to the working class and young people, as part of the struggle to overturn the profit system and its drive to austerity, police-state repression and war. The defence of free speech and all basic democratic rights is bound up entirely with the fight against capitalism, that is, for socialism.

<https://www.wsws.org/en/articles/2020/01/04/assa-j04.html>

RSF calls for Assange's release and for US Espionage Act charges to be dropped

Reporters Without Borders
January 6, 2020

Reporters Without Borders (RSF) is alarmed by reports that Wikileaks founder Julian Assange's health has deteriorated in detention, and calls for his immediate release on humanitarian grounds. RSF condemns the continued targeting of Assange for his journalistic-like activities, which sets a dangerous precedent.

Assange's extradition hearing is due to begin at the Westminster Magistrates' Court in London on 25 February. RSF is concerned by reports that Assange has had insufficient opportunity to prepare for this hearing, and that his lawyers do not have adequate access to him in prison. Both of these measures violate his fundamental rights. RSF representatives plan to monitor the extradition hearing.

RSF is deeply concerned by the statement issued by UN Special Rapporteur on torture Nils Melzer on 1 November, in which he "expressed alarm at the continued deterioration of Julian Assange's health since his arrest and detention earlier this year, saying his life was now at risk." A group of more than 60 doctors also issued a similar warning in an open letter dated 25 November, expressing concern that Assange's health was so bad he could die in prison without urgent medical care.

Assange appeared in a Madrid court via videolink from the UK on 20 December as part of an investigation into his allegations that a Spanish firm spied on him while he lived inside the Ecuadorian embassy in London.

RSF has previously condemned the US government's targeting of Assange for his journalistic-like activities, as classified documents leaked by WikiLeaks led to journalistic revelations that were in the public interest. Assange should not be prosecuted for being an intermediary between a whistleblower and media outlets. In the US, Assange faces a total of 18 charges, 17 of them under the Espionage Act, which has been increasingly used by the Trump administration to target reporting and whistleblowing on matters related to national security.

"We are alarmed by the current state of Julian Assange's health, and call for his immediate release on humanitarian grounds, said RSF Secretary-General Christophe Deloire. Assange is being targeted by the US for his journalistic-like activities, which sets a dangerous precedent for press freedom. The journalistic community in the US and abroad is worried that these proceedings take the criminalization of national security journalism to a new level. This precedent could be used to prosecute journalists and publishers in the future for engaging in activities necessary for public interest investigative reporting. The US should cease its persecution of Assange and drop the charges under the Espionage Act without further delay."

RSF has expressed concern that leak prosecutions under the Espionage Act do not adequately protect whistleblowers; defendants are not permitted to present a public interest defence, and prosecutors need only show that the leak could have harmed national security — not that it actually did. RSF worries that targeting Assange under the Espionage Act could set a dangerous precedent.

RSF has also condemned the decision by the UK Home Office to green-light the US extradition request. Assange currently remains detained at Belmarsh prison, awaiting his US extradition hearing, after receiving a 50-week sentence in May 2019 for breaking bail by seeking refuge at the Ecuadorian Embassy in London in June 2012, where he remained until his removal and arrest in April 2019.

The US and UK are currently ranked 48th and 33rd respectively in RSF's 2019 World Press Freedom Index.

<https://rsf.org/en/news/two-months-assanges-extradition-hearing-rsf-calls-his-release-humanitarian-grounds-and-us-espionage>

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The rising support for Julian Assange

*Davey Heller
Independent Australia
12 January 2020*

In recent months there has been a welcome upturn in support for Julian Assange. The working class is increasingly supporting Assange as they learn more about his dire conditions in Belmarsh Prison, the threat to his health and the end of the bogus Swedish investigation into him. However, there has also been increased support amongst layers of the ruling class, including social democratic forces who had previously abandoned Assange.

This has taken the form of statements of support by prominent Australian politicians. Though when any faction of the ruling class start talking in defence of human rights, they cannot be taken on face value and their motivations must be examined.

In Australia, the deafening Parliamentary silence maintained since 2011 has broken down. In late October a cross Parliamentary grouping of eleven MP's formed. Labor Party stalwart Bob Carr, former Foreign Minister spoke out on November 14th at the EU Parliament, calling on the Australian Government to intervene to free Assange.

On Jan 4th, Carr published an opinion piece in the *Sydney Morning Herald*, supporting Assange. In a letter made public on November 26th, Kevin Rudd, a former Labor Party Prime Minister, also spoke out against the extradition of Assange to the U.S. in November.

When in power both Rudd and Carr actively participated in the conspiracy against Julian Assange. Why would they be speaking out now? Rudd and Carr represent a section of the social democratic (the Labor Party-aligned element) faction of the ruling class that wants Australia to still be in the U.S. camp but also pursue its own imperialist and profit interests with some independence from the U.S.

Rudd and Carr have demonstrated this by articulating policies and concerns that too openly aligning with the U.S. war drive against China threatens the massive profits to be made out of trade. Carr has spoken out prominently in defence of Australia-Sino relations and was the Director of the Australia-China Relations Institute (ACRI) at the University of Technology Sydney from 2014-2019.

Kevin Rudd was perhaps removed by the machinations of several "protected assets" of the U.S. (as revealed by Wikileaks) in a parliamentary coup in 2010 and replaced by Julia Gillard in 2010. Rudd, at the time, was pushing for Australia to play an intermediary role between the rising power of China and the U.S. in the Pacific and was not seen as sufficiently supportive of the Obama Administration's "Pivot to Asia" aimed at containing China.

The push by these two prominent Labor politicians in support of Assange must be seen in this context. I believe that opposing Assange's extradition by the Trump Administration is part of pushing back against aligning one hundred per cent with U.S. imperialism's war drive against China and the Trump Administration.

An additional motivation is that this wing of the social democrats pragmatically perceives that the sight of Julian Assange dying in jail or being shipped to a CIA black site in an orange jumpsuit will risk provoking mass hostility to the U.S. / Australia alliance.

Carr has stated that many Australian's would be 'deeply uneasy' at a fellow citizen being handed over to the 'living hell of a life sentence in an American penitentiary'. This adds weight to the idea that their support for Assange is predicated on the belief that his extradition to the U.S. will be "bad for business".

The social-democratic Labor Party is not united on this issue. The Labor Party overall is still an unquestioningly loyal servant of U.S. imperialist interests. This was graphically illustrated by Tony Burke, the Manager of Opposition Business moving a motion to shut down a speech in favour of defending Assange being given by conservative National MP Barnaby Joyce in Parliament on November 26th.

Opposition Leader Anthony Albanese has stayed virtually silent on the issue as well.

The speech by Barnaby Joyce that the ALP moved to shut down is part of a push by a section of the right of the ruling class to use Assange. Along with the prominent right-wing populist Joyce, the Parliamentary group for Assange is co-chaired by far-right conservative Liberal MP George Christensen.

Far-right populists in Australia are seeking to harness the mass support that exists for Assange to burnish their own phoney “anti-establishment” credentials and to push legitimate hostility to the mainstream press down a right-wing “fake-news” path. The phenomenon of the far-right and right-wing populists attempting to co-opt Julian Assange has been seen both in the UK and the U.S. In addition, the right can use Assange to whip up a nationalistic “hands off an aussie” sentiment.

Although Joyce appears to have some genuine sentiment based on the fact he was the first Australian politician to speak out in defence of David Hicks, Christensen, who is co-chair of the twelve member Parliamentary “Friends of Bring Julian Assange Home Group, recently showed his “commitment” to free speech and anti-war sentiment by working to have anti-war artwork removed from display in his home State of Queensland.

Again, like the Social Democratic wing of the ruling class, the right is split on Assange. Scott Morrison, of Australia’s evangelical hard right, Trump-loving Prime Minister, has publicly supported the show trial of Assange occurring in the UK.

On radio and in a written response to a letter from Pamela Anderson, he has repeated the lie that Australia can do nothing to “intervene” in the legal processes of the UK and that Julian Assange should “face the music” in the UK. Morrison, who was recently feted in Washington by Trump has fully aligned his Government with the Trump Administration and its aggressive moves against China and Iran.

It is worth noting that the factions of both the social democrats and the right that have spoken out in support of Assange are both relatively marginalised from the leadership of their respective major parties. This reflects the ongoing purge within the Parliamentary Labor and Liberal Parties of any forces which are not completely aligned with the aims of U.S. imperialism. A similar process has been underway in many countries around the world.

A letter now signed by over eighty-five doctors, calling for Assange to be immediately moved out of Belmarsh prison to a hospital setting finally broke through much of the silence in the mainstream press about Assange’s dire condition. It shows how this campaign, suppressed artificially for so long by tricks such as the Swedish investigation, can and will quickly grow in the build-up to the scheduled February extradition hearing in London.

An open letter has also now been signed by over 900 journalists. Julian Assange wrote a letter from Belmarsh encouraging people to form Free Assange “blocks” in their workplaces. The doctors and journalists initiatives must be built on in other workplaces and professions.

It should be obvious that the far right are not to be relied on in this struggle for democratic rights. Nor can we place our hopes in sections of the ALP, let alone follow their lead. Even as we welcome growing support for Assange from these forces we cannot forget their silence for much of the last ten years of Assange’s persecution.

We cannot forget that they represent in some form or another, the same class that is persecuting Assange. Instead, the movement to Free Assange must remain focused on the only social force with the power to free him: the working class. The fight to defend Julian can and must become the rallying cry for the working class to protect its own interests.

Davey Heller is a writer and campaigner.

<https://independentaustralia.net/politics/politics-display/the-rising-support-for-julian-assange,13472>

Will alleged CIA misbehavior set Julian Assange free?

James C. Goodale
The Hill
2020-01-13

A few days before Christmas, Julian Assange testified to a Spanish court that a Spanish security company, UC Global S.L., acting in coordination with the CIA, illegally recorded all his actions and conversations, including with his lawyers, and streamed them back in real time to the CIA. He will, at the end of February, make a similar complaint to a British extradition court about the CIA's alleged misbehavior.

Will such misbehavior, if proven, set Assange free?

The Daniel Ellsberg case may be instructive. You may recall that after the U.S. Supreme Court's decision in the "Pentagon Papers" case, Ellsberg was indicted under the Espionage Act for leaking Pentagon documents to *The New York Times* and *The Washington Post*.

After the trial commenced in San Francisco, it was brought to the judge's attention that the "White House plumbers" broke into the office of Ellsberg's psychiatrist. Based on that information and other complaints of government misbehavior, including the FBI's interception of Ellsberg's telephone conversations with a government official, Judge William Matthew Byrne decided that the case should be dismissed with prejudice because the government acted outrageously.

For similar reasons, the case against Assange should be dismissed, if it reaches the U.S. courts.

The "plumbers" were a covert group formed by the Nixon White House to stop leaks of information from the government, such as the Pentagon Papers. They are notorious for their burglary at the Watergate complex, which led to former President Nixon's downfall. Approximately nine months before the Watergate break-in, the plumbers, led by former CIA agent E. Howard Hunt, burglarized a psychiatrist's office to find information that could discredit Ellsberg.

The CIA also was involved with the break-in. It prepared a psychiatric profile of Ellsberg as well as an ID kit for the plumbers, including drivers' licenses, Social Security cards, and disguises consisting of red wigs, glasses and speech alteration devices.

Additionally, the CIA allowed Hunt and his sidekick, G. Gordon Liddy, to use two CIA safe houses in the D.C. area for meetings and storage purposes. Clearly, the CIA knew the plumbers were up to no good. It is unclear whether the CIA knew Ellsberg was the target, but it would not have taken much to figure it out.

The Spanish newspaper *El Pais* broke the story that UC Global invaded Assange's privacy at the Ecuadorian embassy and shared its surveillance with the CIA. It demonstrated step-by-step, document-by-document, UC Global's actions and its contacts with the CIA. UC Global reportedly installed cameras throughout Assange's space in the embassy — including his bathroom — and captured Assange's every word and apparently livestreamed it, giving the CIA a free TV show of Assange's daily life.

After reading *El Pais's* series, you would have to be a dunce not to believe the CIA didn't monitor Assange's every move at the Ecuadorian embassy, including trips to the bathroom.

Ecuador granted Assange asylum in their embassy for seven years, after he jumped bail in London to avoid extradition to Sweden for allegedly raping two Swedish women. (Those charges are now dismissed.) If you can believe it, Ecuador had hired UC Global to protect the Ecuadorian embassy and Assange. Not surprisingly, the CIA later made UC Global its spy to surveil Assange.

When there was a change of administration in Ecuador, Assange's asylum was withdrawn, and he was immediately arrested by British police at the request of U.S. officials. The United States subsequently indicted him for violating the Espionage Act, for publishing the very same information published roughly contemporaneously by *The New York Times*, *The Guardian*, *El Pais*, *Le Monde* and *Der Spiegel*. (Assange already was subject to a sealed indictment in the United States for computer hacking.)

The behavior of UC Global and the CIA seems indistinguishable from the government's behavior in the Ellsberg case, which a federal judge found to have "offended a sense of justice" and "incurably infected the prosecution" of the case. Accordingly, he concluded that the only remedy to ensure due process and the fair administration of justice was to dismiss Ellsberg's case "with prejudice," meaning that Ellsberg could not be retried.

Can anything be more offensive to a "sense of justice" than an unlimited surveillance, particularly of lawyer-client conversations, livestreamed to the opposing party in a criminal case? The alleged streaming unmasked the strategy of Assange's lawyers, giving the government an advantage that is impossible to remove. Short of dismissing Assange's indictment with prejudice, the government will always have an advantage that can never be matched by the defense.

The usual remedy for warrantless surveillance is to exclude any illegally obtained information from the trial, but that remedy is inapplicable here. The government's advantage in surveilling Assange is not the acquisition of tangible evidence but, rather, intangible insights into Assange's legal strategy. There is no way, therefore, to give Assange a fair trial, since his opponents will know every move he will make.

When Assange begins his extradition hearing, this will be part of his argument — that the CIA's misbehavior violates his human rights by depriving him of his right to a fair trial.

The CIA will no doubt attempt to trump this argument by defending the surveillance on grounds of national security. This may be easier said than done, however: It is one

thing to say the CIA can engage in surveillance abroad for its own intelligence-gathering purposes, and another to say it can listen to the private lawyer-client communications of a person against whom the U.S. government has an open criminal investigation.

More to the point, it does not seem immediately clear why eavesdropping on conversations of legal strategy protects U.S. national security. In my experience in national security cases (I led *The New York Times* lawyers in the “Pentagon Papers” case), every time the government is backed into a corner in such cases, it will simply serve up a defense of “national security” because it is difficult to defend against such an assertion and the government, consequently, has the ability to trump every competing argument.

Violation of Assange’s fair-trial rights is only one of many arguments he can make to defeat extradition. For example, he can argue that his health is so poor that he cannot survive extradition. His father has said Assange will die in prison, and the United Nations Special Rapporteur overseeing his case, Nils Melzer, believes Assange’s mental acuity has been damaged irreparably through “psychological torture.”

Most importantly, Assange can assert that the action of the U.S. government is for its own political benefit. It is standard law that extradition be refused when a country seeks it in order to prosecute a political offense. In this case, Secretary of State Mike Pompeo has said the U.S. government would seek to shut down Assange for using “free speech values against us” and characterized Assange’s organization, WikiLeaks, as “a non-state hostile intelligence service.”

That statement does not sound like the government wishes to convict Assange for violating U.S. national security laws as much as to get rid of Assange himself for disclosing embarrassing information that is detrimental to American diplomatic and political interests. Whether the actions the U.S. government takes against Assange constitute a “political” offense will be hotly contested.

Former State Department and National Security Council legal adviser John Bellinger recently predicted on NPR a “battle royal because Assange and his lawyers will argue very forcefully that ... the Trump administration is coming after him for political reasons.”

No doubt there also will be a “battle royal” regarding whether the CIA can, with impunity, surveil Assange’s actions and conversations — including those with his lawyers — and then livestream those to its offices without being heavily penalized for its behavior. It would seem the only appropriate remedy for such outrageous conduct would be to set Assange free.

James C. Goodale was the vice chairman and general counsel of The New York Times and is the author of “Fighting for the Press: The Inside Story of the Pentagon Papers and other battles.”

<https://thehill.com/opinion/criminal-justice/477939-will-cia-misbehavior-set-julian-assange-free>

Assange attends procedural hearing at Westminster Magistrates Court

Thomas Scripps

World Socialist Web Site

14 January 2020

WikiLeaks founder Julian Assange appeared in person in central London at Westminster Magistrates Court yesterday, at a hearing scheduled to process the submission of defence evidence. The hearing was the latest procedural step in the extradition request from the US for Assange, which will be subject of a scheduled four-week trial beginning next month.

It was revealed that, since his last hearing on December 19, Assange had been granted just two hours total to review that evidence with his legal team. What is being conducted in the British courts is not a trial but a legal farce, designed to cover up the lawless rendition of a political prisoner to a country that brazenly assassinates political opponents.

Assange is wanted by his US persecutors on trumped-up Espionage Act charges that could see him jailed for 175 years. Assange and whistle-blower Chelsea Manning are being persecuted for their role in bringing to the world's population the truth about the war crimes, anti-democratic intrigues and mass surveillance conducted globally by the US government and other imperialist powers, including the United Kingdom. WSWWS reporter Thomas Scripps speaks outside the hearing

Assange appeared defiant in court. He held a short conversation with his lawyer Gareth Peirce and nodded to and saluted his supporters gathered in the public gallery before the hearing began. He also raised his clenched fist to the gallery as he left the dock.

Peirce began the hearing with reference to the continuing and deliberate isolation of Assange from his lawyers and the impossibility of conducting a defence on this basis.

According to Peirce, evidence that is yet to be submitted includes a volume on prison conditions that she has only begun to discuss with her client. There are three further "substantial volumes" of exhibited material that Assange had not yet had a chance to see at all.

The legal team had hoped, Peirce noted, to have time to go through this material while Assange was held in the cells at Westminster Magistrates Court, after a "difficult journey" in a police van from the maximum security Belmarsh prison where he is being incarcerated. However, court security insisted that an interview could not be guaranteed, and that any session would be limited to just one hour.

Peirce explained "this has set us back on our timetable enormously."

District Judge Vanessa Baraitser was unmoved. She stated that there were 47 people held in the court's cells and eight available interview rooms, and that therefore the decision to limit Assange's time was "not an unreasonable position for them to take."

Baraitser has repeatedly refused to direct Belmarsh prison to make more visiting time available to Assange's lawyers, despite the availability of interview rooms. In a previous hearing, she brazenly questioned how important it actually was for Peirce to go over this information in detail with her client.

When Baraitser asked how much time had so far been available to Assange's legal team to discuss the evidence in question with him, Peirce responded that, since their last contact with the court, they had just two hours.

This was compounded, as what little time was available this week was reduced by the last-minute change of the hearing date from Tuesday to Monday.

Peirce said, “We did not book a visit for tomorrow [Tuesday] because we thought it was a court day, so we have lost the opportunity for that. If it were made available, we would take it.” Baraitser made no move to address this issue.

In the coming days, Assange will have just one hour-long Thursday afternoon session at Belmarsh to review the remaining evidence before the deadline for submission at the end of the week.

On Belmarsh prison’s continued refusal to allow Assange sufficient time to review his case with his lawyers, Peirce said, “We have pushed Belmarsh in every way” and indicated that the legal team were seriously considering launching a judicial review—“it is a breach of a defendant’s rights.”

Speaking outside the court, Joseph Farrell, WikiLeaks ambassador and a Centre for Investigative Journalism board member, said, “Julian has had extremely poor access to his lawyers. The reason he was brought here in person was that after the hearing he would be able to stay and work through the evidence, at least pieces of it, with his lawyers. Due to the various limitations here at Westminster court the judge said that he would be entitled to an hour. His lawyer pointed out that since the last time he spoke to the court he had only received two hours with his lawyers and that the way Belmarsh has been acting is brinking on judicial review.

“The idea that somebody doesn’t have access to their lawyers when they’re facing a life sentence, when they have 175 years [of imprisonment] ahead of them, when the prosecution has had 10 years to mount the hardest case that they have with unlimited resources, and for somebody to have three hours with their lawyers in order to sign off on their future, it’s unacceptable.”

Also in attendance at the hearing was independent journalist Tareq Haddad. Haddad resigned from the US magazine *Newsweek* in December after its editors refused to publish his story on the documented doctoring of an Organisation for the Prohibition of Chemical Weapons (OPCW) report on an alleged chemical attack in Douma, Syria, in April 2018.

The WSWS spoke with Haddad about his resignation and about his views on the Assange case:

“I frequently write about foreign affairs and international politics. When Turkey’s invasion of Syria started, I was asked to report on that and a week into the Turkish invasion there was alleged white phosphorous use by Turkey, so I investigated that. In the course of that investigation I was interviewing a lot of chemical weapons investigators or people from bodies related to chemical weapons such as the International Committee for the Red Cross.

“As I was doing that story, I started to hear rumblings of leaks within the OPCW. At the very beginning it wasn’t something I could report on but as I followed it more closely it reached the point at which I thought ‘okay, something needs to be printed.’ And that point was the documents released by WikiLeaks, then the letter which hadn’t yet been released by WikiLeaks, which was published in the *Mail on Sunday*, and then when that letter was verified by *Reuters*

“Even when I had this, I was told I couldn’t report on it, and that was the moment I had to resign. Also, in the process of trying to write this story, I was personally attacked and smeared as a journalist despite not having any prior issues with my stories. It was only when I tried to write anything controversial that my character started to be attacked. They said that the sources I was using for my stories — not just this one but all them — were bad sources or that I was editorialising. I’ve got over a thousand by-lines for *International Business Times*, I’ve got over 200 by-lines for *Newsweek* and this never came up. It was only when I was trying to discuss the doctoring of chemical weapons reports.”

Asked about the wider war danger in the Middle East, Haddad said, “So what’s happened in Syria is part of a much wider process. Essentially, what’s been happening for the last 50 or 60 years is that the United States and the United Kingdom have been repeatedly breaking international law, invading countries, not respecting international sovereignty.

“Now there’s a fairly recent alliance of Russia, China, Iran, Iraq that all kind of agree that we’re stronger together than apart and our alliance should be centred on two things: international sovereignty and the following of international law. They have their own bad records in these areas, but they understand that it’s in their interests to stand up for this, because they’ve been the victims of US foreign policy all this time.

“My understanding of what’s going on in relation to Assange is that freedom of speech is very quickly dying or already dead in the Western world. This case is symbolic of something much bigger. People need to be aware of it and understand the complexity of the case. It’s inspiring to see so many people here. I think it’s one of the most important court cases in the history of the West, for sure. And it will have a symbolic outcome. If freedom of speech is not respected here, in the case of Assange, it’s not going to be respected in wider society and the world that we live in is not going to look the same in a few years. We’re already going down that path of authoritarianism.”

Assange’s next procedural hearing is scheduled for Thursday, January 23.

<https://www.wsws.org/en/articles/2020/01/14/assa-j14.html>

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Doctors for Assange

Consortium News
January 21, 2020

CN Live! will webcast an event in Sydney featuring doctors who’ve petitioned the UK & Australia to provide urgent medical care for Julian Assange.

On Nov. 22 more than 100 doctors petitioned British Home Secretary Priti Patel to allow imprisoned WikiLeaks publisher Julian Assange to be transferred to a university hospital to receive urgent medical care. The letter has so far been unanswered. On Dec. 4 the doctors wrote again, this time to Lord Chancellor and Secretary of State for Justice the Rt Hon Robert Buckland QC.

“We reiterate our grave concern that Mr Assange could die of deliberate medical negligence in a British prison and demand an urgent response from the UK Govern-

ment,” the doctors wrote. “In our open letter, we urged the UK Government to change course immediately and transfer Mr Assange from Belmarsh Prison to a university teaching hospital for appropriate expert medical assessment and care. So far, we have received no substantive reply from the UK Government, nor has receipt of our letter been acknowledged.

“In our opinion, the UK Government’s conduct in this matter is irresponsible, incompatible with medical ethics and unworthy of a democratic society bound by the rule of law,” the doctors said. On Dec. 16 the doctors wrote to the Australian foreign minister urging that Assange’s government intervene.

Tonight doctors in Bolivia, Britain, the U.S. and Australia will take part in an event in Sydney to make their mounting concerns further known.

You can watch it here on *Consortium News*



<https://consortiumnews.com/2020/01/21/cn-live-season-2-episode-2-doctors-for-assange/>

Julian Assange extradition trial to be held in two parts spread over several months, judge rules

*Andrew Blake
Washington Times
January 23, 2020*

The extradition trial of Julian Assange, the WikiLeaks publisher wanted in the U.S., will be split into two phases held a few months apart, a British judge ruled [today].

District Judge Vanessa Baraitser agreed during a pre-trial hearing held in London to hold extradition proceedings for Mr. Assange during a week next month and three weeks in May.

The judge's decision was made at the request of lawyers on each side of the extradition battle who had asked the court for more time to prepare for the complex legal case.

"No one knew how long this would take, I don't think anyone could have said then it would be longer than two weeks. We simply did not know," said Clair Dobbin, a lawyer representing the U.S., the Australian Associated Press reported.

Edward Fitzpatrick, an attorney for Mr. Assange, similarly argued that more time was needed to review evidence recently provided by the prosecution, adding that the defense team has had a difficult time meeting with their client while he remains jailed at a high-security prison in London.

"Frankly madam, we are not now, because of all those matters coming in ... we are not in a position where it would be fair to Mr. Assange to call the main body of evidence to go ahead," Mr. Fitzgerald said, AAP reported.

The judge reluctantly agreed to split the extradition hearing into two parts, but she indicated she would frown upon any subsequent attempts to postpone proceedings, AAP reported.

<https://www.washingtontimes.com/news/2020/jan/23/julian-assange-extradition-trial-to-be-held-in-two/>

WikiLeaks Editor: US Is Saying First Amendment Doesn't Apply To Foreigners In Assange Case

Caitlin Johnstone
2020-01-24

WikiLeaks editor-in-chief Kristinn Hrafnsson gave a brief statement to the press after the latest court hearing for Julian Assange's extradition case in London today, saying the Trump administration is arguing that the First Amendment of the US Constitution doesn't provide press freedom protection to foreign nationals like Assange.

"We have now learned from submissions and affidavits presented by the United States to this court that they do not consider foreign nationals to have a First Amendment protection," Hrafnsson said.

"Now let that sink in for a second," Hrafnsson continued.

"At the same time that the US government is chasing journalists all over the world, they claim they have extra-territorial reach, they have decided that all foreign journalists which include many of you here, have no protection under the First Amendment of the United States. So that goes to show the gravity of this case. This is not about Julian Assange, it's about press freedom."

Hrafnsson's very newsworthy claim has as of this writing received no mainstream news media coverage at all. The video above is from independent reporter Gordon Dimmack.

This prosecutorial strategy would be very much in alignment with remarks made in 2017 by then-CIA Director Mike Pompeo. “Julian Assange has no First Amendment freedoms. He’s sitting in an embassy in London. He’s not a U.S. citizen,” Pompeo told the Center for Strategic and International Studies.

That, like nearly every sound which emits from Pompeo’s amorphous face, was a lie. The First Amendment is not a set of special free speech privileges that the US government magnanimously bestows upon a few select individuals, it’s a limitation placed upon the US government’s ability to restrict rights that all persons everywhere are assumed to have.

This is like a sex offender who’s barred from living within 500 yards of a school claiming that the school he moved in next to is exempt because it’s full of immigrants who therefore aren’t protected by his restriction. It’s a restriction placed on the government, not a right that is given to certain people.

Attorney and Future of Freedom Foundation president Jacob Hornberger explained after Pompeo’s remarks, “As Jefferson points out, everyone, not just American citizens, is endowed with these natural, God-given rights, including life, freedom, and the pursuit of happiness. That includes people who are citizens of other countries. Citizenship has nothing to do with rights that are vested in everyone by nature and God. At the risk of belaboring the obvious, that includes Julian Assange.”

Journalist Glenn Greenwald, who is himself now being legally persecuted by the same empire as Assange under an indictment which Hrafnsson in the aforementioned statement called “almost a carbon copy of the indictment against Julian Assange”, also denounced Pompeo’s 2017 remarks.

“The notion that WikiLeaks has no free press rights because Assange is a foreigner is both wrong and dangerous,” Greenwald wrote at the time.

“When I worked at the Guardian, my editors were all non-Americans. Would it therefore have been constitutionally permissible for the U.S. Government to shut down that paper and imprison its editors on the ground that they enjoy no constitutional protections? Obviously not.”

Greenwald, who is a former litigation attorney, referenced a *Salon* article he’d written in 2010 skillfully outlining why Senator Susan Collins’ attempts to spin constitutional rights as inapplicable to foreigners would be outlandish, insane, illegal and unconstitutional to put into practice.

“To see how false this notion is that the Constitution only applies to U.S. citizens, one need do nothing more than read the Bill of Rights,” Greenwald argued in 2010. “It says nothing about ‘citizens.’ To the contrary, many of the provisions are simply restrictions on what the Government is permitted to do (‘Congress shall make no law respecting an establishment of religion . . . or abridging the freedom of speech’; ‘No soldier shall, in time of peace be quartered in any house, without the consent of the owner’). And where rights are expressly vested, they are pointedly not vested in ‘citizens,’ but rather in ‘persons’ or ‘the accused’ (‘No person shall . . . be deprived of life, liberty, or property, without due process of law’; ‘In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed . . . and to have the assistance of counsel for his defense’).”

“The U.S. Supreme Court, in 2008, issued a highly publicized opinion, in *Boumediene v. Bush*, which, by itself, makes clear how false is the claim that the Constitution applies only to Americans,” Greenwald wrote. “The *Boumediene* Court held that it was unconstitutional for the Military Commissions Act to deny *habeas corpus* rights to Guantanamo detainees, none of whom was an American citizen (indeed, the detainees were all foreign nationals outside of the U.S.). If the Constitution applied only to U.S. citizens, that decision would obviously be impossible.”

“The principle that the Constitution applies not only to Americans, but also to foreigners, was hardly invented by the Court in 2008,” Greenwald added.

“To the contrary, the Supreme Court — all the way back in 1886 — explicitly held this to be the case, when, in *Yick Wo v. Hopkins*, it overturned the criminal conviction of a Chinese citizen living in California on the ground that the law in question violated his Fourteenth Amendment rights to due process and equal protection. In so doing, the Court explicitly rejected what Susan Collins and many others claim about the Constitution.”

These “and many others” Greenwald referred to would now include both Mike Pompeo and the Department of Justice prosecutors who are attempting to extradite and imprison Assange for publishing information exposing US war crimes.

So let’s be clear here: the Trump administration isn’t just working to establish a legal precedent which will demolish press freedoms around the world, it’s also working to change how the US Constitution operates on a very fundamental level.

Does now seem like a good time to fight against this to you? Because it sure as hell seems like that time to me.

Hrafnsson also said in this same statement that Assange’s extradition trial is going to be split into two separate dates, the first on February 24 for one week and then reconvening again for three weeks starting May 18. If you care about freedom of virtually any sort, I highly recommend paying very, very close attention.

<https://caitlinjohnstone.com/2020/01/23/wikileaks-editor-us-is-saying-first-amendment-doesnt-apply-to-foreigners-in-assange-case/>

Six legal arguments show why the US extradition of Julian Assange should be denied

Tom Coburg
The Canary
25 January 2020

There are at least six legal reasons why the extradition request by the US against WikiLeaks founder Julian Assange should be dismissed by the UK courts. The main extradition hearing is scheduled to commence 24 February 2020, with district judge Vanessa Baraitser presiding. The evidence to support Assange is compelling.

1. Client-lawyer confidentiality breached

It’s a cornerstone of English law that client-lawyer confidentiality (also known as client-lawyer privilege) is sacrosanct and should not be violated. Yet Assange’s case raises serious questions about this.

In September 2019, *The Canary* reported that a private security company organised 24/7 surveillance of Assange during his stay at the Ecuadorian embassy in London. Spanish-based firm UC Global conducted the surveillance and installed a video streaming service direct to the US. Also monitored were meetings between Assange and his lawyers, including Melynda Taylor, Jennifer Robinson, and Baltasar Garzón.

Spanish lawyer Aitor Martinez, another member of Assange's legal team, commented:

"Over the years Mr. Assange and his defense team held legal meetings inside the embassy. Those meetings were protected by the lawyer-client relationship and the fundamental right to defense. However we can see those meetings were spied on, according to the videos published by different media. Under these conditions, it is clear that extradition must be denied."

Should it also be shown that the Ecuadorian government passed on evidence seized from the Ecuadorian embassy in London to the US authorities, then that could also equate to a breach of legal privilege.

It should also be noted that at the Daniel Ellsberg trial the judge dismissed charges relating to the Espionage Act given that evidence against him had been obtained illegally (via a break-in).

2. The initial charge is flawed

The initial charge raised in the indictment against Assange is "conspiracy to commit computer intrusion" in relation to the Computer Fraud and Abuse Act (CFAA). *The Canary* suggested this charge is flawed.

For example, the US authorities claim that during an exchange with Assange, whistleblower Chelsea Manning told him: "After this upload, that's all I really have got left". Assange allegedly responded, "Curious eyes never run dry in my experience". However, this simply states that a source was encouraged to provide further information — which is what all journalists do.

Elsewhere in the indictment, it states: "it was part of the conspiracy that Assange and Manning used a special folder on a cloud drop box of WikiLeaks to transmit classified records containing information related to the national defense of the United States."

What this refers to is the facility known as SecureDrop, which helps anonymise receipt of documents. It is used by numerous media outlets around the world, including the *Financial Times*, *Huffington Post*, *BuzzFeed*, *the Guardian*, *the New York Times* and *the Intercept*.

The indictment also alleges that: "it was part of the conspiracy that Assange and Manning took measures to conceal Manning as the source of the disclosure of classified records to WikiLeaks, including by removing usernames from the disclosed information and deleting chat logs between Assange and Manning."

However, protecting the identity of a source is, again, what all journalists do. Human Rights Watch executive director Kenneth Roth agrees: "It is dangerous to suggest that these actions [as listed in the indictment] are somehow criminal rather than steps routinely taken by investigative journalists who communicate with confidential sources to receive classified information of public importance."

Electronic Frontier Foundation writer Cindy Cohen adds that the practices referred to in the indictment involve standard security measures, such as: "using a secure chat service, using cloud services to transfer files, removing usernames, and deleting logs to protect the source's identity."

3. Initial charge relies on co-operation from Manning

In April 2019, *The Canary* reported how a 40-page affidavit, submitted by FBI agent Megan Brown to the WikiLeaks Grand Jury, could provide clues to how the prosecution of Assange might proceed.

An extract of the chat logs between Manning (Bradass87) and FBI informant Adrian Lamo was presented at her court-martial. Another selected chat log between Manning and 'Nathaniel Frank' (alleged by US authorities to be Assange) was also presented. (A fuller, un-redacted version of the chat logs is available.)

But there are problems with that evidence. On page 21 of the FBI affidavit, reference is made to a question to 'Frank' about LM [LAN Manager] hash cracking (breaking a password in the network Manning had access to). 'Frank' responded by saying "Yes... we have rainbow tables for LM". Two days later, Manning asked if there were "any more hints about this LM hash?" 'Frank' stated, "no luck so far."

Crucially, the FBI affidavit adds: "Investigators have not recovered a response by Manning to Assange's question, and there is no other evidence as to what Assange did, if anything, with respect to the password."

In other words, the affidavit indicates that successful prosecution of Assange on the critical password cracking charge (and perhaps on other charges too) will rely on Manning's full co-operation. But she is still incarcerated, refusing to testify.

There is also no evidence that 'Frank' is Assange.

4. Additional charges raised by the US are political

The 17 charges subsequently added to the initial charge against Assange relate to the Espionage Act. But as pointed out by *The Canary*, some of the world's most high-profile media outlets directly partnered with WikiLeaks to publish the content of leaked documents.

Under UK law an extradition request can be rejected if charges raised are accepted as being political. In this particular case that is apparent, given it can clearly be argued that the prosecution of Assange is selective.

5. US legal precedent argues that Assange's work is protected by the US Constitution

According to WikiLeaks editor in chief Kristinn Hrafnsson, the US government does not believe that foreign nationals, including journalists, are protected by the First Amendment of the US Constitution....

However, in July 2019 *The Canary* reported that Judge John Koeltl of the US District Court for the Southern District of New York takes a different view. He dismissed a civil lawsuit by the Democratic National Committee (DNC), alleging that WikiLeaks conspired with the Russian government to steal and leak DNC emails.

Significantly, the judge commented: "If WikiLeaks could be held liable for publishing documents...then so could any newspaper or other media outlet... This type of information is plainly of the type entitled to the strongest protection that the First Amendment offers."

Greg Barns, a barrister and long-time adviser to the Assange campaign, told *The Canary*: "The court, in dismissing the case, found that the First Amendment protected WikiLeaks' right to publish illegally secured private or classified documents of public interest, applying the same First Amendment standard as was used in justifying the *The New York Times*' publication of the Pentagon Papers."

6. Threats of violence against Assange mean he's unable to receive a fair trial

There are numerous examples of threats by US citizens, some prominent, against Assange's life. *Washington Post* columnist Jeffrey T Kuhner, in an article headlined 'Kuhner: Assassinate Assange?', commented: "Mr. Assange is not a journalist or publisher; rather, he is an enemy combatant — and should be treated as such... We should treat Mr. Assange the same way as other high-value terrorist targets."

As reported by *The Canary*, there have been many inflammatory statements, including death threats, issued by US politicians and political commentators against Assange. For example:

- Former Republican vice-presidential candidate Sarah Palin reportedly demanded Assange be hunted down like the Al-Qaeda leadership.
- Former political operative and media pundit Bob Beckel suggested in 2011 that the US should assassinate Assange, saying: "A dead man can't leak stuff. This guy's a traitor... treasonous. And he has broken every law of the United States... And I'm not for the death penalty, so... there's only one way to do it: illegally shoot the son of a bitch".

It can be argued, therefore, that the case against Assange is prejudiced and that he cannot receive a fair trial in the US.

Each of any one of the six arguments summarised above could arguably be grounds for dismissal of the extradition request by the US. Collectively, they present an even stronger case for Assange's defence.

The outcome of the extradition hearings will determine not only the fate of Assange but possibly the fate of journalists globally.

<https://www.thecanary.co/uk/analysis/2020/01/25/six-legal-arguments-show-why-the-us-extradition-of-julian-assange-should-be-denied/>

Evidence mounts of irregularities in UK court procedures in Assange extradition case

The second of two articles examining Julian Assange's upcoming extradition trial.

Tom Coburg
The Canary
26 January 2020

The first article in this series proposed that there are at least six legal reasons why the extradition request by the US against WikiLeaks founder Julian Assange should be dismissed by the UK courts.

But there is another dimension — that of alleged prejudice by UK justices and other legal irregularities. This builds another strong case to challenge extradition.

Conflicting interests

The Guide to Judicial Conduct in England and Wales states: "The judiciary must be seen to be independent of the legislative and executive arms of government both as individuals and as a whole."

However, in November 2019 *Daily Maverick* journalists Mark Curtis and Matt Kennard revealed that: "at the same time Lady [Emma] Arbuthnot was presiding over Assange's legal case, the judge's husband [Lord James Arbuthnot], was holding talks with senior officials in Turkey, exposed by WikiLeaks, some of whom have an interest in punishing Assange and the WikiLeaks organisation."

Curtis and Kennard additionally revealed that: "[Lord] Arbuthnot was also until February 2019 an "adviser" to the military corporation, Babcock International, on whose board sits the former head of GCHQ, Sir David Omand....

"Before becoming a peer, Lord Arbuthnot was a member of the parliamentary Intelligence and Security Committee from 2001-06. He is also currently an officer of the all party parliamentary group on cybersecurity which is administered by the Information Security Group (ISG) at Royal Holloway, University of London. ...

"He is also a former member of the national security strategy joint committee and the armed forces bill committee."

In a follow-up article, Curtis and Kennard revealed that Vitruvian Partners, the employer of Arbuthnot's son Alexander, has a multimillion-pound investment in cybersecurity firm Darktrace, whose officials originate from the National Security Agency (NSA) and the CIA.

Neither Lady nor Lord Arbuthnot returned requests for comment to *Daily Maverick*.

But that's not all.

Previously, *The Canary* reported how WikiLeaks files had revealed Arbuthnot family business and intelligence connections. *The Canary* also revealed how Lord Arbuthnot is a member of the advisory board of the Royal United Services Institute for Defence and Security Studies (RUSI); is chair of the advisory board of the UK division of defence and security systems manufacturer Thales; and that when a Tory MP he was chair of the Defence Select Committee.

The Canary further reported that Lord Arbuthnot is listed as senior consultant to SC Strategy and, until 2017 was director. His co-directors were Lord Alex Carlile and former MI6 head Sir John Scarlett, both of whom remain active in the company. In October 2013, Carlile argued that the publication of whistleblower Edward Snowden's revelations about mass surveillance "amounted to a criminal act". Carlile also oversaw UK anti-terrorism laws and supported the introduction of the 'Snoopers' Charter'.

Neither Lady nor Lord Arbuthnot returned requests for comment to *The Canary*.

There are other concerns.

At a hearing in December 2019, Gareth Peirce, Assange's UK lawyer, told the court that access to her client at Belmarsh prison had been restricted. Consequently, Assange had not been provided with access to evidence in preparation for the main extradition hearing.

Regarding that evidence, Peirce explained to the court: "Without Mr Assange's knowledge, some of it is recently acquired evidence, some of it is subject to months of investigation not always in this country, of which he is unaware because of the blockage in visits."

Indeed, such evidence would include the surveillance footage of Assange in the Ecuadorian embassy. For in the latest twist, witnesses during the trial of UC Global head David Morales stated how that footage and other material was regularly provided to the CIA by him via a security operator working for billionaire gambling magnate Sheldon Adelson, who just happens to be one of Donald Trump's "biggest benefactors".

At another hearing, on 15 January, presiding magistrate District Judge Vanessa Baraitser made it clear to Peirce that she and her legal team will only have access to Assange for one hour, during which evidence can be examined. Consequently, Peirce has raised the possibility of a judicial review.

Implications for journalists

The outcome of Assange's trial is also significant for journalists around the world. Pulitzer Prize-winning journalist Chris Hedges argues that if the extradition proceeds: "it will create a legal precedent that will terminate the ability of the press, which Trump repeatedly has called 'the enemy of the people', to hold power accountable. The crimes of war and finance, the persecution of dissidents, minorities and immigrants, the pillaging by corporations of the nation and the ecosystem and the ruthless impoverishment of working men and women to swell the bank accounts of the rich and consolidate the global oligarchs' total grip on power will not only expand, but will no longer be part of public debate. First Assange. Then us."

And *Shadowproof* journalist Kevin Gozstola points out that the charges raised against Assange have wider implications: "Assange holds citizenship in Australia and was also granted citizenship by Ecuador a little over one year ago. Invoking secrecy regulations in the US as part of an indictment against someone who is not an American citizen carries implications for world press freedom."

Global implications indeed.

Altogether, the six legal arguments, as well as claims of impartiality by UK justices and restriction of access to Assange by his lawyers, could see the extradition request denied.

At a hearing on 23 January, it was agreed that the main extradition hearing will start on 24 February at Woolwich Crown Court and will last about one week, with further proceedings expected on 18 May to last another three weeks. A number of parliamentarians from across Europe have indicated they hope to attend the court hearings.

Let battle commence.

<https://www.thecanary.co/uk/analysis/2020/01/26/evidence-mounts-of-irregularities-in-uk-court-procedures-in-assange-extradition-case/>

Snowden Warns Targeting of Greenwald and Assange Shows Governments 'Ready to Stop the Presses — If They Can'

"The most essential journalism of every era," says the NSA whistleblower, "is precisely that which a government attempts to silence."

Jessica Corbett
Common Dreams
January 27, 2020

In an op-ed published Sunday night by the *Washington Post*, National Security Agency whistleblower Edward Snowden connected Brazilian federal prosecutors' recent decision to file charges against American investigative journalist Glenn Greenwald to the U.S. government's efforts to prosecute WikiLeaks founder Julian Assange.

Snowden, board of directors president at Freedom of the Press Foundation, is among those who have spoken out since Greenwald was charged with cybercrime on Jan. 21. Reporters and human rights advocates have denounced the prosecution as "a straightforward attempt to intimidate and retaliate against Greenwald and The Intercept for their critical reporting" on officials in Brazilian President Jair Bolsonaro's government.

Greenwald, who is also on Freedom of the Press Foundation's board, is one of the journalists to whom Snowden leaked classified materials in 2013.

As *Common Dreams* reported last week, the NSA whistleblower, who has lived with asylum protection in Russia for the past several years, is also among the political observers who have pointed out that although even some of Greenwald's critics have rallied behind him in recent days, Assange has not experienced such solidarity. Assange is being held in a London prison, under conditions that have raised global alarm, while he fights against extradition to the United States.

In his *Post* op-ed, "Trump Has Created a Global Playbook to Attack Those Revealing Uncomfortable Truths," Snowden wrote of Greenwald's case that "as ridiculous as these charges are, they are also dangerous — and not only to Greenwald: They are a threat to press freedom everywhere. The legal theory used by the Brazilian prosecutors — that journalists who publish leaked documents are engaged in a criminal 'conspiracy' with the sources who provide those documents—is virtually identical to the one advanced in the Trump administration's indictment of [Assange] in a new application of the historically dubious Espionage Act."

Snowden — who said in December that he believes that if he returned to the United States, he'd spend his life in prison for exposing global mass surveillance practices of the U.S. government — explained:

In each case, the charges came as an about-face from an earlier position. The federal police in Brazil stated as recently as December that they had formally considered whether Greenwald could be said to have participated in a crime, and unequivocally found that he had not. That rather extraordinary admission itself followed an order in August 2019 from a Brazilian Supreme Court judge — prompted by displays of public aggression against Greenwald by Bolsonaro and his allies — explicitly barring federal police from investigating Greenwald altogether. The Supreme Court judge declared that doing so would "constitute an unambiguous act of censorship."

For Assange, the Espionage Act charges arrived years after the same theory had reportedly been considered — and rejected — by the former president Barack

Obama's Justice Department. Though the Obama administration was no fan of WikiLeaks, the former spokesman for Obama's Attorney General Eric Holder later explained. "The problem the department has always had in investigating Julian Assange is there is no way to prosecute him for publishing information without the same theory being applied to journalists," said the former Justice Department spokesman Matthew Miller. "And if you are not going to prosecute journalists for publishing classified information, which the department is not, then there is no way to prosecute Assange."

Although Obama's administration was historically unfriendly to journalists and leakers of classified materials, President Donald Trump's administration has taken things a step further with its indictment of Assange. "The Trump administration," he wrote, "with its disdain for press freedom matched only by its ignorance of the law, has respected no such limitations on its ability to prosecute and persecute, and its unprecedented decision to indict a publisher under the Espionage Act has profoundly dangerous implications for national security journalists around the country."

Highlighting another similarity between the cases of Greenwald and Assange — that "their relentless crusades have rendered them polarizing figures (including, it may be noted, to each other)" — Snowden suggested that perhaps "authorities in both countries believed the public's fractured opinions of their perceived ideologies would distract the public from the broader danger these prosecutions pose to a free press." However, he noted, civil liberties groups and publishers have recognized both cases as "efforts to deter the most aggressive investigations by the most fearless journalists, and to open the door to a precedent that could soon still the pens of even the less cantankerous."

"The most essential journalism of every era is precisely that which a government attempts to silence," Snowden concluded. "These prosecutions demonstrate that they are ready to stop the presses — if they can."

Journalists and press freedom advocates have shared Snowden's op-ed on social media since Sunday night.

Trevor Timm, executive director of Freedom of the Press Foundation, tweeted Monday morning that Snowden's piece "should be read in tandem" with an op-ed published Sunday in the *New York Times* by James Risen, a former reporter for the newspaper who is now at *The Intercept*. Risen also argued that "the case against Mr. Greenwald is eerily similar to the Trump administration's case against Mr. Assange."

And, according to Risen, Greenwald concurred:

In an interview with me on Thursday, Mr. Greenwald agreed that there are parallels between his case and Mr. Assange's, and added that he doesn't believe that Mr. Bolsonaro would have taken action against an American journalist if he had thought President Trump would oppose it.

"Bolsonaro worships Trump, and the Bolsonaro government is taking the signal from Trump that this kind of behavior is acceptable," he said.

Notably, Risen added, "the State Department has not issued any statement of concern about Brazil's case against Mr. Greenwald, which in past administrations would have been common practice."

<https://www.commondreams.org/news/2020/01/27/snowden-warns-targeting-greenwald-and-assange-shows-governments-ready-stop-presses>

Human rights report to oppose extradition of Julian Assange to US

European assembly says WikiLeaks founder's detention 'sets dangerous precedent'

Ben Quinn
The Guardian
28 Jan. 2020

Julian Assange's detention "sets a dangerous precedent for journalists", according to politicians from the Council of Europe's parliamentary arm, who voted on Tuesday to oppose the WikiLeaks founder's extradition to the US.

The words of support for Assange and implicit criticism of the UK government will be contained in a final report produced by the Labour peer Lord Foulkes for the Parliamentary Assembly of the Council of Europe, which focuses on upholding human rights across the continent.

Assange is being held in London's Belmarsh prison prior to an extradition hearing that will begin in February. A US grand jury has indicted him on 18 charges — 17 of which fall under the Espionage Act — around conspiracy to receive, obtaining and disclosing classified diplomatic and military documents.

Foulkes had drafted an initial report — *Threats to Media Freedom and Journalists' Security in Europe* — that will now contain amendments referring to Assange tabled by a number of European parliamentarians.

One of the amendments backs the recommendation of the UN special rapporteur on torture who called last year for Assange's release and for extradition to the United States to be blocked. The other states that his possible extradition to the US "would set a precedent and threaten journalists' freedoms in all member states".

Foulkes told the Guardian that campaigners and supporters of Assange had written to him while he was writing the report, which addresses media freedoms and threats to journalists in countries including Russia, Turkey and Malta, and asked that he consider including an amendment mentioning Assange.

As a rapporteur for the assembly, he said it was not his role to do so but that colleagues from other states had done so.

He added: "I was in favour of him being sent back to Sweden when there were allegations against him to face that, but as far as the US is concerned I think there would be deep concerns if he were to be sent there."

While the report is non-binding on the UK or on British courts, Assange's supporters are likely to cite it as a moral weight in their campaign to stop his extradition.

If convicted, Assange faces a prison term of up to 175 years.

<https://www.theguardian.com/media/2020/jan/28/julian-assange-detention-sets-dangerous-precedent-for-journalists>

Australia: Alice Springs group condemns silence of “Bring Assange Home” parliamentary group

World Socialist Web Site
31 January 2020

Last October an ad hoc grouping of 11 Australian parliamentarians and senators, co-chaired by independent Andrew Wilkie and Liberal/National Coalition government member George Christensen, announced that they planned to campaign in defence of persecuted WikiLeaks’ founder Julian Assange. The parliamentary group includes Richard Di Natale, the leader of the Greens, as well as Greens deputy leader Adam Bandt.

Apart from some perfunctory statements by Wilkie, Christensen and National MP Barnaby Joyce about Assange’s plight, the ad hoc group has remained silent and organised nothing in the face of detailed information about ongoing violations of the Australian citizen’s basic legal rights, warnings about the dangerous state of his health, and the refusal of the Australian government to demand his release. Di Natale and Bandt have not even issued a statement on their membership of the grouping.

The Open Letter to the “Bring Assange Home Parliamentary Group” published below was written by Margaret Richardson, a registered nurse, on behalf of the Julian Assange Supporters Alice Springs Action Group. The letter was published on the group’s Facebook page yesterday.

Richardson is a founding member of the Assange Supporters Alice Springs Action Group, which was established a week after the Socialist Equality Party held a public meeting in the central Australian city on November 24 last year.

* * *

An Open Letter to the “Bring Assange Home Parliamentary Group”

To: George Christensen (Liberal), Barnaby Joyce (National), Andrew Wilkie (Independent), Sali Steggall (Independent), Richard Di Natale (Greens), Peter Whish-Wilson (Greens), Adam Bandt (Greens), Julian Hill (Labor), Steve Georganos (Labor), Roberta Sharkie (Centre Alliance), Rex Patrick (Centre Alliance) and Helen Haines (Independent).

I’m writing to you because I’m seriously concerned about the dangerous and life-threatening health of Julian Assange, the Australian journalist and WikiLeaks publisher, and want to know exactly what you are doing in his defence, and for his freedom.

I have been following with great interest the activities of the “Bring Assange Home Parliamentary Group” of twelve Australian MPs since it was established in October. It is now more than three months since your group was established but it has done nothing of substance in this time.

There is an abundance of evidence to support the fact that Assange’s health is fragile. Why are you not raising loud alarm bells about the brutal persecution of Assange? Your inaction shocks me.

Although the group was formally announced on October 22, it did not meet for the first time until late November. Concerned about the holdup, I phoned Mr Wilkie's office to ask why there had been such a delay and was told, "It's the first opportunity they had, to be able to meet together all in one place." This did not ring true.

I then read in the *Sydney Morning Herald* that plans were being made by George Christensen to visit Assange in the UK "in the coming months." He said that he wanted to "see for himself" whether the abusive treatment of Assange and the "circumstances of his jailing" in Belmarsh Prison had contributed to the Australian citizen's rapidly deteriorating health.

It is patently obvious that Assange's life is in danger. As you are fully aware, all those who have visited Assange in maximum-security Belmarsh Prison including, John Pilger, Julian's brother Gabriel, Julian's father John Shipton and Pamela Anderson, leave with grave concerns about his deteriorating physical and mental health. These concerns have been widely published.

UN Special Rapporteur on Torture Niles Melzer made clear in his May 2019 report that Assange's long confinement inside the Ecuadorian embassy in London and his ongoing illegal incarceration in Belmarsh prison is tantamount to psychological torture and the worst case of mistreatment he has seen in twenty years.

In a letter to the British government published last November, Meltzer declared, "Unless the UK urgently changes course and alleviates his inhumane situation, Mr Assange's continued exposure to arbitrariness and abuse may soon end up costing him his life."

On October 21, an RT video clip of Assange in the police van being transported to a case-management hearing in Westminster Magistrates Court gave some indication of the dreadful state of Assange's health. I would expect it has been seen by all members of cross-party group.

On October 22, Craig Murray, former British former diplomat and now whistleblower, human rights campaigner and friend of Assange, was present at the first Westminster Magistrates Court hearing. Murray published a report entitled "Assange in Court," which provided a very chilling description of the event and of the rapidly declining state of Assange's health.

Shock waves reverberated around the world, as reports of the terrible state of his health filtered out. This extremely intelligent and articulate man had become a bumbling wreck and could not even recall his date of birth. Assange's youthful good looks and dignified persona were gone and he was almost unrecognisable, causing great concern internationally.

On November 22, an urgent letter signed by over 65 doctors from around the world was sent to the UK Home Secretary Priti Patel warning that Assange could die in prison and demanding that he be transferred from Belmarsh to a university teaching hospital for urgent medical assessment and treatment. This letter was based on factual medical reports documented over several years.

Since then, another letter signed by more than 100 doctors has been sent to the UK home secretary. Neither letter was answered by the British government.

Recent reports reveal that conditions are so bad in Belmarsh that three people have died in the prison in the previous year, the most recent in January 2020.

What more evidence is required of the parlous state of his health? His most recent appearance at the procedural hearing on January 13 at Westminster revealed a very aged man.

At Christmas, Julian was given a “Christmas treat” and allowed to make a phone call. Julian told his close friend Vaughan Smith “I’m dying in here” and said he that he was being sedated.

Assange’s self-reported fear for his life has been greeted with a deafening silence, not just from the Australian government and Labor Party opposition, but also by your “Bring Assange Home Parliamentary Group.”

Notwithstanding your claims to be concerned for the WikiLeaks publisher, the “Bring Assange Home Parliamentary Group” has not called any joint press conferences, no public meetings and no rallies.

Rather than mobilise support for Assange you’re promoting illusions that “someone” in parliament is “doing something.” This is to cultivate a passive attitude, so that ordinary people don’t do anything.

Why call yourselves the “Bring Assange Home Parliamentary Group” when you have done nothing to bring Julian home or ensure that the utterly inhumane treatment in Belmarsh doesn’t kill him.

Can you please tell me what concrete political actions your group is planning?

Yours sincerely,

Margaret Grace Richardson (Registered Nurse)
On behalf of Julian Assange Supporters Alice Springs Action Group

<https://www.wsws.org/en/articles/2020/01/31/wilk-j31.html>

Council of Europe’s parliamentary assembly calls for Assange’s release, condemns threatened extradition

Oscar Grenfell
World Socialist Web Site
3 February 2020

The Parliamentary Assembly of the Council of Europe (PACE) adopted a resolution last Tuesday which demands the “prompt release” of imprisoned WikiLeaks founder Julian Assange and warns that his threatened extradition from Britain to the US, for lawful publishing activities, “sets a dangerous precedent” for all journalists.

PACE is the parliamentary wing of the Council of Europe, an international assembly with 47 nation-members that was established in 1949. The organisation, which oversees the work of the European Court of Human Rights, states that its role is to serve as “Europe’s guardian of human rights and democracy.”

The references to the Assange case are contained in a resolution titled “Threats to media freedom and journalists’ security in Europe.” It documents a rise in the number of journalists jailed, assaulted and murdered in Europe and internationally, including

the killing of Maltese journalist Daphne Caruana Galizia after she exposed official corruption in 2017.

The resolution bluntly declares that “Threats on media freedom and the safety of journalists have become so numerous, repeated and serious that they are jeopardising not only citizens’ right to be properly informed but also the stability and smooth functioning of our democratic societies.”

Significantly, the draft report, prepared by British Labour peer Lord Foulkes, did not contain any mention of the WikiLeaks founder. This was in line with the support of all of the official political parties in Britain, including Labour, for the jailing of Assange and the attempt to silence him for exposing war crimes.

Less than a month out from British court hearings aimed at rubber-stamping Assange’s dispatch to the US, however, other members of PACE recognised that the resolution would not have any credibility if it failed to mention Europe’s most famous imprisoned journalist and publisher.

Members of the European United Left–Nordic Green Left, comprised of a number of self-styled “left” parties throughout the continent, moved two amendments, both of which were adopted. Their intervention followed lobbying by Assange’s father, John Shipton, and other prominent supporters of the WikiLeaks founder.

The first amendment called on all European governments to “defend the freedom of media and security of journalists, namely in the case of Julian Assange as his possible extradition to the USA would set a precedent and threaten journalists’ freedoms in all member states.”

The second stated that they should “consider that the detention and criminal prosecution of Mr Julian Assange sets a dangerous precedent for journalists, and join the recommendation of the UN Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment who declared, on 1 November 2019, that Mr Assange’s extradition to the United States must be barred and that he must be promptly released.”

The amendments were passed under conditions where Assange’s status as a political prisoner is undeniable. He is being held in the maximum-security Belmarsh Prison, a facility designed to hold murderers and terrorists, despite not having been convicted of any crime. All of Assange’s legal and democratic rights, including to access documents crucial to preparing his defence and to confer freely with his lawyers, have been trampled on by a British judiciary determined to dispatch him to his American persecutors.

The lawlessness of the operation against Assange has been underscored by revelations, contained in official court filings, that the US does not consider him entitled to the First Amendment protections of the American constitution, which uphold free speech and freedom of the press. It has also been reported that if he is extradited, Assange will be held in the US under Special Administrative Measures—draconian regulations, usually applied in terrorism cases, that prevent a prisoner from communicating with virtually anyone.

The nakedly anti-democratic character of Assange’s persecution has placed erstwhile supporters of the campaign against him on the back foot. Foulkes stated that he and his colleagues “don’t want to see Julian Assange extradited to the United States to spend centuries in prison.”

The Labour peer, however, exposed himself as a supporter of past efforts to frame Assange on bogus sexual misconduct allegations in Sweden. He told the Guardian: "I was in favour of him being sent back to Sweden when there were allegations against him to face, but as far as the US is concerned I think there would be deep concerns if he were to be sent there."

This position — taken by the majority of Labour MPs — amounted to backdoor support for the US attempt to destroy Assange. The Swedish allegations were used by Britain, acting in collaboration with the US and Swedish governments, to deprive Assange of his liberty, embroil him in legal proceedings and to blacken his name.

The attempt to smear Assange as a "sex criminal," however, is increasingly untenable in the wake of the collapse of the Swedish investigation late last year. In the course of almost a decade, the investigation was dropped three times and never progressed beyond the "preliminary stage." Prosecutors did not come close to issuing any criminal charges. UN Rapporteur on Torture Nils Melzer has documented fifty aspects of the Swedish government which appeared to violate Assange's rights to due process and the presumption of innocence.

That PACE has felt compelled to explicitly condemn the persecution of Assange reflects a growing groundswell of support for the WikiLeaks founder in the lead-up to the first British extradition hearings on February 24.

The body, however, does not have any binding powers over its member-states. Its recommendations and statements can, and have been, ignored at will, with no consequences.

PACE oversees the European Court of Human Rights, which may be the final court of appeal for Assange, if all levels of the British judiciary rubber-stamp his extradition, as they have signalled they will do. Even that body, however, has no powers of coercion over any European state. The US and its allies, including Britain, have made clear that they are willing to flout international and domestic laws in their pursuit of Assange, as they did when launching the illegal 2003 invasion of Iraq, which was formally condemned by United Nations bodies.

Defenders of democratic rights will not condemn PACE's resolution. The record, however, demonstrates that Assange's freedom will not be secured through the deliberations of courts, parliaments or European assemblies. What is required is the development of a mass political movement, fighting to block his extradition, as part of the struggle against the growing trend to authoritarianism and in defence of all democratic rights.

<https://www.wsws.org/en/articles/2020/02/03/assa-f03.html>

UN rapporteur Nils Melzer exposes British government attempts to obstruct his defence of Assange

*Oscar Grenfell
World Socialist Web Site
5 February 2020*

At a meeting in London's St. Pancras New Church on Monday night, United Nations Special Rapporteur on Torture Nils Melzer provided new information about the efforts of the British government and the establishment media to hinder his defence of imprisoned WikiLeaks founder Julian Assange.

Melzer delivered a powerful contribution at the event, organised by academic Deepa Driver and held under the banner of “Free the Truth.” Other speakers were former British diplomat and whistleblower Craig Murray, Lisa Longstaff of Women Against Rape and Eva Joly, who previously served as an investigative magistrate and representative of the French Greens in the European parliament.

Melzer explained that since releasing his finding in May 2019 that Assange had been subjected to an unprecedented nine-year campaign of persecution by Britain, Sweden and the US, resulting in medically verifiable symptoms of “psychological torture,” his inquiries and recommendations had been ignored. “States refused to investigate or engage in a dialogue about my findings, even to respond to the questions I am mandated by them to ask,” he stated.

The UN official revealed that behind the scenes, British authorities had actively sought to undermine him.

Melzer said: “They went to see the United Nations High Commissioner on Human Rights to complain about me. They don’t seem to realise that I am independent. I am appointed directly by the Human Rights Council. But the ambassador in Geneva seems to have told her that he is ‘not happy’ with the way I conduct my mandate. Incidentally, I heard they also told my employer in Glasgow that they were not too happy with how I conducted my mandate.”

That the British government is simultaneously stonewalling Melzer’s inquiries and apparently conducting a campaign against him underscores the flagrant illegality of the entire US-led vendetta against Assange.

Melzer is employed at the University of Glasgow as a professor of international law, independently of his role as a UN official. The only reason for the British authorities to contact the university would be to pressure it to act against Melzer over the principled position he has taken in the Assange case. Such conduct recalls the attacks by the British and American governments on UN experts who publicly condemned the lies about “weapons of mass destruction” in the lead-up to the illegal invasion of Iraq.

Melzer defiantly declared: “I refuse to be intimidated. I conduct the mandate that the United Nations has given to me according to the best of my morality and my judgement. It is a violation of my independence to try to circumvent official procedures and to try to undermine my credibility and standing with the United Nations and my employer. And I will certainly not back down.”

The rapporteur noted that some critics had accused him of “overstepping the line” and claimed that the treatment of Assange had “nothing to do with torture.” In reply, Melzer asked: “How does it have nothing to do with torture when a man exposes evidence of government war crimes and torture and no one is being prosecuted for it?”

His assessment that Assange had suffered torture was based on an extended consultation last year involving two medical experts, Melzer explained. The diagnosis was arrived at under the “Istanbul Protocol,” the international standard for identifying symptoms of torture.

Assange, Melzer warned, was being “publicly destroyed before our eyes,” in a “slow motion” operation intended to intimidate “everyone else in the world who could have the dangerous idea of copying WikiLeaks.” If extradited to the US, he had no prospect of receiving a fair trial.

Melzer noted that while Assange faced 175 years imprisonment under US charges, the maximum sentences handed down to those convicted of war crimes in the former Yugoslavia was 40 years. Assange, however, had “not killed or harmed anybody,” but had merely published true documents.

Melzer responded to claims that he had “lost” his “neutrality,” asking: “Am I supposed to be impartial between a torturer and the tortured? No. I am meant to be neutral and objective in investigating a case, and not to have any presumptions before I have investigated. But once I have found that someone has been tortured, of course I am not neutral. I will defend them.”

It was not just the government that was seeking to undermine support for Assange. Melzer revealed he had “been asking the *BBC* for an interview for nine months.” He had offered to appear on the “Hard Talk” program to discuss Assange’s case, but had been rebuffed with the claim that it would not be “newsworthy.”

At the same time, *BBC* reporters continued to slander Assange. One claimed last month that Assange “evaded justice” when he exercised his right under international law to seek political asylum in Ecuador’s London embassy in 2012. Melzer asked: “In 1940, Hannah Arendt, arrested for anti-state propaganda, successfully escaped the Gestapo and Vichy internment and received asylum in the US. Did she ‘evade justice?’” He recalled other cases of dissidents escaping persecution, including by seeking asylum in foreign embassies.

Melzer noted that these lies were part of a broader attempt to suppress discussion about the dire implications for democratic rights of Assange’s threatened extradition. A panel on the “Legal, Systemic and Reputational Implications of the Assange Case” had been scheduled at Chatham House on Tuesday. The prominent London policy institute cancelled the event, without providing a reason, forcing it to be moved to the Frontline Club.

Melzer warned that the Assange case had revealed a broader assault on civil liberties. “As soon as establishment power is threatened, we do not have the rule of law,” he stated, concluding that it was “really urgent” to “strengthen our voice” in Assange’s defence.

Craig Murray delivered a contribution from the perspective of a whistleblower who had exposed the British Labour government’s collusion in US-sanctioned torture and extraordinary rendition operations in Uzbekistan.

He recounted the case of Clive Ponting, a British civil servant who publicly exposed the lies of the Thatcher government used to justify its aggression against Argentina in the Falklands War of 1982. Ponting was charged with violating the Official Secrets Act, but was acquitted by a jury of his peers. The British authorities had not prosecuted Murray in the early 2000s, the former ambassador said, for fear of a similar result.

Murray said that if he leaked government information now, however, he would be hauled before a secret court in a trial presided over only by a judge. Under draconian national security provisions, the media would be prohibited from reporting the case.

The attempted prosecution of Assange was even more extraordinary, given that he was a publisher and not a whistleblower. “What they are doing to Julian is the equivalent of prosecuting Lionel Barber, the editor of the *Financial Times*, for publishing what I leaked — it would be the death of journalism.”

Eva Joly warned that the US was seeking to apply its repressive domestic laws on a global scale. She stated: “Julian Assange must not be extradited and only a very massive mobilisation of ordinary people and of people from the law community can stop it because it has been programmed for years that he should be sent to the US.”

Lisa Longstaff reviewed the way in which false accusations of sexual misconduct in Sweden had been used to deprive Assange of his legal and democratic rights and tarnish his reputation. The concocted Swedish investigation had “nothing to do with justice for rape,” but was part of an attempt by the US and its allies to abolish the “freedom to report crimes by the state.”

Longstaff hailed Chelsea Manning, the courageous whistleblower who is imprisoned in the US for refusing to provide false testimony against Assange, calling her “one of the most principled people we know of.” She insisted that “we must do all in our power to get her free too.”

Assange’s father, John Shipton, thanked all of those in attendance and encouraged them to intensify the campaign for his son’s freedom.

<https://www.wsws.org/en/articles/2020/02/05/melz-f05.html>

The Trials of Julian Assange (closed meeting at the Frontline Club)

Real Media

February 5, 2020

Businessman and activist Joe Corr  had been trying to organise a meeting with an invited audience to openly debate Julian Assange’s probable extradition to the United States. His plan was to hold the event at Chatham House where people could speak freely, and he approached establishment figures as well as campaigners so that all views could be heard in a balanced and fair way.

But the organisers say that in the week before the event was due to happen, despite a booking and deposit made last November, Chatham House cancelled the reservation without discussion. As a result, the meeting was hastily relocated to The Frontline Club in Paddington, but at the last minute the former head of MI6, Richard Dearlove, also pulled out.

The only establishment figure remaining, former foreign diplomat Claire Smith, wished to maintain Chatham House rules and requested her views were not shared, but the rest of the panel have all given their permission and this exclusive Real Media film presents highlights from their contributions along with interviews with the organiser, and Julian Assange’s biological father, John Shipton.

James Goodale, the former vice-president and general counsel at the New York Times (who won a court case the US administration over publication of the Pentagon Papers in 1971) spoke via Skype from America. Nils Melzer, the UN Special Rapporteur on Torture, spoke alongside former political commentator at *The Telegraph*, Peter Osborne, and former director at Reprieve, eminent human rights lawyer Clive Stafford Smith.

Video: https://www.youtube.com/watch?v=-Y5P820kjoc&feature=emb_logo

More info and campaigns at [Don’t Extradite Assange](https://realmedia.press/the-trials-of-julian-assange/)

<https://realmedia.press/the-trials-of-julian-assange/>

130 prominent Germans appeal for Julian Assange's release

The WikiLeaks founder is being held in deteriorating conditions despite his poor health, his supporters said. The signatories include a former German vice-chancellor and a Nobel Prize winner.

*Deutsche Welle
2020-02-07*

More than 130 prominent figures in Germany from the world of art, politics, and the media signed an appeal on Thursday calling for Wikileaks founder Julian Assange to be released from prison in the UK. He is currently serving a 50-week sentence for skipping bail.

The letter's signatories include famous German investigative journalist Günther Wallraff, former Vice Chancellor Sigmar Gabriel, and Austrian winner of the Nobel Prize in literature, Elfriede Jelinek.

It says that Assange, 48, is being held in "isolation and monitored under unnecessarily stressful conditions" in a British prison despite being in "critical health."

UN Special Rapporteur on torture, Nils Melzer, told DW that after meeting with Assange he believed that the activist exhibited "typical signs of psychological torture."

They also argue that Assange risks being deprived of his basic human rights if he is extradited to the United States when his sentence is over.

Assange famously sought refuge in the Ecuadorian embassy in London in 2012 when Swedish authorities were seeking to bring him to Stockholm to face rape allegations. Authorities in Sweden have since dropped the case due to the difficulties in prosecuting it.

After increasingly frustrating the Ecuadorian government with his actions, his asylum was withdrawn and he was forced to leave the embassy in April 2019.

He is wanted in the US for violating the Espionage Act, where he faces a life sentence for leaking classified US military documents. The British government has not yet said if it will extradite Assange, although it had previously vowed not to do so if he faced the death penalty.

<https://www.dw.com/en/prominent-germans-appeal-for-julian-assanges-release/a-52277571>

What Is Happening to Assange Will Happen to the Rest of Us

The publication of classified documents is not yet a crime in the United States. If Assange is extradited and convicted, it will become one.

*Chris Hedges
Truthdig
February 10, 2020*

David Morales, the indicted owner of the Spanish private security firm Undercover Global, is being investigated by Spain's high court for allegedly providing the CIA

with audio and video recordings of the meetings WikiLeaks founder Julian Assange had with his attorneys and other visitors when the publisher was in the Ecuadorian Embassy in London. The security firm also reportedly photographed the passports of all of Assange's visitors. It is accused of taking visitors' phones, which were not permitted in the embassy, and opening them, presumably in an effort to intercept calls. It reportedly stole data from laptops, electronic tablets and USB sticks, all required to be left at the embassy reception area. It allegedly compiled detailed reports on all of Assange's meetings and conversations with visitors. The firm even is said to have planned to steal the diaper of a baby — brought to visit Assange — to perform a DNA test to establish whether the infant was a secret son of Assange. UC Global, apparently at the behest of the CIA, also allegedly spied on Ecuadorian diplomats who worked in the London embassy.

The probe by the court, the Audiencia Nacional, into the activities of UC Global, along with leaked videos, statements, documents and reports published by the Spanish newspaper *El País* as well as the Italian newspaper *La Repubblica*, offers a window into the new global security state. Here the rule of law is irrelevant. Here privacy and attorney-client privilege do not exist. Here people live under 24-hour-a-day surveillance. Here all who attempt to expose the crimes of tyrannical power will be hunted down, kidnapped, imprisoned and broken. This global security state is a terrifying melding of the corporate and the public. And what it has done to Assange it will soon do to the rest of us.

The publication of classified documents is not yet a crime in the United States. If Assange is extradited and convicted, it will become one. Assange is not an American citizen. WikiLeaks, which he founded, is not a U.S.-based publication. The extradition of Assange would mean the end of journalistic investigations into the inner workings of power. It would cement into place a terrifying global, corporate tyranny under which borders, nationality and law mean nothing. Once such a legal precedent is set, any publication that publishes classified material, from *The New York Times* to an alternative website, will be prosecuted and silenced.

The flagrant defiance of law and international protocols in the persecution of Assange is legion. In April 2019, Ecuadorian President Lenín Moreno capriciously terminated Assange's right of asylum at the London embassy, where he spent seven years, despite Assange's status as a political refugee. Moreno authorized British police to enter the embassy — diplomatically sanctioned sovereign territory — to arrest a naturalized citizen of Ecuador. (Assange retains his Australian citizenship.) The British police seized Assange, who has never committed a crime, and the British government keeps him imprisoned, ostensibly for a bail violation.

Assange is being held in the notorious high-security HM Prison Belmarsh. He has spent much of his time in isolation, is often heavily sedated and has been denied medical treatment for a variety of physical ailments. His lawyers say they are routinely denied access to their client. Nils Melzer, the United Nations' special rapporteur on torture who examined Assange with two physicians, said Assange has undergone prolonged psychological torture. Melzer has criticized what he calls the "judicial persecution" of Assange by Britain, the United States, Ecuador and Sweden, which prolonged an investigation into a sexual assault case in an effort to extradite Assange to Sweden. Assange said the case was a pretext to extradite him to the United States. Once Assange was arrested by British police the sexual assault case was dropped.

Melzer says Assange would face a politicized show trial in the United States if he were extradited to face 17 charges under the Espionage Act for his role in publishing

classified military and diplomatic cables, documents and videos that exposed U.S. war crimes in Iraq and Afghanistan. Each of the counts carries a potential sentence of 10 years, and an additional charge that Assange conspired to hack into a government computer has a maximum sentence of five years. A hearing to determine whether he will be extradited to the United States starts Feb. 24 at London's Woolwich Crown Court. It is scheduled to last about a week and then resume May 18, for three weeks more.

WikiLeaks released U.S. military war logs from Afghanistan and Iraq, a cache of 250,000 diplomatic cables and 800 Guantanamo Bay detainee assessment briefs along with the 2007 "Collateral Murder" video, in which U.S. helicopter pilots banter as they gun down civilians, including children and two *Reuters* journalists, in a Baghdad street. The material was given to WikiLeaks in 2010 by Chelsea Manning, then Bradley Manning, a low-ranking intelligence specialist in the U.S. Army. Assange has been accused by an enraged U.S. intelligence community of causing "one of the largest compromises of classified information in the history of the United States." Manning was convicted of espionage charges in August 2013 and sentenced to 35 years in a military prison. She was granted clemency in January 2017 by President Barack Obama. Manning was ordered back to prison last year after refusing to testify before a grand jury in the WikiLeaks case, and she remains behind bars. No one was ever charged for the war crimes WikiLeaks documented.

WikiLeaks has done more than any other news organization to expose the abuses of power and crimes of the American empire.

Assange earned the enmity of the Democratic Party establishment by publishing 70,000 hacked emails belonging to the Democratic National Committee and senior Democratic officials. The emails were copied from the accounts of John Podesta, Hillary Clinton's campaign chairman. The Podesta emails exposed the donation of millions of dollars to the Clinton Foundation by Saudi Arabia and Qatar, two of the major funders of Islamic State. It exposed the \$657,000 that Goldman Sachs paid to Hillary Clinton to give talks, a sum so large it can only be considered a bribe. It exposed Clinton's repeated mendacity. She was caught in the emails, for example, telling the financial elites that she wanted "open trade and open borders" and believed Wall Street executives were best positioned to manage the economy, a statement that contradicted her campaign statements. It exposed the Clinton campaign's efforts to influence the Republican primaries to ensure that Donald Trump was the Republican nominee. It exposed Clinton's advance knowledge of questions in a primary debate. It exposed Clinton as the principal architect of the war in Libya, a war she believed would burnish her credentials as a presidential candidate.

Journalists can argue that this information, like the war logs, should have remained hidden, but they can't then call themselves journalists.

The Democratic and Republican leaders are united in their crusade to extradite and sentence Assange. The Democratic Party, which has attempted to blame Russia for its election loss to Trump, charges that the Podesta emails were obtained by Russian government hackers. However, James Comey, the former FBI director, has conceded that the emails were probably delivered to WikiLeaks by an intermediary, and Assange has said the emails were not provided by "state actors."

WikiLeaks has done more than any other news organization to expose the abuses of power and crimes of the American empire. In addition to the war logs and the Podesta emails, it made public the hacking tools used by the CIA and the National Security Agency and their interference in foreign elections, including French elections.

It disclosed the internal conspiracy against British Labour Party leader Jeremy Corbyn by Labour members of Parliament. It intervened to save Edward Snowden, who made public the wholesale surveillance of the American public by our intelligence agencies, from extradition to the United States by helping him flee from Hong Kong to Moscow. (The Snowden leaks also revealed that Assange was on a U.S. “manhunt target list.”)

The inquiry by the Spanish court is the result of a criminal complaint filed by Assange, who accuses Morales and UC Global of violating his privacy and client-attorney confidentiality rights. The WikiLeaks founder also says the firm is guilty of misappropriation, bribery and money laundering.

Morales, according to *El País*, “stated both verbally and in writing to a number of his employees that, despite having been hired by the government of then-Ecuadorian President Rafael Correa, he also worked ‘for the Americans,’ to whom he allegedly sent documents, videos and audios of the meetings that the Australian activist held in the embassy.”

“Despite the fact that the Spanish firm — which is headquartered in the southern city of Jerez de la Frontera — was hired by Senain, the Ecuadorian intelligence services, Morales called on his employees several times to keep his relationship with the US intelligence services a secret,” the paper reported.

“The owner of UC Global S. L. ordered a meeting between the head of the Ecuadorian secret service, Rommy Vallejo, and Assange to be spied on, at a time when they were planning the exit of Assange from the Ecuadorian embassy using a diplomatic passport in order to take him to another country,” according to *El País*. “This initiative was eventually rejected by Assange on the basis that he considered it to be ‘a defeat,’ that would fuel conspiracy theories, according to sources close to the company consulted by this newspaper. Morales called on his employees to keep his relationship with the US intelligence services a secret.”

The Vallejo-Assange meeting, which included Assange’s lawyers, took place Dec. 21, 2017. The security firm made audio and video recordings through microphones and cameras installed in the embassy. The CIA was immediately made aware of the plan, perhaps through an “external streaming access point” installed in the embassy, according to *El País*. The next day the United States issued an international arrest warrant for Assange.

Microphones were implanted in fire extinguishers and a women’s restroom where Assange’s lawyers would cloister themselves with their client in an effort to avoid being recorded. The windows in the embassy were given a treatment that provided better audio quality for the laser microphones that the CIA was using from exterior locations, the paper reported.

When Moreno was elected to the presidency in Ecuador, replacing Rafael Correa, who had granted Assange asylum in the embassy, an intense campaign was launched to force the publisher from the embassy. It included daily harassment, cutoff of internet access and the termination of nearly all visits.

UC Global, which provides personal security for casino magnate Sheldon Adelson and protection for his company Las Vegas Sands, apparently used Adelson, a friend of President Trump and one of the largest donors to the Republican Party, to lobby the Trump administration and then-CIA Director Mike Pompeo to make Assange a priority target.

La Repubblica, like *El País*, obtained important files, recordings and other information stemming from the UC Global surveillance at the embassy. They include photos of Assange in the embassy and recordings of conversations he had with doctors, journalists, politicians, celebrities and members of his legal team.

“The videos and audio recordings accessed by the Repubblica reveal the extreme violations of privacy that Julian Assange, the WikiLeaks journalists, lawyers, doctors and reporters were subjected to inside the embassy, and represent a shocking case study of the impossibility of protecting journalistic sources and materials in such a hostile environment,” the Italian newspaper wrote. “This espionage operation is particularly shocking if we consider that Assange was protected by asylum, and if we consider that the information gathered will be used by the United States to support his extradition and put him in prison for the crimes for which he is currently charged and for which he risks 175 years in prison: the publication of secret US government documents revealing war crimes and torture, from Afghanistan to Iraq to Guantanamo.”

Chris Hedges writes a regular column for Truthdig.com. Hedges graduated from Harvard Divinity School and was for nearly two decades a foreign correspondent for The New York Times. He is the author of many books, including: War Is A Force That Gives Us Meaning, What Every Person Should Know About War, and American Fascists: The Christian Right and the War on America. His most recent book is Empire of Illusion: The End of Literacy and the Triumph of Spectacle.

<https://www.commondreams.org/views/2020/02/10/what-happening-assange-will-happen-rest-us>

Jeremy Corbyn praises Julian Assange and calls for extradition to US to be halted

PM refuses to comment on looming case — but agrees extradition treaty between the two countries is ‘unbalanced’

*Rob Merrick
The Independent
2020-02-12*

Jeremy Corbyn has called for the extradition of Julian Assange to the US to be halted, praising the Wikileaks founder for exposing US “war crimes”.

Boris Johnson refused to comment on the case, which will begin this month — but surprised the Commons by agreeing the extradition treaty between the two countries is “unbalanced”.

The Labour leader’s call came as he also demanded to know whether Anne Sacoolas, who drove the car that killed teenager Harry Dunn, is being “shielded” because she was a CIA spy.

On Mr Assange, who faces up to 175 years in a US jail if convicted, Mr Corbyn backed MPs on the Council of Europe who have warned the extradition “sets a dangerous precedent for journalists”.

The one-sided arrangements would be “laid bare” when the courts decide whether he should be sent to the US on “charges of espionage for exposure of war crimes, the murder of civilians and large-scale corruption”, he said.

“Will the prime minister agree with the parliamentary report that’s going to the Council of Europe that this extradition should be opposed and the rights of journalists and whistleblowers upheld for the good of all of us,” Mr Corbyn demanded.

In response, the prime minister said: “I’m not going to mention any individual cases but it’s obvious that the rights of journalists and whistleblowers should be upheld and this government will continue to do that.”

Mr Assange, who is being held in London’s Belmarsh prison, has been indicted on 18 charges — 17 under the Espionage Act — for conspiracy to receive, obtain and disclose classified diplomatic and military documents.

Among Wikileaks’ revelations was video footage from a 2007 US Apache helicopter attack in Baghdad that killed at least nine men, including a Reuters news photographer and his driver.

The MPs’ report backs the recommendation of the UN special rapporteur on torture who called last year for the extradition to the US to be blocked.

On the claim that Ms Sacoolas “is in fact a CIA operative”, Mr Corbyn claimed: “Now we know the foreign secretary [Dominic Raab] misled the Dunn family, who are being denied justice by the US government, will the prime minister commit to his removal from office tomorrow in his reshuffle?”

Mr Johnson replied: “The Foreign Office has been told Anne Sacoolas was notified to the UK government as a spouse with no official role.

“We will continue without fear or favour to seek justice for Harry Dunn and his family and continue to seek the extradition of Anne Sacoolas from the United States.”

Mr Corbyn protested: “This lopsided treaty means the US can request extradition in circumstances that Britain cannot.”

The prime minister acknowledged: “To be frank, I think [Mr Corbyn] has a point in his characterisation of our extradition arrangements with the United States and I do think there are elements of that relationship that are imbalanced. I certainly think it is worth looking at.”

<https://www.independent.co.uk/news/uk/politics/jeremy-corbyn-julian-assange-extradition-us-wikileaks-war-crimes-a9331376.html>

Australian MP to visit Julian Assange after tabling historic petition in parliament

*John McEvoy
The Canary
12 February 2020*

Australian MP Andrew Wilkie has announced that he will travel to London this week to visit WikiLeaks publisher Julian Assange in Belmarsh prison. On 10 February, Wilkie also tabled a “massive petition” in defence of Assange in Australia’s parliament.

The independent MP said the purpose of his visit is: "...to check on Julian's health and welfare, to see firsthand the circumstances of his incarceration, and to reassure Julian that although he doesn't have the support of the Australian Government, he certainly does have the support of a great many people right around the world, especially here in Australia."

The Australian government came under international pressure after over 100 medical doctors wrote to the prime minister and foreign secretary to express serious concerns about Assange's health.

Wilkie continued: "If [the extradition request] does go ahead, not only would he face 175 years in prison, but the precedent would be set for all Australians, and particularly for journalists, that they are at risk of being extradited to any country they offend."

Assange's extradition hearings will begin on Monday 24 February, and are expected to conclude around June.

Historic petition

On 10 February, Wilkie also tabled one of the largest petitions in Australian parliamentary history.

The petition, which was signed by over 270,000 people worldwide, read: "If we allow Julian Assange (multi-awarded journalist) who is not a USA citizen and who was not in the USA when he published news to be extradited to the USA to face 175 years imprisonment and possible execution, then we no longer live in a democratic society."



And speaking to parliament, Wilkie added: "That the perpetrator of those war crimes, America, is now seeking to extradite Mr Assange to face 17 counts of espionage and one of hacking is unjust in the extreme and arguably illegal under British law."

As his website explains, Wilkie resigned “from the Office of National Assessments (ONA) on 11 March 2003 in protest over the Iraq war”, becoming “the only serving intelligence official in Australia, the UK and US to resign publicly before the invasion”.

The distance between Australia’s parliament in Canberra and Belmarsh is some 17,000km, while the distance between the UK’s parliament and Belmarsh is some 17 km. There seems to be no evidence of any sitting UK MP visiting Assange this year.

<https://www.thecanary.co/global/world-news/2020/02/12/australian-mp-to-visit-julian-assange-after-tabling-historic-petition-in-parliament/>

Rank-and-file teachers in Sydney adopt resolution defending Assange and Manning

*By the Socialist Equality Party (Australia)
World Socialist Web Site
12 February 2020*

A meeting of rank-and-file teachers, representing schools across the north-west working-class suburbs of Sydney, adopted a resolution on Monday calling for the freedom of Australian citizen and WikiLeaks publisher Julian Assange, as well as imprisoned American whistleblower Chelsea Manning.

The meeting was the first General Meeting of the Hills Association of the New South Wales Teachers Federation (NSWTF), the union covering public primary and secondary teachers in Australia’s largest state. The Hills Association is attended by representatives from schools in the north-west region of Sydney, which have some 1,330 financial union members.

The resolution in defence of Assange and Manning was moved by longstanding Socialist Equality Party (SEP) member and teacher Erika Laslett, who is also a member of the Committee For Public Education (CFPE). It was passed unanimously by the 13 delegates present.

The resolution reads:

That this meeting of teachers opposes the ongoing persecution of journalist publisher and founder of WikiLeaks, Julian Assange and courageous whistleblower, Chelsea Manning. The UN Special Rapporteur on Torture, Nils Melzer, warns specifically that “Assange’s continued exposure to arbitrariness and abuse may soon end up costing his life.”

We insist that the federal Morrison government uses its diplomatic powers to organise the safe return of Assange to Australia. We resolve to send this resolution to other schools and workplaces.

In seconding Laslett’s motion, one teacher stated: “This is not about one man. This is part of a wider attack on journalism and the public’s right to information.” He cited the raids carried out by the Australian Federal Police on the Sydney offices of the Australian Broadcasting Corporation on June 5, 2019. The raid was part of the move by the Morrison government — emulating the US attempt to prosecute Assange —

toward charging whistleblowers and ABC journalists for their exposure of the involvement of Australian troops in extrajudicial killings and other violations of international law in Afghanistan.

A similar resolution was passed last year by teachers and support staff at Footscray City College, a working-class high school in western Melbourne. According to NSWTF policy, the resolution of the Hills Association should now be presented to the union's State Council.

The passage of the motion is a significant development, less than two weeks before legal hearings begin in London on February 24 to decide on the US application to extradite Julian Assange and put him on trial to face charges of espionage. The WikiLeaks founder faces the threat of a life sentence of up to 175 years, for publishing truthful information about the criminal operations of the American state and military.

The resolution is the outcome of the initiative of the CFPE, acting independently of the trade union apparatus. Like the establishment political parties and official media, the unions are maintaining a complicit silence on the persecution of Assange.

The trade unions in Australia are closely tied to the Australian Labor Party (ALP), which held government in 2010 and completely supported the US attempt to silence and destroy WikiLeaks and Assange with false allegations, slanders and state repression. Labor Prime Minister Julia Gillard outrageously labelled WikiLeaks' courageous publication of the leaks made by Chelsea Manning, which exposed rampant US war crimes in Iraq and Afghanistan, as "illegal activity."

The overriding concern of Labor, and the Coalition governments that have followed it, has been to suppress any information that fuels political opposition to the US-Australia military alliance. This includes Australian involvement in the illegal wars and global spying operations exposed by whistleblowers, such as Manning and Edward Snowden.

The trade unions have lined up behind the Labor and Coalition governments. Not a single serious action has been taken by any union, or the national Australian Council of Trade Unions (ACTU), to force the Australian government to end its collaboration with the US and British authorities, and use its diplomatic and legal powers to secure the freedom of a persecuted Australian journalist.

The leadership of the Media Entertainment and Arts Alliance (MEAA), which represents journalists and media workers, has passed resolutions opposing any extradition of Assange to the US but has not called a single stop-work meeting, let alone proposed strike action throughout the media industry, over the immense assault on freedom of speech taking place. The various state-based teacher unions have not even passed resolutions, despite the broad defence of Assange and democratic rights among educators.

Workers have to take matters into their own hands if fundamental democratic rights are going to be protected. The Australian parliamentary establishment will only fulfil its obligations to Assange if it feels compelled to do so, out of fear of a mass movement of the working class in Australia and internationally.

All workers who defend Assange, Manning and freedom of speech should seek to organise workplace meetings, at both unionised and non-union sites, and move resolutions similar to that passed by the Sydney teachers.

The SEP urges workers to organise delegations from your workplace to attend the rallies being held in Sydney on February 22, Melbourne and Wellington, New Zealand on February 23, and Brisbane on February 29.

The political aim of these rallies is to develop the independent mobilisation of the working class. Assange's legal fight against the threat of extradition will be difficult and, most likely, extend over several years. Support must be built throughout the working class for political demonstrations, strikes and boycotts to demand his freedom, and freedom for Chelsea Manning and all other class-war prisoners, who are being persecuted for standing up for the truth and democratic rights.

Free Assange! Free Manning! No to extradition!

Sydney

Saturday February 22, 12:00 p.m.
Parramatta Town Hall
182 Church Street, Parramatta

Melbourne

Sunday February 23, 2:00 p.m.
State Library of Victoria
Then march to Federation Square

Wellington, New Zealand

Sunday, February 23, 3:00 p.m.
Cuba Street (intersection with Left Bank)
Wellington

Brisbane

Saturday February 29, 2:00 p.m.
Reddacliff Place, Brisbane
(corner Queen and George Street)

<https://www.wsws.org/en/articles/2020/02/12/nswt-f12.html>

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Australian media maintains an unconscionable blackout on the case of Julian Assange

*James Cogan
World Socialist Web Site
17 February 2020*

In one week, on February 24, Australian citizen and WikiLeaks publisher Julian Assange faces the beginning of extradition hearings in London that will decide whether he is rendered to the United States to stand trial on multiple charges of espionage.

The significance and historic implications of the Assange case are undeniable. The charges levelled against him all stem from the publication of whistleblower leaks in 2010–2011 which exposed that American and allied forces in Iraq and Afghanistan carried out the indiscriminate murder of civilians, as well as torture and other human rights abuses. Other leaked information revealed numerous diplomatic intrigues by American embassies to prop up or install pro-US regimes.

The document were not only published by WikiLeaks, but by some of the major newspapers around the world, which openly advertised that they were its “partners” in ensuring that the damning exposures of great power war crimes and conspiracies reached the largest global audience.

In other words, if Assange is extradited and convicted in the US for espionage, it will establish an ominous precedent that could be used to prosecute the editors and journalists of publications ranging from *the Guardian*, to *Le Monde* and *Der Spiegel*, to the *Sydney Morning Herald*. Going forward, it would set a precedent for the prosecution of the staff of any media organisation that publishes leaked classified American government documents and applications for their extradition to the US from whatever country they live and hold citizenship.

Within the media profession, these facts are well-known and have been widely discussed. After Assange was dragged from the Ecuadorian embassy in April 2019 — in violation of his rights of political asylum — and charged by the Trump administration, editorials and comments were published internationally expressing concern and acknowledging that his case has ominous implications for journalism and freedom of speech.

It is unconscionable that what can only be described as an almost total media blackout is taking place on the Assange case on the eve of the extradition hearings. Developments that are inherently in the public interest are being flagrantly censored.

The Australian media is a particularly graphic example of this censorship, as Assange is an Australian citizen, a member of the Media Entertainment and Arts Alliance, and, in 2011, WikiLeaks was bestowed the profession’s Walkley Award for “Most Outstanding Contribution to Journalism.”

Listed below are just some of the developments over the last several weeks that have not been reported in any serious fashion — let alone made the subject of probing commentary and investigation — by the print, radio and television media in Australia, including both corporate-owned media and the state-owned Australian Broadcasting Corporation (ABC) and Special Broadcasting Service (SBS).

- The US Department of Justice has asserted in court filing that because Assange is an Australian citizen, he cannot raise as a defence for WikiLeaks’ publication of leaks the US Constitution’s first amendment protection of freedom of speech.
- Other US court documents indicate that Assange will be detained under “Special Administrative Measures” if he is extradited. Designed to “break” alleged terrorists so they plead guilty, SAMs prisoners are held in virtual total isolation in high security facilities ahead of their trials. They are denied access to news or communication with anyone but lawyers and vetted visitors. All communication, including with lawyers, is monitored. His legal representatives would be banned from relaying anything said by Assange, or even talking about the conditions he faces. The treatment was described in a 2017 report as “the darkest corner of the US federal prison system.”
- Nils Melzer, the United Nations Special Rapporteur on Torture, gave an extended interview to the Swiss publication *Republik*, published on January 31. Melzer systematically reviewed the false allegations that Assange had committed sexual offences in Sweden, the way in which he had been psychologically tortured and the significance of the US extradition. Melzer was not interviewed by Australia media or his *Republik* interview republished in any publication.

- On January 31, a group of German parliamentarians nominated Assange, along with whistleblowers' Chelsea Manning and Edward Snowden, for the 2020 Nobel Peace Prize. The nomination letter stated: "We feel that Assange, Manning and Snowden have to be recognized for their 'unprecedented contributions to the pursuit of peace and their immense personal sacrifices to promote peace for all.' With the unveiling of US war crimes in Afghanistan and Iraq and the global surveillance program of the US secret services, the three have 'exposed the architecture of war and strengthened the architecture of peace.'"

- Last week, a petition signed by close to 300,000 people calling on the Australian government to intervene on Assange's behalf was tabled in the lower of parliament. Prime Minister Scott Morrison and opposition Labor Party leader Anthony Albanese were not questioned by the media over their position on Assange's extradition trial, the conditions under which he is held in London's Belmarsh Prison or the broad implications for the media and free speech.

Other newsworthy issues could be cited that are being subjected to media censorship, not least the fact that demonstrations have been called in Australian cities and towns over the coming week to condemn the extradition trial and demand Assange's freedom.

There is no innocent explanation for the silence. The obvious conclusion is that a decision has been taken by the management and editorial boards of various media organisations that the Assange case will not be reported. There is every reason to believe that such a decision has been taken in consultation with the Morrison government and various intelligence and police agencies.

Everything is being done to 1) prevent public support for Assange; and 2) protect the political establishment from public scrutiny and outrage over its collaboration with the US administration in the persecution of an Australian citizen and courageous publisher.

Many journalists and media professionals are deeply alarmed about the prosecution of Assange and the sweeping assault on freedom of speech that it constitutes. It is well past time for them to take matters into their own hands and act.

Media professionals should be at the forefront of fighting for a broad political movement demanding the rejection of the US extradition and the immediate and unconditional freedom of Assange, Manning and all other persecuted journalists and whistleblowers. They know what is at stake. The Assange precedent has already been brought to Australia in the form of police raids on ABC offices in Sydney last year and the threatened prosecution of ABC journalists over the publication of whistleblower leaks exposing Australian military atrocities in Afghanistan.

Meetings should be convened by the staff of every media organisation and resolutions adopted opposing Assange's extradition — as teachers have done — and insisting that his case is accurately and honestly reported. The US charges against him are unacceptable and a threat to fundamental democratic rights.

Journalists often talk of their professional commitment to "speak truth to power." The Coalition and Labor parties must be held to account for aiding and abetting the vendetta against one of their colleagues.

We urge journalists and media staff to take part in the rallies that have been called by Socialist Equality Party in Sydney on February 22, Melbourne on February 23 and Brisbane on February 29, and the other protest actions taking place around the country.

<https://www.wsws.org/en/articles/2020/02/17/auas-f17.html>

Andrew Wilkie and George Christensen in London to visit Julian Assange, as Jeremy Corbyn says UK view on extradition is shifting

ABC News (Australia)

Samantha Hawley

17 Feb. 2020

British Opposition Leader Jeremy Corbyn says he is surprised over what he sees as a shift in the British Government's position on Julian Assange and the UK's "unbalanced" extradition relationship with the United States.

Mr Corbyn made the comments after a meeting with Australian independent MP Andrew Wilkie, who is in London on a privately funded trip to visit the WikiLeaks founder in prison.

The Labour leader told the ABC that British Prime Minister Boris Johnson's answers to House of Commons questions about the extradition deal the UK had with the US last Wednesday (local time) were unexpected.

"He accepted that it is an unbalanced treaty and it is not a fair one, therefore I think that is a big change by the British Government," Mr Corbyn said.

In the House, Mr Corbyn had argued that the UK had a "one-sided extradition treaty" with the US and asked Mr Johnson to commit to an "equal and balanced" future relationship.

"I do think that there are elements of that relationship that are unbalanced and I certainly think it is worth looking at," Mr Johnson replied.

Mr Corbyn said he thought this could be partly linked to a high-profile battle underway between the US and UK after Washington rejected a request for the extradition of an American citizen who fled Britain after allegedly causing the death of a teenage motorcyclist.

He said it was also unexpected that Mr Johnson did not argue against him when he questioned whether it was right that someone should be deported for exposing the truth.

"The Prime Minister did not challenge my assertions on this, but seems to me to understand that there is a principle here that somebody who opens up and tells the truth, as Julian Assange has done, should not face deportation to the United States," Mr Corbyn said.

Assange 'abandoned by Australian Government'

Mr Wilkie plans to visit Assange in Belmarsh Prison on Tuesday afternoon (local time), along with Queensland federal MP George Christensen, who is also in London.

"I want to convey a message to Julian that although he has been abandoned by the Australian Government, although he seems to have no support from the British Government or the US Government, he does in fact have a lot of support from millions of people right around the world," Mr Wilkie told the ABC.

Mr Wilkie described the case against Assange as scandalous. "Let's not forget the substantive issue here, and that's that an Australian citizen has publicised a range of important information in the public interest, including hard evidence of US war crimes, and his reward for doing that is facing extradition," he said.

Ahead of the visit to the prison, Mr Christensen said he wanted to check on Assange's welfare to inform the Government back home.

"For me to be a bit parochial, he's a North Queenslander, he is someone who is facing potentially the rest of his life behind bars for simply wanting to publish and publishing the truth," Mr Christensen said.

"That is wrong, that is morally and ethically wrong, and you've got to be in these fights if you believe in free speech and free press."

Assange's father John Shipton will facilitate the meeting at the high-security Belmarsh Prison in south-west London.

Mr Shipton moved to London three months ago to be closer to his son and to support and lobby on behalf of the 48-year-old.

There is a strong resemblance between the 75-year old and his son.

"I think the family gathering together and coming to see Julian will help him through this crisis and show people that Julian is not isolated, to show that family is everything.

"Without family you can't defend yourself against the oppressions or winds of fate blowing in the wrong direction."

Mr Shipton said he believed his son would not survive if he was jailed in the US.

"They didn't go through 10 years of persecution to take him over there and put him in a feather bed," he said.

Crunch time approaching for Assange

In less than a week's time, Assange will face the legal might of the United States Government, which will argue for his extradition in a court near Belmarsh Prison, where he has been incarcerated since last year.

His own legal team say if the Americans succeed, he will not receive a fair trial and will be jailed for up to 175 years.

The WikiLeaks founder is facing 18 charges — 17 under the espionage act — for conspiracy to receive, obtain and disclose classified information.

Much of the information related to the US prosecution of wars in Iraq and Afghanistan.

"Who can forget that shocking image of American attack helicopters gunning down Iraqi civilians and journalists in the streets in Iraq?" Mr Wilkie said.

"This stuff matters. We should not be persecuting Julian Assange."

Conservative British MP Bob Seely disagreed. He argued publishing the information was a crime.

"If you don't want to do the time, don't do the crime," he told the ABC outside the UK Parliament in Westminster.

Mr Seely's grievance also relates to the alleged manipulation of the 2016 US presidential election.

Donald Trump, who praised WikiLeaks 141 times, now has 'no opinion' on Julian Assange. Donald Trump mentioned WikiLeaks 141 times before the 2016 election. Now his Justice Department is pressing charges. In that year, WikiLeaks obtained and released emails and other documents from the Clinton presidential campaign.

"It was pretty obvious reading the indictments put down by [former special counsel for the US Department of Justice] Robert Mueller that WikiLeaks was used wittingly or unwittingly, knowingly or not, as a vehicle by which the Russians hacked into the Democratic Congress servers and stole lots of information," Mr Seely said. "I think Assange has been a useful idiot for people to attack liberal democracies."

The extradition hearing will last a month in total, but the trial will be split, with one week to begin on January 24 and the remaining proceedings taking place in May.

Defence lawyers for Assange have told preliminary hearings most of the witnesses they wish to call will give evidence anonymously, although the US counsel has already indicated they will argue to have them struck off.

For now, Mr Shipton will continue to call London home.

"Julian's circumstance is dire," he said.

"It's very awkward to speak about it. It just upsets me."

"The best thing is to take each day as it comes and work as well and as hard as you can on ensuring that your children aren't oppressed and aren't persecuted to death."

<https://www.abc.net.au/news/2020-02-18/julian-assange-and-us-extradition-deal-view-changing-in-uk/11974080>

Doctors For Assange Ratchet Up Pressure

Consortium News
February 17, 2020

Doctors for Assange have launched a new campaign to get proper medical treatment for the imprisoned WikiLeaks journalist by publishing a letter in Britain's leading medical journal.

Ahead of Julian Assange's upcoming extradition hearing on February 24, a letter by a group of doctors representing 117 physicians and psychologists from 18 nations calls for an end to the psychological torture and medical neglect of Julian Assange. Published in the pre-eminent medical journal *The Lancet*, the letter expresses concern over Julian Assange's fitness for his legal proceedings while suffering the effects of ongoing psychological torture.

Doctors for Assange put out the following statement on Monday:

**Ahead of Julian Assange's US Extradition Hearing,
Doctors' Letter Published in *The Lancet***

Authors demand an end to the torture & medical neglect of Julian Assange,
intensifying pressure on Australian and UK governments.

[http://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(20\)30383-4/fulltext](http://www.thelancet.com/journals/lancet/article/PIIS0140-6736(20)30383-4/fulltext)

A copy of the letter has been sent to the Australian Minister for Foreign Affairs, Marise Payne. This follows the doctors' earlier letter of December 16 2019, calling on Minister Payne to bring Julian Assange home to Australia for urgent medical care. A copy has also been sent to the UK Government, which the doctors accuse of violating Julian Assange's human right to health. In a covering note to Marise Payne the doctors urged the Minister to "act decisively now" to remove Mr Assange from Belmarsh prison, before it is too late.

The Lancet letter affirms the alarm raised by UN Special Rapporteur on Torture, Nils Melzer, and several specialists in the field, that Mr. Assange is in a dire state of health due to the effects of prolonged psychological torture in both the Ecuadorian embassy and Belmarsh Prison, where he has been arbitrarily detained according to the UN Working Group on Arbitrary Detention.

"Should Assange die in a UK prison, as the UN Special Rapporteur on Torture has warned", the letter states, "he will have effectively been tortured to death. Much of that torture will have taken place in a prison medical ward, on doctors' watch. The medical profession cannot afford to stand silently by, on the wrong side of torture and the wrong side of history, while such a travesty unfolds".

The letter continues, "We condemn the torture of Assange. We condemn the denial of his fundamental right to appropriate healthcare. We condemn the violations of his right to doctor-patient confidentiality. Politics cannot be allowed to interfere with the right to health and the practice of medicine. In the experience of UN Special Rapporteur on Torture, Nils Melzer, the scale of state interference is without precedent.

"Since doctors first began assessing Mr. Assange in the Ecuadorian Embassy in 2015, expert medical opinion and doctors' urgent recommendations have been consistently ignored.

"This politicisation of foundational medical principles is of grave concern to us, as it carries implications beyond the case of Julian Assange. Abuse by politically motivated medical neglect sets a dangerous precedent, ultimately undermining our profession's impartiality, commitment to health for all, and obligation to do no harm. Our appeals are simple: we are calling upon governments to end the torture of Mr. Assange and ensure his access to the best available healthcare, before it is too late. Our request to others is this: please join us." <https://doctorsassange.org>

<https://consortiumnews.com/2020/02/17/doctors-for-assange-ratchet-up-pressure/>

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End torture and medical neglect of Julian Assange

*Stephen Frost, Lissa Johnson, Jill Stein and William Frost on behalf of 117 signatories
The Lancet Journal
March 7, 2020*

On Nov 22, 2019, we, a group of more than 60 medical doctors, wrote to the UK Home Secretary to express our serious concerns about the physical and mental health of Julian Assange.¹ In our letter,¹ we documented a history of denial of access to health care and prolonged psychological torture. We requested that Assange be transferred from Belmarsh prison to a university teaching hospital for medical assessment and treatment. Faced with evidence of untreated and ongoing torture, we also raised the question as to Assange's fitness to participate in US extradition proceedings.

Having received no substantive response from the UK Government, neither to our first letter¹ nor to our follow-up letter,² we wrote to the Australian Government, requesting that it intervene to protect the health of its citizen.³

To date, regrettably, no reply has been forthcoming. Meanwhile, many more doctors from around the world have joined us in our call. Our group currently numbers 117 doctors, representing 18 countries.

The case of Assange, the founder of WikiLeaks, is multifaceted. It relates to law, freedom of speech, freedom of the press, journalism, publishing, and politics. It also clearly relates to medicine. The case highlights several concerning aspects that warrant the medical profession's close attention and concerted action.

We were prompted to act following the harrowing eyewitness accounts of former UK diplomat Craig Murray and investigative journalist John Pilger, who described Assange's deteriorated state at a case management hearing on Oct 21, 2019.^{4, 5} Assange had appeared at the hearing pale, underweight, aged and limping, and he had visibly struggled to recall basic information, focus his thoughts, and articulate his words. At the end of the hearing, he "told district judge Vanessa Baraitser that he had not understood what had happened in court".⁶

We drafted a letter to the UK Home Secretary, which quickly gathered more than 60 signatures from medical doctors from Australia, Austria, Germany, Italy, Norway, Poland, Sri Lanka, Sweden, the UK, and the USA, concluding: "It is our opinion that Mr Assange requires urgent expert medical assessment of both his physical and psychological state of health. Any medical treatment indicated should be administered in a properly equipped and expertly staffed university teaching hospital (tertiary care). Were such urgent assessment and treatment not to take place, we have real concerns, on the evidence currently available, that Mr Assange could die in prison. The medical situation is thereby urgent. There is no time to lose."¹

On May 31, 2019, the UN Special Rapporteur on Torture, Nils Melzer, reported on his May 9, 2019, visit to Assange in Belmarsh, accompanied by two medical experts: "Mr Assange showed all symptoms typical for prolonged exposure to psychological torture, including extreme stress, chronic anxiety and intense psychological trauma."⁷ On Nov 1, 2019, Melzer warned, "Mr. Assange's continued exposure to arbitrariness and abuse may soon end up costing his life".⁸ Examples of the mandated communications from the UN Special Rapporteur on Torture to governments are provided in the [appendix](#).

Such warnings and Assange's presentation at the October hearing should not perhaps have come as a surprise. Assange had, after all, prior to his detention in Belmarsh prison in conditions amounting to solitary confinement, spent almost 7 years restricted to a few rooms in the Ecuadorian embassy in London. Here, he had been deprived of fresh air, sunlight, the ability to move and exercise freely, and access to adequate medical care. Indeed, the UN Working Group on Arbitrary Detention had held the confinement to amount to "arbitrary deprivation of liberty".⁹

The UK Government refused to grant Assange safe passage to a hospital, despite requests from doctors who had been able to visit him in the embassy.¹⁰ There was also a climate of fear surrounding the provision of health care in the embassy. A medical practitioner who visited Assange at the embassy documented what a colleague of Assange reported: "[T]here had been many difficulties in finding medical practitioners who were willing to examine Mr Assange in the Embassy. The reasons given were uncertainty over whether medical insurance would cover the Ecuadorian Embassy (a foreign jurisdiction); whether the association with Mr Assange could harm their livelihood or draw unwanted attention to them and their families; and discomfort regarding exposing this association when entering the Embassy. One medical practitioner expressed concern to one of the interviewees after the police took notes of his name and the fact that he was visiting Mr Assange. One medical practitioner wrote that he agreed to produce a medical report only on condition that his name not be made available to the wider public, fearing repercussions."¹¹

Disturbingly, it seems that this environment of insecurity and intimidation, further compromising the medical care available to Assange, was by design. Assange was the subject of a 24/7 covert surveillance operation inside the embassy, as the emergence of secret video and audio recordings has shown.¹² He was surveilled in private and with visitors, including family, friends, journalists, lawyers, and doctors. Not only were his rights to privacy, personal life, legal privilege, and freedom of speech violated, but so, too, was his right to doctor-patient confidentiality.

We condemn the torture of Assange. We condemn the denial of his fundamental right to appropriate health care. We condemn the climate of fear surrounding the provision of health care to him. We condemn the violations of his right to doctor-patient confidentiality. Politics cannot be allowed to interfere with the right to health and the practice of medicine. In the experience of the UN Special Rapporteur on Torture, the scale of state interference is without precedent: "In 20 years of work with victims of war, violence and political persecution I have never seen a group of democratic states ganging up to deliberately isolate, demonise and abuse a single individual for such a long time and with so little regard for human dignity and the rule of law."⁷

We invite fellow doctors to join us as signatories to our letters to add further voice to our calls. Since doctors first began assessing Assange in the Ecuadorian embassy in 2015, expert medical opinion and doctors' urgent recommendations have been consistently ignored. Even as the world's designated authorities on arbitrary detention, torture, and human rights added their calls to doctors' warnings, governments have sidelined medical ethics, medical authority, and the human right to health. This politicisation of foundational medical principles is of grave concern to us, as it carries implications beyond the case of Assange. Abuse by politically motivated medical neglect sets a dangerous precedent, whereby the medical profession can be manipulated as a political tool, ultimately undermining our profession's impartiality, commitment to health for all, and obligation to do no harm.

Should Assange die in a UK prison, as the UN Special Rapporteur on Torture has warned, he will effectively have been tortured to death. Much of that torture will have taken place in a prison medical ward, on doctors' watch. The medical profession cannot afford to stand silently by, on the wrong side of torture and the wrong side of history, while such a travesty unfolds.

In the interests of defending medical ethics, medical authority, and the human right to health, and taking a stand against torture, together we can challenge and raise awareness of the abuses detailed in our letters. Our appeals are simple: we are calling upon governments to end the torture of Assange and ensure his access to the best available health care before it is too late. Our request to others is this: please join us. We are members of Doctors for Assange. We declare no competing interests.

Signatories of this letter are listed in the [appendix](#).

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Julian Assange Must Be Freed, Not Betrayed

When Julian Assange steps into Woolwich Crown Court on Feb. 24, true journalism will be the only crime on trial, writes John Pilger.

*John Pilger
Consortium News
February 17, 2020*

This Saturday, there will be a march from Australia House in London to Parliament Square, the centre of British democracy. People will carry pictures of the Australian publisher and journalist Julian Assange who, on Feb. 24, faces a court that will decide whether or not he is to be extradited to the United States and a living death.

I know Australia House well. As an Australian myself, I used to go there in my early days in London to read the newspapers from home. Opened by King George V over a century ago, its vastness of marble and stone, chandeliers and solemn portraits, imported from Australia when Australian soldiers were dying in the slaughter of the First World War, have ensured its landmark as an imperial pile of monumental servility.

As one of the oldest “diplomatic missions” in the United Kingdom, this relic of empire provides a pleasurable sinecure for Antipodean politicians: a “mate” rewarded or a troublemaker exiled.

Known as High Commissioner, the equivalent of an ambassador, the current beneficiary is George Brandis, who as Attorney General tried to water down Australia’s Race Discrimination Act and approved raids on whistleblowers who had revealed the truth about Australia’s illegal spying on East Timor during negotiations for the carve-up of that impoverished country’s oil and gas.

This led to the prosecution of whistleblowers Bernard Collaery and “Witness K”, on bogus charges. Like Julian Assange, they are to be silenced in a Kafkaesque trial and put away.

Australia House is the ideal starting point for Saturday’s march.

Serving the Great Game

“I confess,” wrote Lord Curzon, Viceroy of India, in 1898, “that countries are pieces on a chessboard upon which is being played out a great game for the domination of the world.””

We Australians have been in the service of the Great Game for a very long time. Having devastated our Indigenous people in an invasion and a war of attrition that continues to this day, we have spilt blood for our imperial masters in China, Africa, Russia, the Middle East, Europe and Asia. No imperial adventure against those with whom we have no quarrel has escaped our dedication.

Deception has been a feature. When Prime Minister Robert Menzies sent Australian soldiers to Vietnam in the 1960s, he described them as a training team, requested by a beleaguered government in Saigon. It was a lie. A senior official of the Department of External Affairs wrote secretly that “although we have stressed the fact publicly that our assistance was given in response to an invitation by the government of South Vietnam”, the order came from Washington.

Two versions. The lie for us, the truth for them. As many as four million people died in the Vietnam war.

When Indonesia invaded East Timor in 1975, the Australian Ambassador, Richard Woolcott, secretly urged the government in Canberra to “act in a way which would be designed to minimise the public impact in Australia and show private understanding to Indonesia.” In other words, to lie. He alluded to the beckoning spoils of oil and gas in the Timor Sea which, boasted Foreign Minister Gareth Evans, were worth “zillions”.

In the genocide that followed, at least 200,000 East Timorese died. Australia recognised, almost alone, the legitimacy of the occupation.

When Prime Minister John Howard sent Australian special forces to invade Iraq with America and Britain in 2003, he — like George W. Bush and Tony Blair — lied that Saddam Hussein had weapons of mass destruction. More than a million people died in Iraq.

WikiLeaks was not the first to call out the pattern of criminal lying in democracies that remain every bit as rapacious as in Lord Curzon’s day. The achievement of the remarkable publishing organisation founded by Julian Assange has been to provide the proof.

True Lies Exposed

WikiLeaks has informed us how illegal wars are fabricated, how governments are overthrown and violence is used in our name, how we are spied upon through our phones and screens. The true lies of presidents, ambassadors, political candidates, generals, proxies, political fraudsters have been exposed. One by one, these would-be emperors have realised they have no clothes.

It has been an unprecedented public service; above all, it is authentic journalism, whose value can be judged by the degree of apoplexy of the corrupt and their apologists.

For example, in 2016, WikiLeaks published the leaked emails of Hillary Clinton's campaign manager John Podesta, which revealed a direct connection between Clinton, the foundation she shares with her husband and the funding of organised jihadism in the Middle East — terrorism.

One email disclosed that Islamic State (ISIS) was bankrolled by the governments of Saudi Arabia and Qatar, from which Clinton accepted huge "donations". Moreover, as U.S. Secretary of State, she approved the world's biggest ever arms sale to her Saudi benefactors, worth more than \$80 billion. Thanks to her, U.S. arms sales to the world — for use in stricken countries like Yemen — doubled.

Revealed by WikiLeaks and published in *The New York Times*, the Podesta emails triggered a vituperative campaign against editor-in-chief Julian Assange, bereft of evidence. He was an "agent of Russia working to elect Trump"; the nonsensical "Russiagate" followed. That WikiLeaks had also published more than 800,000 frequently damning documents from Russia was ignored.

On an Australian Broadcasting Corporation programme, *Four Corners*, in 2017, Clinton was interviewed by Sarah Ferguson, who began: "No one could fail to be moved by the pain on your face at [the moment of Donald Trump's inauguration] ... Do you remember how visceral it was for you?"

Having established Clinton's visceral suffering, the fawning Ferguson described "Russia's role" and the "damage done personally to you" by Julian Assange.

Clinton replied, "He [Assange] is very clearly a tool of Russian intelligence. And he has done their bidding."

Ferguson said to Clinton, "Lots of people, including in Australia, think that Assange is a martyr of free speech and freedom of information. How would you describe him?"

Again, Clinton was allowed to defame Assange — a "nihilist" in the service of "dictators" — while Ferguson assured her interviewee she was "the icon of your generation".

There was no mention of a leaked document, revealed by WikiLeaks, called *Libya Tick Tock*, prepared for Hillary Clinton, which described her as the central figure driving the destruction of the Libyan state in 2011. This resulted in 40,000 deaths, the arrival of ISIS in North Africa and the European refugee and migrant crisis.

The Only Crime on Trial

For me, this episode of Clinton's interview — and there are many others — vividly illustrates the division between false and true journalism. On Feb. 24, when Julian Assange steps into Woolwich Crown Court, true journalism will be the only crime on trial.

I am sometimes asked why I have championed Assange. For one thing, I like and I admire him. He is a friend with astonishing courage; and he has a finely honed, wicked sense of humour. He is the diametric opposite of the character invented and then assassinated by his enemies.

As a reporter in places of upheaval all over the world, I have learned to compare the evidence I have witnessed with the words and actions of those with power. In this way, it is possible to get a sense of how our world is controlled and divided and manipulated, how language and debate are distorted to produce the propaganda of false consciousness.

When we speak about dictatorships, we call this brainwashing: the conquest of minds. It is a truth we rarely apply to our own societies, regardless of the trail of blood that leads back to us and which never dries.

WikiLeaks has exposed this. That is why Assange is in a maximum security prison in London facing concocted political charges in America, and why he has shamed so many of those paid to keep the record straight. Watch these journalists now look for cover as it dawns on them that the American fascists who have come for Assange may come for them, not least those on *The Guardian* who collaborated with WikiLeaks and won prizes and secured lucrative book and Hollywood deals based on his work, before turning on him.

In 2011, David Leigh, *The Guardian's* "investigations editor", told journalism students at City University in London that Assange was "quite deranged". When a puzzled student asked why, Leigh replied, "Because he doesn't understand the parameters of conventional journalism".

But it's precisely because he did understand that the "parameters" of the media often shielded vested and political interests and had nothing to do with transparency that the idea of WikiLeaks was so appealing to many people, especially the young, rightly cynical about the so-called "mainstream".

Leigh mocked the very idea that, once extradited, Assange would end up "wearing an orange jumpsuit". These were things, he said, "that he and his lawyer are saying in order to feed his paranoia".

The current U.S. charges against Assange centre on the Afghan Logs and Iraq Logs, which *The Guardian* published and Leigh worked on, and on the Collateral Murder video showing an American helicopter crew gunning down civilians and celebrating the crime. For this journalism, Assange faces 17 charges of "espionage" which carry prison sentences totalling 175 years.

Whether or not his prison uniform will be an "orange jumpsuit", U.S. court files seen by Assange's lawyers reveal that, once extradited, Assange will be subject to Special Administrative Measures, known as SAMS. A 2017 report by Yale University Law School and the Center for Constitutional Rights described SAMS as "the darkest corner of the US federal prison system" combining "the brutality and isolation of maximum security units with additional restrictions that deny individuals almost any connection to the human world ... The net effect is to shield this form of torture from any real public scrutiny."

That Assange has been right all along, and getting him to Sweden was a fraud to cover an American plan to "render" him, is finally becoming clear to many who swallowed the incessant scuttlebutt of character assassination. "I speak fluent Swedish and was able to read all the original documents," Nils Melzer, the United Nations Rapporteur on Torture, said recently, "I could hardly believe my eyes. According to the testimony of the woman in question, a rape had never taken place at all. And not only that: the woman's testimony was later changed by the Stockholm Police without her involvement in order to somehow make it sound like a possible rape. I have all the documents in my possession, the emails, the text messages."

Keir Starmer is currently running for election as leader of the Labour Party in Britain. Between 2008 and 2013, he was Director of Public Prosecutions and responsible for the Crown Prosecution Service. According to Freedom of Information searches by the Italian journalist Stefania Maurizi, Sweden tried to drop the Assange case in 2011, but a CPS official in London told the Swedish prosecutor not to treat it as “just another extradition”.

In 2012, she received an email from the CPS: “Don’t you dare get cold feet!!!” Other CPS emails were either deleted or redacted. Why? Keir Starmer needs to say why.

At the forefront of Saturday’s march will be John Shipton, Julian’s father, whose indefatigable support for his son is the antithesis of the collusion and cruelty of the governments of Australia, our homeland.

The roll call of shame begins with Julia Gillard, the Australian Labor prime minister who, in 2010, wanted to criminalise WikiLeaks, arrest Assange and cancel his passport — until the Australian Federal Police pointed out that no law allowed this and that Assange had committed no crime.

While falsely claiming to give him consular assistance in London, it was the Gillard government’s shocking abandonment of its citizen that led to Ecuador granting political asylum to Assange in its London embassy.

In a subsequent speech before the U.S. Congress, Gillard, a favourite of the US embassy in Canberra, broke records for sycophancy (according to the website Honest History) as she declared, over and again, the fidelity of America’s “mates Down Under”.

Today, while Assange waits in his cell, Gillard travels the world, promoting herself as a feminist concerned about “human rights”, often in tandem with that other right-on feminist Hillary Clinton.

The truth is that Australia could have rescued Julian Assange and can still rescue him.

In 2010, I arranged to meet a prominent Liberal (Conservative) Member of Parliament, Malcolm Turnbull. As a young barrister in the 1980s, Turnbull had successfully fought the British Government’s attempts to prevent the publication of the book, *Spycatcher*, whose author Peter Wright, a spy, had exposed Britain’s “deep state”.

We talked about his famous victory for free speech and publishing and I described the miscarriage of justice awaiting Assange — the fraud of his arrest in Sweden and its connection with an American indictment that tore up the U.S. Constitution and the rule of international law.

Turnbull appeared to show genuine interest and an aide took extensive notes. I asked him to deliver a letter to the Australian government from Gareth Peirce, the renowned British human rights lawyer who represents Assange.

In the letter, Peirce wrote, “Given the extent of the public discussion, frequently on the basis of entirely false assumptions... it is very hard to attempt to preserve for [Julian Assange] any presumption of innocence. Mr. Assange has now hanging over him not one but two Damocles swords, of potential extradition to two different jurisdictions in turn for two different alleged crimes, neither of which are crimes in his own country, and that his personal safety has become at risk in circumstances that are highly politically charged.”

Turnbull promised to deliver the letter, follow it through and let me know. I subsequently wrote to him several times, waited and heard nothing.

In 2018, John Shipton wrote a deeply moving letter to the then prime minister of Australia asking him to exercise the diplomatic power at his government's disposal and bring Julian home. He wrote that he feared that if Julian was not rescued, there would be a tragedy and his son would die in prison. He received no reply. The prime minister was Malcolm Turnbull.

Last year, when the current prime minister, Scott Morrison, a former public relations man, was asked about Assange, he replied in his customary way, "He should face the music!"

When Saturday's march reaches the Houses of Parliament, said to be "the Mother of Parliaments", Morrison and Gillard and Turnbull and all those who have betrayed Julian Assange should be called out; history and decency will not forget them or those who remain silent now.

And if there is any sense of justice left in the land of Magna Carta, the travesty that is the case against this heroic Australian must be thrown out. Or beware, all of us.

The march on Saturday, Feb. 22 begins at Australia House in Aldwych, London WC2B 4LA, at 12.30 p.m.: assemble at 11.30 a.m.

John Pilger is an Australian-British journalist and filmmaker based in London. Pilger's Web site is: www.johnpilger.com. In 2017, the British Library announced a John Pilger Archive of all his written and filmed work. The British Film Institute includes his 1979 film, "Year Zero: the Silent Death of Cambodia," among the 10 most important documentaries of the 20th century. Some of his previous contributions to Consortium News can be found here.

<https://consortiumnews.com/2020/02/17/john-pilger-julian-assange-must-be-freed-not-betrayed/>

Julian Assange: Australian MPs call on UK to block US extradition

Politicians from WikiLeaks founder's home country have flown to UK to visit him in jail

*Ben Quinn
The Guardian
18 Feb. 2020*

Boris Johnson should block attempts to extradite Julian Assange to the US, say two Australian MPs who visited the Wikileaks founder in prison, describing him afterwards as "a man under enormous pressure" and whose health and mental health had deteriorated.

George Christensen, a Liberal National MP for the ruling party in Australia told a press conference outside the gates of Belmarsh prison that he knew of information, which would come to light during the start of the extradition hearing next week, that would make people in Australia "sit up and worry".

He said: "I think that now is the time that the government that I am a part of needs to be standing up and saying to the UK and the US: 'Enough is enough leave that bloke alone and let him come home.'"

Andrew Wilkie, an independent federal MP and the co-chair of the Bring Julian Assange Home parliamentary group, who joined Christensen in London, told a press conference in London on Tuesday morning that the extradition of Assange, who has been charged by the US with conspiring to hack into a secret Pentagon computer network, would set a dangerous precedent.

"This will establish a precedent that if you are a journalist who does anything that offends any government in the world then you face the very real prospect of being extradited to that country," he said. "This is a political case and what is at stake is not just the life of Julian Assange. It is about the future of journalism."

Wilkie said that Assange had "done the right thing" by publishing secret video in 2010 showing US air crew falsely claiming to have encountered a firefight in Baghdad and then laughing at the dead after launching an airstrike that killed a dozen people, including two Iraqis working for the Reuters news agency.

Speaking after he and Christensen had spent a half an hour with Assange, who they said had asked about his family and had been worried about the impact of Australia's bushfires, he said: "He faces charges of espionage and computer hacking. If he is convicted of those charges he faces up to 175 years in prison, in a US federal prison. It's a life sentence and could almost be said to be a death sentence. Why wouldn't you be in there feeling under enormous pressure. That helps to explain why he is in the state that he is."

Assange is no longer being kept in solitary confinement and his health is improving, WikiLeaks said on Tuesday. WikiLeaks spokesperson Kristinn Hrafnsson said he had been moved from solitary confinement in the medical wing to a different part of the prison with 40 other inmates after complaints from his legal team and prisoners, who had petitioned the governor.

Christensen said he had sent a letter to Johnson in which he noted that the prime minister had recently admitted that Britain's extradition treaty with the US was "imbalanced" following the rejection of an extradition request for Anne Sacoolas, the woman accused of causing the death of motorcyclist Harry Dunn.

Christensen said: "I am a big fan of Trump, I am a big fan of Bojo [Boris Johnson] but I'll tell you what I value more: free speech," he said. "There are a lot of Australians on the right and left who think that Julian Assange is a rat bag, that I am a rat bag, but that he should be brought home."

"I hope that Boris Johnson withdraws this case that is before the courts," he said. "There is a problem here ... What if it was a British journalist or an outspoken British citizen who went on holiday to another country that has an extradition treaty with China, and China wanted to extradite that British citizen?"

John McDonnell, the shadow chancellor, is expected to visit Assange in prison on Wednesday. The first part of the hearing next week at Woolwich crown court will cover arguments that the extradition is politically motivated and an abuse of process. A decision is unlikely to be handed down for several months - and even then, it is likely the losing side would appeal.

The Australian MPs' appearance in London before the start of an extradition hearing next week came as a letter by a group of doctors representing 117 physicians and psychologists from 18 nations called for an end to what they described as "the psychological torture and medical neglect of Julian Assange".

The letter, which was published in the medical journal *the Lancet* and has also been sent to the Australian foreign affairs minister, Marise Payne, expresses concern over Assange's fitness to take part in the legal proceedings.

The letter, which echoes the concerns raised by the UN special rapporteur on torture, Nils Melzer, on Assange's health, adds: "Should Assange die in a UK prison, as the UN special rapporteur on torture has warned, he will have effectively been tortured to death.

"Much of that torture will have taken place in a prison medical ward, on doctors' watch. The medical profession cannot afford to stand silently by, on the wrong side of torture and the wrong side of history, while such a travesty unfolds."

Assange's father, John Shipton, told the *BBC's* Victoria Derbyshire programme on Tuesday: "The ceaseless anxiety that Julian's been under for now 10 years, it has had a profoundly deleterious effect. I can't speculate on to his state of mind, but I imagine that he will be really worried because being sent to the United States is a death sentence."

Assange is being held in Belmarsh prison in south-east London.

A US grand jury has indicted him on 18 charges — 17 of which fall under the Espionage Act — around conspiracy to receive, obtaining and disclosing classified diplomatic and military documents.

<https://www.theguardian.com/media/2020/feb/18/julian-assange-australian-mps-uk-boris-johnson-block-us-extradition>

The dumbwaiter defense

James C. Goodale
Columbia Journalism Review
Feb. 18, 2020

EARLIER THIS MONTH, a Brazilian judge stopped the prosecution of Glenn Greenwald under Brazil's hacking laws. The case against Greenwald, a journalist for *The Intercept*, was apparently modeled on the indictment of Julian Assange, the founder of WikiLeaks, under United States hacking laws. Both cases are examples of governments using hacking laws to stifle political speech — and we should expect more of the same.

The public tends to think of Assange's case as a massive First Amendment attack under the Espionage Act, for passing on leaks from a whistleblower and former Army intelligence analyst named Chelsea Manning. Assange, however, was also charged with breaking US hacking laws for allegedly agreeing with Manning to crack a password to a government computer network. The case against Assange is flimsy — as is the one against Greenwald. Both cases are based on the same theory, first advanced by Mike Pompeo and the Justice Department, and rooted in a case known as *Bartnicki*.

Bartnicki v. Vopper, decided by the Supreme Court in 2001, ruled that if stolen documents are delivered to journalists — in the *Bartnicki* case, to a radio station — they can be published (or broadcast), as long as the journalists received them passively and did not participate in their theft. The case did not attempt to answer what happens if journalists actively pursue sources for leaks.

Recently, the Justice Department has moved to fill the hole left open by Bartnicki—that is, how much journalists can do to pursue a leak. The assertion is essentially that a journalist can never actively seek the release of classified documents. This is what the Assange and Greenwald cases are really about.

In Greenwald's case, a hacker delivered him unsolicited information, which revealed that a Brazilian judge was in cahoots with the incumbent government to imprison Luiz Inácio Lula da Silva, a former Brazilian president, to stop him from running again. Greenwald published the information and was later indicted for participating in the hack. Greenwald had moved from being a passive receiver of information to being slightly more active, as its distributor. He moved from being a dumbwaiter who doesn't talk to sources to a journalist who does.

Assange had many more conversations with Manning than Greenwald had with his source. After Manning dumped her leaks — classified information on US actions in Iraq and Afghanistan, mostly — on Wikileaks, Assange encouraged Manning to obtain more information because, he said, "curious eyes never run dry in my experience." That is standard journalistic behavior, as reporters encourage their sources to provide them more information on a daily basis. Surely, such encouragement is protected by the First Amendment. If Neil Sheehan, a reporter for the *New York Times*, had not persistently encouraged Daniel Ellsberg, a military analyst, to leak the Pentagon Papers, they would likely have never seen the light of day. (I led the *Times* lawyers in that case.)

The US government also alleges that Assange had a conversation with Manning about cracking a password to conceal Manning's identity while he obtained classified military documents. As described in Assange's indictment, however, the conversation was incomplete, and it will be surprising if the government manages to prove that Assange directly and materially assisted Manning in cracking the password. Because of the acute First Amendment implications of the case, Assange's direct and material assistance should be required before stripping away First Amendment protection for Assange's news gathering activities.

The US government has, for all practical purposes, admitted that it has a weak case against Assange for hacking. In May 2019, a grand jury in Virginia indicted Assange under the Espionage Act, and federal prosecutors subpoenaed Manning, ostensibly, to fill in the blanks of the alleged password cracking conspiracy. Manning has now been in jail for most of the past eleven months for refusing to testify. She says she never will. Meanwhile, Assange is imprisoned in the United Kingdom with an extradition hearing scheduled for the end of this month. The hacking charge, it seems, was trumped up against him in order to prompt his extradition.

The hacking charge against Assange also provides the US government with a PR line that makes Assange sound like just another hacker rather than a champion of free speech. The Justice Department, you may recall, first unsealed its indictment of Assange for hacking and only later did it amend the indictment to include charges under the Espionage Act. It is not untoward to suggest that the order of the release of these indictments was part of a PR strategy to get the public on the government's side before getting to the Espionage Act's more controversial charges.

In any event, we can expect that governments worldwide will attempt to follow the example of the US and Brazil. Conversations between sources and reporters will be scrutinized to determine whether reporters crossed some imaginary line between passive receipt of information and active pursuit of it. Further, governments may use

anti-hacking statutes to cover their tracks, allowing them to easily confuse the public and courts with laws that are vague and full of technical gibberish.

The end game will be for governments, particularly authoritarian ones, to control the flow of information. In 2017, the US government classified 49 million documents. Governments cannot plug leaks of documents at that magnitude —they can only put a finger in the dike. And they can scare the hell out of journalists.

James C. Goodale is the former Vice Chairman and General Counsel of the New York Times.

<https://www.cjr.org/opinion/greenwald-intercept-assange-manning-wikileaks.php>

Australian MPs In 'No Doubt' Julian Assange Is a 'Political Prisoner' After Visiting Him in Belmarsh

Mohamed Elmaazi

Sputnik

19.02.2020

Two Australian MPs who have visited Julian Assange in Belmarsh maximum security prison say that there is no way the WikiLeaks publisher can receive a fair trial in the US, and that it is "madness" that he is being detained in the first place for engaging in what they characterise as legitimate journalistic practices.

- Aussie MPs declare Julian Assange a "political prisoner".
- WikiLeaks publisher is being targeted as revenge for revealing US "war crimes".
- Prosecution condemned as a "threat" to free speech and a free press.
- Assange is confined to his cell 20+ hours a day, despite being removed from solitary.

Australian MPs Andrew Wilkie and George Christensen visited Julian Assange in the UK, in Belmarsh prison, on 18 February 2020, and have been left in "absolutely no doubt" that the WikiLeaks founder is a "political prisoner". The two MPs co-chair the Bring Julian Assange Home parliamentary group and travelled to the UK to check on Assange's well-being as well as lobby for his release.

"The US is determined to extradite Assange to get even" Mr Wilkie argued at the gates of Belmarsh, adding that "the solution" to bringing Assange's incarceration to an end "must be political". He called the idea that the UK was even considering having a court case "madness" rather than simply telling the administration of Donald Trump to "back off".

Assange faces 175 years in prison for his role in publishing classified US documents revealing "hard evidence of war crimes", as Mr Wilkie put it, committed by US-led forces in Iraq, Afghanistan and US-occupied Guantanamo Bay, Cuba.

Mr Wilkie was an officer in the Australian infantry for over two decades before he became an intelligence analyst working for the Australian prime minister and cabinet office. He resigned just before the illegal US/UK-led 2003 invasion of Iraq and blew the whistle over "fraudulent" claims being made by the Australian government in defence of that war.

“It is completely and utterly unacceptable” for Assange to be facing espionage charges in the US for his role in revealing war crimes committed by the US, Mr Wilkie contended.

“Julian reminded me that we met at a book event in Melbourne not long after I resigned and before he set up WikiLeaks”, Mr Wilke said. He confirmed that his experience as a “whistleblower” in 2003 informed his “special interest” for Assange and his support for WikiLeaks. “We’re peas in a pod in that we both believe misconduct should be publicised, that the public has a right to know when governments do wrong in our name.”

“I do not know that there is a way that Julian fairly and justly could ever be imprisoned, could ever be extradited” Mr Christensen, of the right-wing National Party, said. The self-proclaimed “big fan” of US president Donald Trump and UK Prime Minister Boris Johnson re-iterated comments he made during a press conference earlier in the day that despite his affection for the two world-leaders he is a “bigger fan” of democracy and free speech.

“He’s one of ours.. He’s not a Brit, he’s not an American, and he should be returned home”, Mr Christensen concluded.

Assange Remains Under "A Lot of Pressure"

A victory for Assange was declared on 24 January when prison authorities moved him from solitary confinement in the medical wing of the maximum security prison to a populated area with 40 – 50 inmates. However, the two MPs said that Assange told them he was nonetheless being confined to his cell for more than 20 hours a day, which Mr Wilkie considered to be 'effectively solitary confinement'.

The MPs made clear that while they are not medical experts it is nonetheless evident that the award-winning journalist and editor was under “a lot of pressure”. They added that they had no reason to doubt the conclusions of UN torture expert Professor Nils Melzer.

Melzer, and two other renowned medical experts in examining torture victims, concluded that Assange exhibited symptoms of prolonged exposure to “psychological torture”. He has also argued that the behaviour of the UK, Swedish and US governments in this case is undermining democracy and the Rule of Law.

A Growing Movement in Assange’s Favour

Mr Wilkie concluded his thoughts by saying that momentum was beginning to build in Australia as exemplified by the growing membership of the Bring Julian Assange parliamentary group and the recent intervention by the former PM Kevin Rudd,

He expects that more parliamentarians will join the call for their government to intervene on behalf of the imprisoned publisher after Mr Wilkie and Mr Christensen report back their findings.

Assange’s lawyers have long complained that they are being denied proper access to their client by prison authorities. As a result, they say Assange is unable to properly prepare for his defence in what is a very complicated case. Judge Venessa Baraitser has repeatedly refused to intervene on Assange’s behalf despite being provided the precedent of another judge doing so with the same prison authorities at Belmarsh.

Barrister Jen Robinson told the press on the morning of 18 February that until recently they couldn't even hand papers to their client, and that his laptop — which prison authorities reportedly provided to him after months of delays — is unsuitable for his needs.

The substantive extradition hearings begin on 24 February and will last for one week, during which time both the state and the defence will present their case. The hearings will then pause until 20 April when they are expected to restart for a further three weeks. Assange's lawyers estimate that the whole process may end up taking a number of years, if appeals up to the Supreme Court are factored in.

<https://sputniknews.com/uk/202002191078345970-australian-mps-in-no-doubt-julian-assange-is-a-political-prisoner-after-visiting-him-in-belmarsh/>

German politicians and cultural professionals demand release of Julian Assange

*Peter Schwarz
World Socialist Web Site
19 February 2020*

German-speaking politicians, cultural workers and journalists have published a joint appeal, "Release Julian Assange from prison," which supports the demand "for the immediate release of Julian Assange, on medical grounds as well on the basis of the rule of law." The 130 initial signatories have now been joined by 22,000 other supporters.

The appeal expresses "great concern for the life of the journalist and founder of Wikileaks" and quotes the findings of the United Nations Special Rapporteur on Torture, Nils Melzer, saying, Assange showed "all the symptoms typical of victims of prolonged psychological torture." The appeal also refers to the open letter from more than 60 medical doctors, who demand "Assange be transferred to a university hospital, as his state of health is now considered life-threatening."

"It is obvious that Julian Assange cannot recuperate under the current conditions of detention, nor can he prepare for his extradition proceedings, which are scheduled to begin on February 24, 2020," the appeal says. "Both constitute serious violations of fundamental principles of human rights and the rule of law, making a fair trial impossible and exposing Julian Assange to considerable suffering and health risks."

It goes on to say, "We remind the German media that Assange is one of their own and that the defence of press freedom is a fundamental tenet of democracy. Notwithstanding the allegations levelled against Assange, we urge the United Kingdom, on the human rights and medical grounds outlined above, to release Julian Assange from custody immediately so that he can recover under expert medical supervision and exercise his fundamental rights without hindrance. We also call on the German Government to make representations to the British Government to this effect."

Among the first signatories of the appeal are nine former federal ministers from the ranks of the Social Democratic Party (SPD), the Free Democratic Party (FDP) and the Greens, including former Vice-Chancellor, Economics and Foreign Affairs Minister and SPD Chairman Sigmar Gabriel, former Justice Ministers Herta Däubler-Gmelin (SPD), Sabine Leutheusser-Schnarrenberger (FDP) and Katarina Barley (SPD) and

former Environment Minister Jürgen Trittin (Greens). The former president of the Bundestag, Wolfgang Thierse (SPD), has also signed the appeal.

Among the numerous cultural professionals who support the appeal are the directors Claus Peymann, Volker Schlöndorff, Milo Rau and Frank Castorf, the actor Rolf Becker, writers Sibylle Berg, Daniela Dahn, Eugen Ruge and Uwe Timm, cabaret artists Volker Pispers and Georg Schramm, musicians Igor Levit and Wolfgang Niedecken, the philosopher Richard David Precht, publishers Reinhold Neven DuMont and Jakob Augstein, and the former West Deutsche Rundfunk (WDR) director Fritz Pleitgen.

The PEN Centre Germany, Reporters Without Borders, the German Journalists Union in Verdi and the Whistleblower Network e.V. are also among the first signatories of the appeal.

It was initiated by investigative journalist Günter Wallraff, who has made a name for himself since the 1960s with his social and socio-political reportage. On February 6, Wallraff, Gabriel, former Interior Minister Gerhart Baum (FDP) and the Left Party Member of Parliament Sevim Dağdelen jointly presented the appeal to the media at the Federal Press Conference.

The publication of the joint appeal for the liberation of Assange is part of a change in the public presentation of the case in Germany. Up to now, the media had reported only sporadically on the case and, above all, repeated the false accusations and slander against the journalist.

This has changed in the last two weeks. For the first time, many media outlets have provided critical information about the Assange case, drawing on the research of UN Special Rapporteur Nils Melzer, who has long protested against the persecution of Assange and warned of its consequences for press freedom.

On January 31, the Swiss online publication *Republika* published an in-depth interview with Melzer under the title, “A murderous system is being created before our eyes,” in which he meticulously unpicks the shameful conspiracy of the Swedish judiciary against Assange.

Melzer, who speaks Swedish and has analysed the original documents of the Swedish judiciary, says the following about the rape accusations against Assange: “I couldn’t believe my eyes: according to the woman involved herself, there had never been a rape.... The statement of this woman was subsequently rewritten by the Stockholm police without her participation.”

What was striking, Melzer wrote, was the coincidence of these accusations with the publication of the so-called “Afghan War Diary,” one of the biggest leaks in the history of the US military, which WikiLeaks was able to publish in *Der Spiegel*, the *Guardian* and the *New York Times* in 2010.

On February 5, “Heute Journal,” the main news program of broadcaster ZDF, reported on the case for several minutes. The report, which noted, “Hacker, spy, suspected rapist — none of this is true,” was the first time such a thing had been reported on public television, and Nils Melzer was also reported on at length. “If you scratch the surface a bit,” he said, “the contradictions immediately come out.”

A full-page advert appeared in the *Frankfurter Allgemeine Zeitung* demanding Assange’s release. This was followed by the *Süddeutsche Zeitung*, broadcaster *Deutschlandfunk*, the *Frankfurter Rundschau*, *Tagesspiegel*, *taz*, etc. ... Many large newspapers

and media bodies, which for years had helped to spread the absurd and publicly refuted accusations and slander about Assange, now reported critically on the case.

The long-time *taz* journalist Bettina Gaus even condescended to admit, “The public has been manipulated in the Assange case. Me too.” Self-critically she wrote, “I always found the Assange case unappetizing, and I was not very interested in it. I don’t like the man. I thought that somehow, everything will be correct. If I thought about it at all.” And, “Apparently, I wasn’t the only one.”

The change of course by the media and some politicians in the Assange case is undoubtedly due to massive pressure from public opinion. The slanders and accusations against the courageous journalist, orchestrated by state authorities and supported by right-wing feminist circles, never penetrated very deeply. And the mistrust grew with increasing militarism and the aggressive appearance of right-wing extremists supported by the establishment parties, as in the election of the Thuringia state premier with the votes of far-right Alternative for Germany (AfD), Christian Democrats (CDU) and FDP.

Under these circumstances, the worldwide campaign of the International Committee of the Fourth International (ICFI) and the initiatives of local support groups in defence of Assange have had a great impact. The ICFI had already organized international meetings and rallies for Assange’s liberation before his arrest in London.

In a statement on June 20, 2019, the WSWS editorial board then called for a “world-wide campaign to prevent Julian Assange’s rendition to the US!”

“Only by organizing protest actions on an international scale — meetings, rallies, demonstrations, and public conferences — will it be possible to frustrate and defeat the plans of reactionary governments, their intelligence agencies and political agents to silence and destroy Julian Assange,” the WSWS wrote. “The aim of this campaign must be to politically arouse and mobilize the international working class — the overwhelming majority of the population and the most powerful social force on the planet — in defence of Julian Assange and, in fact, the democratic and social rights of all workers.”

The statement further predicted: “There will come a time when all the sordid details of this plan to destroy Assange will become fully known to an outraged public.” This has now been confirmed.

However, it would be dangerous to believe that the high-ranking politicians who are now advocating the release of the WikiLeaks founder will lift a finger to achieve this. It should be noted that many of the initial signatories of the joint appeal are no longer in office. Not a single politician today having governmental responsibility supports it. With his own cynical openness, Gabriel, who as foreign minister and vice-chancellor would have had numerous opportunities to help Assange and offer him asylum, declared at the Federal Press Conference that in retrospect, he would not have acted otherwise. “I understand every member of the federal government who does not deal with cases like this one in public,” he said. “That is the difference between my present situation and my past one.”

In other words, Gabriel is only in favour of Assange as long as this has no practical consequences. In this way, he is seeking to adapt to the widespread sentiments and prevent them from slipping out of the control of the establishment parties and moving further to the left. Foreign policy motives also play a role. Gabriel himself, and several

other politicians who have signed the appeal, advocate a stronger independence of German imperialism vis-à-vis American imperialism.

Merkel's former foreign minister, who now sits on the supervisory board of Deutsche Bank, also limits his support for Assange to the demand for "due legal process." He described the courageous journalist as a "border-liner" and said that the rule of law must prove itself precisely when "we are dealing with people with whom we cannot agree, who are strangers to us and sometimes seem odd to us, or who have committed serious crimes." Gabriel did not say what crimes Assange had committed in his opinion.

Liberating Assange and preventing his extradition to the US remains a task for the working class. As the WSWS wrote on June 20, the campaign must "politically arouse and mobilize the international working class." We call on all WSWS readers to join this campaign.

<https://www.wsws.org/en/articles/2020/02/19/germ-f19.html>

Rohrabacher confirms he offered Trump pardon to Assange for proof Russia didn't hack DNC email

Michael Isikoff
Yahoo News
February 20, 2020

WASHINGTON — Former California Republican congressman Dana Rohrabacher confirmed in a new interview that during a three-hour meeting at the Ecuadorian Embassy in August 2017, he told Julian Assange he would get President Trump to give him a pardon if he turned over information proving the Russians had not been the source of internal Democratic National Committee emails published by WikiLeaks.

In a phone interview with *Yahoo News*, Rohrabacher said his goal during the meeting was to find proof for a widely debunked conspiracy theory: that WikiLeaks' real source for the DNC emails was not Russian intelligence agents, as U.S. officials have since concluded, but former DNC staffer Seth Rich, who was murdered on the streets of Washington in July 2016 in what police believe was a botched robbery.

A lawyer for Assange in London on Wednesday cited the pardon offer from Rohrabacher during a court hearing on the U.S. government's request to extradite the WikiLeaks founder.

White House press secretary Stephanie Grisham immediately denounced the claim about a pardon discussion with Assange as a "complete fabrication," adding that the president "barely knows Dana Rohrabacher" and has "never spoken to him on this subject or almost any subject."

Rohrabacher said that not only did talk of a Trump pardon take place during his meeting, but he also followed up by calling then White House chief of staff John Kelly to discuss the proposal. He did not, however, ever speak to Trump about it, he said.

"I spoke to Julian Assange and told him if he would provide evidence about who gave WikiLeaks the emails I would petition the president to give him a pardon," Rohrabacher said. "He knew I could get to the president."

When he spoke to Kelly, the then chief of staff was “courteous” but made no commitment that he would even raise the matter directly with the president. “He knew this had to be handled with care,” Rohrabacher said, and that it could be spun by the news media in ways that would be “harmful” to the president. In fact, Rohrabacher said he never heard anything further from Kelly about the matter, nor did he ever discuss the subject directly with Trump.

Rohrabacher, who was defeated when he ran for reelection in 2018 and is now a consultant to the cannabis industry, long had a reputation as one of the few members of Congress willing to defend Russian President Vladimir Putin.

He also was a strong defender of Trump on the Russia investigation by special counsel Robert Mueller. He said the president personally called him to thank him for one of his TV appearances during which he said that Trump was right to be angry with then Attorney General Jeff Sessions for recusing himself about all matters relating to the investigation.

Rohrabacher also emphasized in the interview that he only wanted “truthful” information from Assange and never suggested that he “lie.” But he said he believed then — and even more so now — that the information he was seeking would prove that WikiLeaks got its DNC emails from Seth Rich, a claim that if true would undercut the findings of U.S. intelligence agencies and Mueller’s prosecutors that Russian agents had hacked the Democratic Party and stolen the emails.

“Seth Rich’s name came up a couple of times” during his meeting with Assange, Rohrabacher said, although he acknowledged that the WikiLeaks founder never confirmed to him that Rich was his source. Still, Rohrabacher added, he believed the media is covering up the late DNC staffer’s supposed role in the theft of the party emails. “The whole thing stinks,” he said.

A *Yahoo News* podcast, “Conspiracyland,” revealed last summer that Russian intelligence agencies first planted the conspiracy theory that Rich was murdered by gunmen hired by Hillary Clinton. It also reported that Russian trolls later repeatedly boosted claims on Twitter and other social media platforms that the former staffer had leaked the material to WikiLeaks.

In fact, a top Washington police commander overseeing the investigation into Rich’s death said during the “Conspiracyland” podcast that law enforcement had found no evidence that Rich’s death was in any way related to his work at the DNC or that he played any role in the leaking of party emails.

<https://www.yahoo.com/news/rohrabacher-confirms-he-offered-trump-pardon-to-assange-for-proof-russia-didnt-hack-dnc-email-131438007.html>

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Julian Assange case is the Dreyfus of our age, says John McDonnell

Shadow chancellor compares US extradition case to 19th-century treason trial

*Ben Quinn
The Guardian
20 Feb. 2020*

The US attempt to extradite Julian Assange is the “the Dreyfus case of our age”, John McDonnell has said, as Europe’s human rights watchdog added her voice to opposition to the move.

The shadow chancellor paid a two-hour visit to see Assange in Belmarsh prison in London on Thursday and said Britain’s standing in the world would be severely damaged if the extradition went ahead

On Wednesday it was claimed in a London court that Donald Trump had offered Assange a pardon if he would say Russia was not involved in leaking Democratic party emails.

McDonnell likening the plight of Assange to Alfred Dreyfus, the 19th-century Jewish French army officer who was tried and convicted on charges of treason amid a climate of antisemitism.

“I think this is one of the most important and significant political trials of this generation,” the shadow chancellor said. “In fact, longer. I think it is the Dreyfus case of our age, the way in which a person is being persecuted for political reasons for simply exposing the truth of what went on in relation to recent wars.”

Separately, the Council of Europe commissioner for human rights. Dunja Mijatović, said Assange should not be extradited because of the potential impact on press freedom and concerns about “the real risk of torture or inhuman or degrading treatment”, in contravention of the European convention on human rights.

Allowing the extradition would have “a chilling effect on media freedom, and could ultimately hamper the press in performing its task as purveyor of information and public watchdog in democratic societies”, she said.

“The indictment raises important questions about the protection of those that publish classified information in the public interest, including those that expose human rights violations. The broad and vague nature of the allegations against Julian Assange, and of the offences listed in the indictment, are troubling, as many of them concern activities at the core of investigative journalism in Europe and beyond.”

The extraordinary claim about the supposed offer of a pardon from Trump was made at a hearing at Westminster magistrates court on Wednesday before the opening next week of Assange’s legal case to block attempts to extradite him. Assange faces charges in the US for publishing hacked documents.

Assange’s lawyers alleged that during a visit to London in August 2017, congressman Dana Rohrabacher told Assange that “on instructions from the president he was offering a pardon or some other way out if Mr Assange ... said Russia had nothing to do with the DNC [Democratic National Committee] leaks.”

Rohrabacher denied the claim, saying he had made the proposal on his own initiative, and that the White House had not endorsed it.

McDonnell said he and Assange had discussed the issue of the reported pardon but had not gone into great detail.

“We are hoping that in court he is able to defeat the extradition bid. We don’t believe that extradition should be used for political purposes, and all the evidence — even the

recent revelations with regard to Trump engagement — demonstrates that this is a political trial and we are hoping that the courts will see it that way,” he said.

“If this extradition takes place it will damage the democratic standing of our own country as well as America. We have a longstanding tradition in this country of standing up for whistleblowers, journalists ... if this extradition takes place I think it will damage our reputation.”

The comparison between Assange and Dreyfus drew criticism, including from the Community Security Trust (CST), a charity working against antisemitism and racism in British society, which tweeted: “Disgraceful false equivalence to one of the key learning moments of modern Jewish history.”

A protest in support of Assange is due to take place on Saturday in Parliament Square and will be addressed by political figures and others such as the music producer Brian Eno. McDonnell said he and others were calling on people to demonstrate peacefully.

He alluded to attempts to build a cross-party alliance to fight any extradition, adding that there were Tory MPs who he believed could come onboard. He also believed there were “deep doubts” in government, based on comments by Boris Johnson to Jeremy Corbyn about the unbalanced nature of the extradition treaty between the US and the UK

“The problems we have now is that when the hearings start they will be subjudice and it will be difficult to raise it in the House of Commons, but we will be looking to see how we can raise it as often as we possibly can, of course within parliamentary rules, but also build cross-party support, and as you know people like [the Conservative MP] David Davis have raised their concerns, so this is across parties in the House of Commons,” McDonnell said.

“I am hoping that combination of cross-party support, what has happened in the media, the exposes that have taken place in recent weeks, will ensure that we have a climate of opinion in this country that prevents this extradition taking place.”

<https://www.theguardian.com/media/2020/feb/20/julian-assange-case-is-the-dreyfus-of-our-age-says-john-mcdonnell>

Julian Assange should not be extradited due to potential impact on press freedom and concerns about ill-treatment

Dunja Mijatović
Commissioner for Human Rights
Council of Europe
20/02/2020

I have been following with great attention the developments concerning Julian Assange’s case, in particular the charges against him and the extradition request submitted by the United States government to the United Kingdom. In addition to my own monitoring and analysis, I have received information from medical professionals, civil society activists, human rights defenders, journalists’ associations and others on this case.

Julian Assange's potential extradition has human rights implications that reach far beyond his individual case. The indictment raises important questions about the protection of those that publish classified information in the public interest, including those that expose human rights violations. The broad and vague nature of the allegations against Julian Assange, and of the offences listed in the indictment, are troubling as many of them concern activities at the core of investigative journalism in Europe and beyond. Consequently, allowing Julian Assange's extradition on this basis would have a chilling effect on media freedom, and could ultimately hamper the press in performing its task as purveyor of information and public watchdog in democratic societies.

Furthermore, any extradition to a situation in which the person involved would be at real risk of torture or inhuman or degrading treatment would be contrary to Article 3 of the European Convention on Human Rights. The UN Special Rapporteur on Torture and other Cruel, Inhuman or Degrading Treatment or Punishment has made clear that he considers that both the detention conditions in the United States and the sentence likely to be imposed on Julian Assange present such a real risk.

In view of both the press freedom implications and the serious concerns over the treatment Julian Assange would be subjected to in the United States, my assessment as Commissioner for Human Rights is that he should not be extradited.

I will continue to monitor the developments in this case closely.

<https://www.coe.int/en/web/commissioner/-/julian-assange-should-not-be-extradited-due-to-potential-impact-on-press-freedom-and-concerns-about-ill-treatment>

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Over 1,000 journalists from across the world unite in defence of Julian Assange

The WikiLeaks founder faces extradition to the US and 175 years behind bars

Morning Star
2020-02-20

JOURNALISTS from nearly 100 countries have united to defend jailed Wikileaks founder Julian Assange, as he faces extradition to the US and 175 years behind bars.

A statement signed by more than 1,200 media workers warned of an unprecedented attack on press freedom as Mr Assange's court hearing begins on Monday. If extradited he will face charges under the draconian Espionage Act, which would be its first use against a publisher of information provided by a whistleblower.

Signatories believe that Mr Assange's imprisonment and the court proceedings are a "gross miscarriage of justice."

"It is very rare for journalists to join together and speak up on an issue. Indeed, the size and breadth of this joint journalists' statement may be unprecedented," Journalists Speak Up For Assange spokeswoman Serena Tinari said.

Mr Assange remains in Belmarsh Prison despite his sentence for skipping bail ending in September, after judges deemed that he was a flight risk.

He faces charges after publishing US military documents from Afghanistan and Iraq and US State Department cables, including some containing evidence of war crimes.

"If governments can use espionage laws against journalists and publishers, they are deprived of their most important and traditional defence — of acting in the public interest — which does not apply under the Espionage Act," the statement says. "Journalists anywhere in the world could find themselves being extradited to another country and charged under draconian espionage laws."

The statement has been signed by prominent whistleblowers Katharine Gunn and Edward Snowden, as well as by Daniel Ellsberg, the source of the Pentagon Papers.

Ms Tinari said: "Many of us use confidential information received from whistleblowers. It is an essential part of our role on behalf of the public. Every journalist and publisher should be appalled and worried at this attempt to criminalise our work."

The journalists demanded the immediate release of Mr Assange and for all charges to be dropped. "We urge our fellow journalists to inform the public accurately about this abuse of fundamental rights. We urge all journalists to speak up in defence of Julian Assange at this critical time.

"Dangerous times call for fearless journalism," the statement concluded.

<https://morningstaronline.co.uk/article/w/over-1000-journalists-from-across-the-world-unite-in-defence-of-julain-assange>

US/UK: Drop charges and halt extradition of Julian Assange

Amnesty International
21 February 2020

- Amnesty International launches new campaign ahead of extradition hearing
- Espionage charges are chilling blow to publishers and journalists

Authorities in the US must drop all espionage and other related charges that Julian Assange is facing as part of the US extradition request to allow for his prompt release, said Amnesty International ahead of his 24 February extradition hearing. If these charges are not dropped, the UK authorities must ensure that Julian Assange is not extradited to the USA where he would face a real risk of serious human rights violations.

"The US government's unrelenting pursuit of Julian Assange for having published disclosed documents that included possible war crimes committed by the US military is nothing short of a full-scale assault on the right to freedom of expression," said Massimo Moratti, Amnesty International's Deputy Europe Director.

"The potential chilling effect on journalists and others who expose official wrongdoing by publishing information disclosed to them by credible sources could have a profound impact on the public's right to know what their government is up to. All charges against Assange for such activities must be dropped."

According to an analysis by the organisation, the charges against Julian Assange stem directly from the publication of disclosed documents as part of his work with Wikileaks. This activity, in and of itself, should not be punishable and mirrors conduct that investigative journalists undertake regularly in their professional capacity.

“All charges underpinning the US extradition request should be dropped to allow for Julian Assange’s prompt release. If the charges against him are not dropped, the UK authorities are under a clear and unequivocal obligation not to send him to the USA where he could suffer serious human rights violations,” said Massimo Moratti.

“Julian Assange could face detention conditions in the USA that amount to torture and other ill-treatment, including prolonged solitary confinement. The risk of an unfair trial is very real given the targeted public campaign against him undertaken by US officials at the highest levels, which has severely undermined his right to be presumed innocent.”

For more information or to arrange an interview contact press@amnesty.org or call +90 212 361 62 17-18 or +90 531 105 42 67, +44 (0) 20 7413 5566.

BACKGROUND

Amnesty International has launched a global petition calling on the US authorities to drop the charges against Julian Assange that stem solely from his publishing activities with Wikileaks.

<https://www.amnesty.org/en/get-involved/take-action/julian-assange-usa-justice/>

In addition, international human rights law and standards forbid the transfer of an individual to another country where there is a real risk they would face serious human rights violations. Were Julian Assange to be extradited or subjected to transfer in any other manner to the USA, the UK would be in breach of these obligations.

Workers for Assange: Uniting to fight for Assange’s freedom

Inspired by the words of Julian Assange, workers around the world are collaborating to stand up for his freedom, writes Davey Heller.

*Davey Heller
Independent Australia
21 February 2020*

IN A TIME of deepening capitalist crisis, just as in the 1930s, the ruling class is turning to fascism and dictatorship. Fascism requires crushing working class resistance to succeed.

The fascist in the White House, Donald Trump, is leading a global attack on the rights of the working class with his persecution of Julian Assange. The “defend Assange” campaign is correctly characterised as being a free speech campaign, but it must also be seen as part of the class struggle and the working-class fightback against the threat of fascism.

This is why the launch of the Workers for Assange movement is necessary. Today the war on journalism is the spearhead of what is really a class war and Julian Assange is a class war prisoner. Without access to journalism which tells the truth about the crimes of imperial power, without the fundamental right to know the truth, all the rights of the working class won in struggle over a century are existentially threatened.

At root, the fight to free Julian Assange must be seen as an industrial struggle. Therefore, only the international working class organised in the fight to free Julian Assange has the social power to win his freedom — another reason why this movement is necessary.

Julian Assange himself has called for industrial organising in his defence. In early November 2019, one of the few letters from Julian Assange that managed to break through the cruel information blockade inflicted by Belmarsh Prison emerged. The letter sent to a supporter in France encouraged workers to form “blocs” in their unions.

Julian’s letter read:

‘Dear Anne-Marie, you ask what you can do to fight for my freedom? Use your strongest skills, friends, resources and associations. If you are a nurse, gather nurses, create a bloc in the nurses union, etc! defend.wikileaks.org JPA.’

The import of Julian urging workers to organise industrially in his defence cannot be overstated. It reveals that Julian himself understands that only a mass movement of the working class can unleash the power needed to free him.

Marxists define the working class as everyone who has to survive by earning a wage — for instance, by selling their labour. This is the vast majority of humanity who all share the same social interests of wanting access to good working conditions, democratic rights, safe and stable housing, healthcare, education and a clean environment. The working class is therefore not just “blue-collar” or factory workers, but teachers, nurses, retail workers, people in the service industry and so on.

There have already been the stirrings of a working-class orientated campaign to free Julian. Out of the Yellow Vest movement, who have been bravely marching against social equality — literally under police fire in France for over a year — has grown a contingent of Yellow Vests organising on Facebook who has now travelled to London three times to protest for Assange. Most significantly on 25 January, over a hundred Yellow Vests brought their militant spirit of resistance to Belmarsh.

Workers have also organised in professional “blocs”. This includes the very effective Doctors for Assange. Over a hundred doctors globally have signed an open letter demanding that Julian be immediately moved out of prison to a hospital setting where he can recover his health. Journalists have also collaborated in the Speak Up For Assange open letter, now signed by over 1,000 journalists. Ranks and file teachers in Melbourne and Sydney have passed motions in support of Assange. Motions have been passed by unionists in the San Francisco Labor Council and Pacifica Media Guild in the U.S. This must be built on.

LAUNCHING “WORKERS FOR ASSANGE”

To take this fight forward, workers around the world can join a new campaign entitled Workers for Assange. Whilst unions are a major focus of this campaign, the

reality is that not all workers are in unions. It must also be recognised that this struggle must be waged by ordinary workers as union bureaucracies have either been silent or made no more than token gestures. No union has sought to seriously mobilise its members through protests, strikes or even a stop-work meeting.

1. Join the Workers for Assange Facebook group or start a worker bloc.

Whilst Facebook is a platform that is owned by an oligarch, is politically censored and can be a vehicle for surveillance, it is also one of the most effective organising tools available for workers globally. It has been utilised to organise Yellow Vest protests, wildcat strikes and innumerable political struggles. That is why as part of the launch of Workers for Assange, a Facebook group has been created for workers to discuss ways the working class can be mobilised to free Assange.

2. Start a specific workers bloc.

Follow Julian's advice. If you are a nurse, start a nurses bloc. If you are a teacher, start a teachers bloc. Once again, starting a Facebook group would be a good place to start this process.

3. Pass a motion within your unionised or non-unionised workplace.

Just as teachers have done in Australia, move a motion in your workplace or union branch to defend Assange.



People For Assange

@people4assange



Media Entertainment and Arts Alliance @withMEAA

Australia's professional union for media workers stands strong with Julian Assange sending @marisepayne a letter requesting the gov to use all resources available to convince the UK to oppose Assange's extradition to the U.S.

These motions are stepping stones to action, such as the calling of stop-work meetings, mobilising workers for protests and ultimately political general strikes across borders. Whilst aiming at strikes for Assange might sound overly ambitious, there are already political general strikes breaking out around the world. This includes the general strike in France against cuts to the pension and the general strikes and mass protests in Chile which began with small student protests against public transport fare hikes.

The demand to free Assange would not be the only demand of such a strike but it could be a spark for such a broader movement. If the U.S. and its accomplices in the UK and Australian Government were not concerned about the potential for this campaign to spark a broad political struggle they would not be trying so hard to slander Assange and prosecute this outrageous case in the dark.

4. Adopt the Yellow Vest as the symbol of protest for Assange.

By wearing the Yellow Vest you are not only being inspired by the spirit of resistance of our French comrades but we are also connecting the Assange campaign to the broader international struggle against inequality and repression. Buy a Yellow Vest and write 'free Julian Assange' on the back and/or stencil Julian's face like protesters in France and Melbourne have done. Let's make this our international symbol of resistance.

5. Use your associations.

Workers are not only found in workplaces but belong to many associations. Most university students are also waged workers. Some are in political parties or other community organisations. As Julian suggested, organise in these places, too. Labor Party branches in the UK and Greens branches in Australia have begun to pass motions. People have moved motions in Australia at a local council level. Such actions are powerful in building a movement that involves the widest possible layers of the working class.

It's time to take the campaign to free Julian Assange to the next level. The courts and politicians in the UK must be compelled to free Assange. Join the Workers For Assange Facebook group and start organising. There is no time to waste. Workers must unite for Assange.

Davey Heller is a writer and campaigner. You can follow him on @socialist_davey.

<https://independentaustralia.net/politics/politics-display/workers-for-assange-uniting-to-fight-for-assanges-freedom,13618>

Protesters gather on eve of Julian Assange extradition hearing

WikiLeaks says 'dark force' is behind effort to jail its founder in the United States

Mark Townsend

The Observer

22 Feb. 2020

Hundreds of Julian Assange's supporters from across Europe gathered in London on Saturday to demand that the WikiLeaks founder be released from detention and spared extradition to the US.

Italians and Germans were among those showing their support for the 48-year-old before his extradition hearing opens at Woolwich crown court on 24 February. Assange's father John Shipton addressed the crowd in Parliament Square. The protesters brandished banners with slogans such as "Journalism is not a crime".

The United States wants Assange to face 18 charges over the publication of classified government documents, which could result in a 170-year prison sentence.

Shipton told the protesters that he did not understand why his son was being held in Belmarsh prison, in south-east London. "I bring to you his affection, his nobility of purpose and his strength of character after nine years," he said.

Almost a decade has passed since WikiLeaks published secret US diplomatic cables and documents about the wars in Iraq and Afghanistan, which Assange's supporters say shed crucial light on American abuses. Kristinn Hrafnsson, editor in chief of WikiLeaks, told the protesters that they were standing against a "dark force". He said: "This is not about left or right, we can unite on this, it is a dark force against [those] who want justice, transparency and truth."

Other speakers included the former Greek finance minister Yanis Varoufakis, Pink Floyd's Roger Waters and the fashion designer Vivienne Westwood, who wore a halo with Assange's name on it and referred to herself as "the angel of democracy". His

supporters claim the extradition attempt is politically motivated and driven by people who are embarrassed by WikiLeaks's revelations.

Among the crowd was a 24-year-old wearing a gold face mask who had flown in from Berlin in the morning. She said she also wanted to make a statement against Boris Johnson. "Johnson wants to break all the laws, the rule of law. He is a very real threat for all of us," she said.

Wolf Pozinski, 60, from Amsterdam, also wanted to show his support. He said: "It's important that people like Assange are not criminalised for journalism that revealed a war crime."

In 2010 WikiLeaks published a classified US military video showing a 2007 attack by Apache helicopters in Baghdad that killed a dozen people, including two Reuters news staff.

Two years later, Assange took refuge in Ecuador's London embassy to avoid extradition to Sweden where he was accused of sex crimes. However, last November Swedish prosecutors said they were discontinuing an investigation into a rape allegation, explaining that although the complainant's evidence was deemed credible and reliable, witnesses' memories had faded over the decade since the allegations were first made. Assange has always denied the allegations.

He was removed from the embassy last April and was arrested for failing to surrender to the court. He has been in prison ever since after the US lodged its extradition request.

<https://www.theguardian.com/media/2020/feb/22/protesters-gather-on-eve-of-julian-assange-extradition-hearing>

International Jurists' Letter in Defence of Julian Assange

Deepa Driver
Medium
Feb 22, 2020

Rt. Hon. Boris Johnson MP
10, Downing Street
City of Westminster
London, SW1A 2AA

22 February 2020

Dear Mr Johnson,

As international jurists, with an acute awareness of the responsibilities that our profession demands of us, we call on the British authorities to refuse the request for the extradition of Mr. Julian Assange to the United States. We also call for his immediate release.

The treatment of Mr. Assange, the circumstances surrounding his continued detention in Belmarsh maximum security prison, and the circumstances surrounding British attempts to comply with the US request for his extradition, highlight:

1. the involvement of the United Kingdom in long-term, severe, psychological ill-treatment of Mr. Assange (ECHR Article 3)
2. the disregard shown by the British authorities towards their duties and responsibilities under international law
3. the disregard by the British authorities of British law, including Mr. Assange's right to a fair trial (ECHR Article 6), for protection of his private life (ECHR Article 8) and his right to freedom of speech (ECHR Article 10)
4. the sweeping, extraordinary, extra-territorial claims now being made by the United States, who are seeking to prosecute in the US and under US laws, non-US citizens for conduct outside the United States (including in jurisdictions such as the United Kingdom where that conduct is lawful).

1. UK involvement in the psychological torture and mistreatment of Mr. Assange (infringement of ECHR Article 3):

International human rights experts, healthcare professionals and the UN Special Rapporteur on Torture, Prof. Nils Melzer, have all found that Mr. Assange has been subjected to arbitrary confinement, and cruel, inhuman and degrading treatment amounting to torture. They note that the torture poses grave risks of significant physical, psychological, neuropsychological harm, with life-changing and potentially fatal consequences for Mr. Assange. Prof. Melzer has found the British state responsible for Mr. Assange's torture "through perpetration, or through attempt, complicity or other forms of participation". This involvement of the British authorities in the psychological torture and mistreatment of Mr. Assange violates his rights under ECHR Article 3 and takes various forms:

a. Interference in the Swedish investigations, and inordinate protraction of Mr. Assange's detention:

Mr. Assange originally sought asylum in the Ecuadorean embassy — as was his right — because he was concerned that if extradited to Sweden where he was being investigated in relation to (now-abandoned) sexual assault allegations, he might be subjected to onward rendition from Sweden to the United States (or another state with a US interrogation facility / black site), for which there were precedents. Whilst physically present in the embassy, Mr. Assange offered to make himself available for interview by the Swedish authorities, whether in person or by video link, so as to facilitate the investigation of the sexual assault allegations. Mr. Assange also offered to go to Sweden, subject to an assurance from the Swedish authorities that he would not be rendered to the United States.

Information obtained under the Freedom of Information Act reveals that the Swedish authorities may have been minded to accept Mr. Assange's offers of interviews in the embassy or by video link. However, they were dissuaded from doing so by the British authorities. The Crown Prosecution Service repeatedly urged Swedish authorities not to interview Mr. Assange in the United Kingdom and suggested they insist instead on his extradition to Sweden. This compelled Mr. Assange to remain in the embassy for many years, despite the injury this was known to be causing to his health. Even the Stockholm Chief District Prosecutor has described the Swedish extradition effort, now known to have been urged on the Swedish authorities by the United Kingdom's Crown Prosecution Service (CPS), as: "... unreasonable and unprofessional, as well as unfair and disproportionate."

Requests under the Freedom of Information Act show that the CPS specifically and repeatedly urged the Swedish authorities to keep their investigation of Mr. Assange ongoing. In such missives, the CPS made extraordinary comments such as, “....do not think this case is being treated as just another extradition” and “Don’t you dare get cold feet!!!”, discouraging the Swedish authorities from concluding their investigations.

Mr. Assange was therefore unduly confined to the Ecuadorean embassy, on the urging of the UK authorities, when in fact, there were no charges to answer in Sweden. The United Kingdom therefore shares responsibility for the severe injury to health that Mr. Assange suffered as a consequence of this protracted and unnecessary stay at the embassy, and the consequent damage which the British authorities, in part caused, through their arbitrary, disproportionate and illegal treatment of Mr. Assange.

b. Denial of Medical Treatment whilst in the embassy:

Mr. Assange had to endure debilitating and painful medical conditions in the embassy. These conditions included an excruciating tooth abscess and a serious injury to his shoulder, both of which remained untreated for several years.

Mr. Assange was denied permission by the Foreign and Commonwealth Office to leave the Embassy to receive hospital treatment. This was despite a request from the Ecuadorean embassy to the British government for such access to be provided on medical grounds.

c. Conditions of Mr. Assange’s detention since his forced removal from the embassy and subsequent denial of proper medical treatment

Disregarding the well-established principle of ‘proportionality’, Mr. Assange, an award-winning journalist with complex healthcare needs (some of which are the result of the mistreatment he endured whilst forced to remain in the embassy), was given a custodial sentence of 50 weeks in the maximum-security Belmarsh prison for the offence of skipping bail. This sentence was not only harsh and disproportionate; in the circumstances, given Ecuador’s granting of asylum and the findings of the UN Working Group on Arbitrary Detention (see above), it was vindictive.

The conditions in which Mr. Assange continues to be detained whilst on remand also appear harsh, disproportionate and vindictive. Mr. Assange poses no threat to the public. Given the significant breakdown in his health he is not a flight risk. Yet the court, even before his lawyers had initiated any application for bail in the extradition proceedings, said that he would be remanded in custody because of his behaviour “in these proceedings”. Yet, at the time there had been no proceedings in the extradition case. He has been kept in custody in a maximum-security prison which the UN special rapporteur referred to, as “oppressive conditions of isolation involving at least 22 hours per day in a single occupancy cell... [He] is not allowed to socialize with other inmates and, when circulating in the prison, corridors are cleared and all other inmates locked in their cells. Contrary to assurances.... by the prison administration... and contrary to the general population of the prison, Mr. Assange reportedly still is not allowed to work or to go to the gym, where he could socialize with other inmates.”

Visitors to Mr. Assange have reported that he was wearing prison uniform despite only being a remand prisoner, that he is denied civilian clothes, and that his access to his prescription glasses was “inexplicably delayed” for months, after they were sent

to him at Belmarsh. Coming after 9 years of arbitrary and illegal detention in the embassy, the harsh and disproportionate conditions in which Mr. Assange is being held have unsurprisingly caused further grave injury to his health. An international group of doctors has expressed serious concern for his present and future safety and wellbeing. They too have called for him to urgently receive appropriate treatment there. British authorities bear responsibility for the ongoing situation.

2. Disregard for international law and infringement of Mr. Assange's rights as a refugee:

Sweden, the United Kingdom and Ecuador are parties to the Convention relating to the Status of Refugees, which places on States an obligation to respect non-refoulement with no reservations. Not only have Mr. Assange's rights as a refugee been ignored, U.K. authorities have helped undermine Mr. Assange's rights as an Ecuadorean citizen to protections under Ecuadorean law such as a protection against extradition. In addition, the U.K. authorities have not paid due regard to the clear findings of the UN Working Group on Arbitrary Detention on the arbitrary detention of Mr. Assange. Importantly, the U.K. authorities have repeatedly ignored their duty to investigate the serious concerns raised by the UN Special Rapporteur Prof Nils Melzer in relation to the prohibition against torture and other cruel, inhuman or degrading treatment or punishment.

3. Disregard for Mr. Assange's right to a fair trial (ECHR Article 6), and for protection of his private life (ECHR Article 8)

Mr. Assange has suffered sustained infringement of his private life, whilst the conduct of the legal proceedings which have been brought against him, has been riddled with procedural irregularities that call into question the possibility of a fair trial.

a) Intrusive Surveillance: It is now known that Mr. Assange and his visitors, including his lawyers, were put under extraordinary levels of covert surveillance within the Ecuadorean embassy at the behest of the US. Evidence has now emerged to prove that this surveillance breached not just the diplomatic sovereignty of the Ecuadorean embassy, but also Mr. Assange's human rights in respect of privacy, and attorney-client privilege. It also intensified his torture. Prof. Melzer notes, "relentless surveillance for 24 hours a day is often used deliberately in psychological torture in order to drive victims into paranoia, except that the victim's perception actually corresponds to reality".

b) Destruction of Evidence: When the actions of the British and Swedish authorities came to be scrutinised via Freedom of Information Act requests and through other channels, it emerged that evidentiary trails — including communications with the US Federal Bureau of Investigations (FBI) — have been destroyed by Swedish and British prosecutors, with no plausible explanation provided.

c) Political interference: Senior UK governmental ministers have boasted about using their diplomatic skills and clout to broker a deal with Ecuador's new government to rescind Mr. Assange's asylum so that he could be taken into custody.

d) Inability to Prepare Defence: Mr. Assange has been subjected to material and repeated disruptions both with respect to his access to the documents he needs in order to prepare his case and with respect to the facilities he needs in order to consult with his lawyers so that he can prepare his defence.

e) Concerns about impartiality: Officials responsible for key decisions about various aspects of Mr. Assange's case have made inappropriate comments about him, suggesting high levels of prejudice and bias. For example, Mr. Assange has been called a 'narcissist' by a judge during a court hearing. There are also concerns that the senior judge who dealt with his previous case appears to have had serious, multiple conflicts of interest. All this has led to doubts about whether an attempt to deny Mr. Assange a fair investigation of his case may be underway.

f) Failure to respond to UN and other experts: UN officials have stated publicly that Mr. Assange has been detained illegally and arbitrarily and has been tortured. The British authorities have an obligation to engage with and to investigate these criticisms. Instead their responses to UN officials have been belated, improper and inadequate. Moreover, those responsible for these inadequate replies are those — in the British government and the criminal justice system — who are specifically responsible for ensuring that justice is served.

4. US extra-territorial overreach and the dangers to Mr. Assange from extradition to the United States

The extradition request made by the US authorities in itself gives rise to serious concerns. Mr. Assange is an Australian citizen and a journalist based in the United Kingdom. There is no suggestion that he has ever broken any British law whilst undertaking his work as a journalist in the United Kingdom.

Mr. Assange, however, faces an extradition request from the United States in which the US authorities claim that he has committed offences including under the US Espionage Act, which applies exclusively to the jurisdiction of the United States. The charges the US authorities are seeking to bring against Mr. Assange are seen by many journalists around the world as an open assault against investigative journalism as it is practiced. These demands by the US authorities for the extradition to the United States of an Australian journalist based in the United Kingdom must inevitably give rise to serious concerns about the extraordinary extra-territorial demands which the US authorities are now making. The consequences if such demands are accepted by the UK to facilitate the extradition of a multi award-winning journalist and publisher are a matter of great concern.

There must also be serious concerns, whether in the context of such demands, Mr. Assange has any realistic prospect of a fair trial if he is extradited to the United States. This is especially concerning given the disproportionate, cruel and inhuman punishment with which Mr. Assange is being threatened if he is convicted in the United States. His alleged accomplice and whistleblower Chelsea Manning, after already serving a lengthy prison term in often inhumane conditions, is now being held in indefinite detention in order to coerce her into giving evidence against Mr. Assange. Mr. Assange faces a possible prison sentence of 175 years. Extraditing Mr. Assange to the United States would in such circumstances not only be inhumane and wrong; it would set a disastrous precedent, legitimising the US authorities' practice of extra-territorial overreach, whilst infringing Mr. Assange's human rights in the most fundamental way, putting his very life at risk. It would also set the scene for a trial whose eventual outcome might set extraordinarily dangerous precedents which could endanger the entire practice of journalism.

Conclusion

Under the rule of law, a State is required to afford all defendants their human rights and to honour international law whether “deriving from treaty or from international custom and practice”.

Such considerations are not intended to be optional or dependent on the nature of the crime. Nor are they justified by the nature of the circumstances; nor are they implemented at the discretion of the judge or the State.

As Lord Bingham eloquently reminds jurists in his eponymous 2006 lecture on the subject, the constitutional principle of the ‘Rule of Law’ is statutory and paramount.

Yet time and time again in Mr. Assange’s case, we have seen the law ignored, manipulated or summarily rejected.

We call on the British legal community to reclaim professional standards, to condemn the torture of Mr. Assange and to engage in urgent actions to secure his immediate and safe release.

Signed by:

Alberto Alemanno, Professeur de Droit, HEC et NYU, France
Ahmed Aydeed, Director of Public Law, Duncan Lewis Solicitors, UK
Greg Barns, Barrister & former National President of the Australian Lawyers Alliance
Professor Eirik Bjorge, University of Bristol Law School, UK
Heidi Boghosian, Esq., Executive Director, A.J. Muste Institute, Inc., USA
William Bourdon, Avocat au Barreau de Paris, France
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Eva Joly, Lawyer, Paris Bar & former judge, Paris Court, France

Ögmundur Jónasson, Former Minister of Justice, Iceland
Mamadou Konate, Avocat au Barreau de Bamako et Paris, Ancien Garde des Sceaux, France
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Richard J. Whitney, Attorney, USA

cc:

Jeremy Corbyn, MP
Priti Patel, MP
Dianne Abbott, MP
Suella Braverman, MP
Shami Chakrabarti
Robert Buckland QC, MP
Richard Burgon, MP

NOTE:

If you are a retired or serving judge, lawyer, legal academic, or a representative of an organisation engaging on behalf of civil society with the justice system, AND if you would like to sign this letter, please contact deepadriver@protonmail.com with email heading Signatory: International Jurists' Letter in the title of your email. If you are having difficulties with contacting us, you can also reach the organiser via Twitter @deepa_driver

<https://medium.com/@deepadriver/international-jurists-letter-82c90061994c>

UK minister who approved Trump's request to extradite Assange spoke at secretive US conferences with people calling for him to be "neutralized"

Matt Kennard & Mark Curtis
Declassified UK
22 February 2020

The British minister who approved the controversial US request for the UK to extradite publisher Julian Assange attended six secretive meetings organised by a US institute which has published calls for Assange to be assassinated or taken down, it can be revealed.

Sajid Javid, who was Britain's Home Secretary from April 2018 to July 2019, attended "starlight chats" and "after-dinner cocktails" in a series of off-the-record conferences involving high-level US military and intelligence figures at a 5-star island resort off the coast of Georgia, USA. Many of those attending have been exposed in WikiLeaks publications and have demanded the organisation be shut down.

Javid signed the Trump administration's extradition request for Assange in June 2019. He was Britain's Chancellor until his resignation 9 days ago. One of the criteria under which a British Home Secretary can block extradition to the US is if "the person could face the death penalty".

The month before being appointed Home Secretary in April 2018, Javid visited Georgia for the "world forum" of the American Enterprise Institute (AEI)—an influential neoconservative US organisation with close ties to the US intelligence community. The AEI has run a campaign against WikiLeaks and Assange since 2010.

It can now be revealed that Javid spoke at the 2018 meeting, as did Jonah Goldberg, a fellow at the AEI who has called for Assange to be "garroted". In a column published on the AEI website, Goldberg wrote: "WikiLeaks is easily among the most significant and well-publicised breaches of American national security since the Rosenbergs gave the Soviets the bomb. So again, I ask: Why wasn't Assange garroted in his hotel room years ago? It's a serious question."

Bill Kristol, a close associate of the AEI who also spoke in Georgia with Javid, has written a column titled "Whack WikiLeaks" in which he asked: "Why can't we use our various assets to harass, snatch or neutralize Julian Assange and his collaborators, wherever they are? Why can't we disrupt and destroy WikiLeaks in both cyberspace and physical space, to the extent possible?" Kristol's article was promoted on social media by another AEI fellow who spoke in Georgia with Javid.

Both Goldberg and Kristol spoke at all four of the AEI's world fora that Javid attended from 2014 to 2018.

On the panel with Javid in 2018 was Elliott Abrams, a key neo-conservative architect of the Iraq war of 2003 best-known for his conviction during the Iran-Contra scandal in the Reagan administration. Abrams has lamented WikiLeaks' document releases. Also on Javid's panel was Fred Kagan, a senior AEI staffer who served as an advisor to the US military in Afghanistan.

Javid's signing of the US extradition request was a controversial decision opposed at the time by the Shadow Home Secretary, Diane Abbott. "Julian Assange is not being pursued to protect US national security, he is being pursued because he has exposed wrongdoing by US administrations and their military forces," Abbott told the British parliament in April 2019 after Assange had been grabbed from the Ecuadorian embassy in London.

The Trump administration's extradition request is unprecedented in that the UK has never extradited a journalist and publisher to a third country for prosecution.

The deliberations within the UK Home Office about Assange's extradition and incarceration in Belmarsh maximum-security prison, where he is currently held, are opaque. *Declassified* sent a Freedom of Information request to the Home Office asking for any telephone call or email mentioning Assange sent to or from Sajid Javid while

he was running the department. The Home Office replied: “We have carried out a thorough search and we have established that the Home Office does not hold the information that you have requested.”

It is unclear if Javid only discussed the Assange extradition request in person while Home Secretary or if he used a private email or phone to do so.

[Photo: The Cloister hotel at the Sea Island resort where Sajid Javid attended six secretive conferences with an array of high-level military and intelligence figures who have been exposed by WikiLeaks.]

Secret intelligence-linked meetings

The attendees, agenda and even the dates of the AEI world forum are a tightly-guarded secret. But *Declassified* is now publishing the attendance lists and agendas—marked “confidential”—of the last four conferences Javid attended: in 2014, 2015, 2016, and 2018 (see end of article). *Declassified* could not obtain information on Javid’s first two AEI meetings in 2011 and 2013.

Since attending his first “world forum” at the AEI in 2011, within a year of becoming an MP, Javid subsequently visited six out of eight AEI annual conferences up to 2018. From June 2012 until today, Javid’s parliamentary register of interests records that he has made no overseas trips paid by a third-party except those funded by the AEI. In total, Javid has received £31,285.19 (\$40,800) in gifts from the AEI.

Javid is the most frequent British guest of the US organisation, and in most years has been one of only a few British invitees. The only other British regular is Michael Gove, another senior figure in Boris Johnson’s cabinet.

The AEI has access to the highest levels of the US intelligence community. Guests at the events Javid attended included two former directors of the Central Intelligence Agency (CIA) and two sitting directors of the National Security Agency (NSA). In 2018, President Trump’s then-national security adviser H.R. McMaster spoke alongside Javid. Any discussions between the British minister and the intelligence chiefs have remained secret.

The CIA made clear that it is “working to take down” WikiLeaks after the latter published the largest-ever leak of classified CIA material in 2017. It was recently revealed that the CIA was provided with audio and video of Julian Assange’s private meetings, including privileged conversations with lawyers, in the Ecuadorian embassy by a Spanish security company. The NSA has also been extensively exposed by WikiLeaks.

The AEI’s 2016 event saw Javid speaking on a panel titled, “The Challenge Abroad and Implications for the United States”, alongside US senator Lindsay Graham who called for Assange to be indicted in 2010 solely for receiving leaks.

Another panel, “Wargaming the Next Attack on the United States”, featured former CIA director Michael Hayden alongside Marc Thiessen and Gary Schmitt, two AEI’s staffers who have written extensively on shutting down Assange and WikiLeaks. Also speaking in 2016 was senator Mitch McConnell, who has called Assange a “high-tech terrorist”, and congressman Mike Rogers, who called for WikiLeaks source Chelsea Manning to be executed.

Javid spoke at the 2015 event with Paul Wolfowitz — an AEI scholar who has been extensively exposed in WikiLeaks releases — about the threat posed by the Islamic

State terrorist group. Karl Rove, a former senior adviser to President George W. Bush, also spoke at the 2015 event. It was reported in 2010 that Rove was advising Swedish prime minister Fredrik Reinfeldt on how Sweden could help the Obama administration prosecute WikiLeaks.

Another panel at the 2015 forum was titled, “Fighting a Cyberwar: Is Defense the Only Option?” and featured the former director of the NSA, Keith Alexander, the then director of the NSA, Michael S. Rogers, as well as former CIA director Michael Hayden.

“Much talk about the insecurity of the cybersphere has focused on well-publicised breaches,” the panel briefing outlined, “but the reality of the cyberthreat is much broader and more devastating than most assume.” The question posed was: “Is our only choice to bar the doors, or has the time come to take it to the enemy? And what will that mean?”

David Petraeus, another former CIA director, spoke at the AEI’s 2014 event alongside former US vice president Dick Cheney, a member of the AEI’s board, and John Bolton, often seen as the most belligerent pro-war figure in Washington, who was a senior fellow at the AEI before becoming Trump’s national security advisor. While at the AEI, Bolton wrote ambiguously: “As for WikiLeaks itself, and anyone cooperating with its malicious enterprise, now is the time to test our cyber-warfare capabilities. Fire away.”

Assange and the AEI

The AEI has been running a campaign against WikiLeaks—and Assange specifically—throughout the US media since 2010. The organisation’s website lists 20 articles or events tagged with “Julian Assange” and 43 articles tagged with “WikiLeaks”, all of which are negative.

AEI resident fellow Marc A. Thiessen has written numerous articles demonising Assange and the work of WikiLeaks. One article titled, “WikiLeaks must be stopped”, which is published on the AEI website, concludes, “If left unmolested, Assange will become even bolder and inspire others to imitate his example.” Another article in May 2019, also on the AEI website, is titled, “Assange is a spy, not a journalist. He deserves prison.” Thiessen attended all the same annual AEI fora as Javid from 2014-18.

In 2012, the AEI sponsored an event in Washington DC called “Assange’s asylum in Correa’s Ecuador: Last refuge for scoundrels?” hosted by the AEI’s visiting fellow Roger F. Noriega, another figure critical of Assange. The question to be answered was listed as, “Can Ecuador’s president successfully whitewash his image by advancing Assange’s anti-American crusade?”

Sajid Javid and the American Enterprise Institute did not respond to requests for comment.

Matt Kennard is head of investigations and Mark Curtis editor, of Declassified UK, a media organisation investigating UK foreign, military and intelligence policies. They tweet at @DCKennard and @markcurtis30. Follow Declassified on twitter at @DeclassifiedUK

<https://www.dailymaverick.co.za/article/2020-02-22-uk-minister-who-approved-trumps-request-to-extradite-assange-spoke-at-secretive-us-conferences-with-people-calling-for-him-to-be-neutralized/>

Roger Waters on Julian Assange

Craig Murray
23 Feb. 2020

Roger Waters has become one of the most eloquent and persistent supporters of Julian Assange. He is prepared to challenge the propagandists of the mainstream media head-on in a way that many more people should do.

For yesterday's rally for Assange, Roger had prepared a talk putting Julian's persecution in a global context. He did not have time to give the whole speech, and so I asked him if I could publish it:

WE ARE HERE TODAY FOR JULIAN ASSANGE.

But I have four names on this piece of paper.

The First and last of course is Julian Assange, A Journalist, a courageous shiner of light into the dark places from which the powers that be would dearly like to have us turn away.

Julian Assange. A name to be carved with pride into any monument to human progress.

Julian is why we are here today, but this is no parochial protest. We are today part of a global movement, a global movement that might be the beginning of the global enlightenment that this fragile planet so desperately needs.

Ok. Second Name. Sent to me by my friend VJ Prashad. Second name is Aamir Aziz, Aamir is a young poet and activist in Delhi involved in the fight against Modi and his racist Citizenship law.

*Everything Will Be Remembered
Kill us, we will become ghosts and write
of your killings, with all the evidence.
You write jokes in court;
We will write 'justice' on the walls.
We will speak so loudly that even the deaf will hear.
We will write so clearly that even the blind will read.
You write 'injustice' on the earth;
We will write 'revolution' in the sky.
Everything will be remembered;
Everything recorded*

This out pouring of the human spirit from India is taking place in a time of revolt, when the fetters of propriety are set aside.

As we meet here in London, across the Atlantic in Argentina thousands of women are taking to the streets to demand the legalization of abortion from President Fernandez. It's not just Argentina. This last year we have seen major protests erupt across the whole world against neoliberal/fascist regimes. In Chile, Lebanon, Colombia, Ecuador, Haiti, France and now, of course also in Bolivia fighting the new US imposed military dictatorship there.

When will we see the name of England appended to that noble list? I sense the scratching of heads in drawing rooms across the home counties, "What's he talking about, the man's a bloody pinkoperver, bloody anti semite, what's he talking about? We don't live in a dictatorship, this is a free country, a democracy, with all the finest traditions of fair play, pah!"

Well, I've got news for you Disgruntled of Tunbridge Wells. We'd like to think this is a free country, but are we really free? Why, when Julian Assange is brought to the dock in the tiny magistrates court inside Belmarsh prison are so many seats occupied by anonymous American suits, whispering instructions into the attentive ear of the prosecution's lead barrister, James Lewis QC?

Why?

Because we don't live in a free country, we live in a glorified dog kennel and we bark and/or wag our tails at the bidding of our lords and masters across the pond.

I stand here today, in front of the Mother of Parliaments, and there she stands blushing in all her embarrassment. And just upstream from here is Runnemede, where in 1215, we, the English, laid out the rudiments of common law. Magna Carta, ratified in 1297 article 29 of which gave us Habeus Corpus. Or did it? It stated: "The body of a free man is not to be arrested, or imprisoned, or outlawed, or exiled, or in any way ruined, nor is the king to go against him or send forcibly against him, except by judgment of his peers or by the law of the land."

Sadly, Article 29 is not enforceable in modern law. Magna Carta is only an idea, and in this propaganda driven modern world, it provides no check in principle to Parliament legislating against the rights of citizens.

We do however have an extradition treaty with the USA and in the first paragraph of article 4 of that treaty it states. "Extradition shall not be granted if the offense for which extradition is requested is a political offense." Julian Assange has committed no crime but he has committed a political act. He has spoken truth to power. He has angered some of our masters in Washington by telling the truth and in retribution for the act of telling the truth they want his blood.

Yesterday in front of Battersea Power Station I did a TV interview for SKY news to promote this event, there was no visual link, so my only contact with the lady asking me questions was via an ear bud on a curly wire. I learned something about telling truth in the phrasing of her questions to me. She came at me like some crazed Don Quixote every question laced, thick with the smears and innuendo and the false accusations with which the powers that be have been trying to blacken Julian Assange's name. She rattled off the tired, but well prepared narrative, and then interrupted constantly when I made reply. I don't know who she is, she may mean well. If she does, my advice would be to stop drinking the Kool-aid, and if she actually gives a fig for her chosen profession get her sorry ass down here and join us.

So England. I call upon our prime minister, Boris Johnson, to declare his colours, does he support the spirit of Magna Carta? Does he believe in, democracy, freedom, fair play, free speech, and especially the freedom of the press? If the answer to those questions is yes, then come on Prime Minister be the British Bulldog you would have us all believe you are? Stand up to the bluster of American hegemony, call off this show trial, this charade, this kangaroo court. "The evidence before the court is

incontrovertible.” Julian Assange is an innocent man. A journalist doing very important work for “we the people” by exposing the crimes of powerful sociopaths in the corridors of power.

I call on you to free him today.

I cannot leave this stage without mention of Chelsea Manning, who provided some of the material that Julian published.

Chelsea has been in a federal prison for a year incarcerated by the Americans for refusing, on principle, to give evidence to a grand jury specifically convened to make an example of Julian Assange. What courage. They are also fining her \$1,000 a day. Chelsea yours is another name to be carved in pride, I’ve been reading the latest on your case, it looks as if your legal team are finding light at the end of the tunnel, please god, you get out soon back to your loved ones, you are a true hero. You exemplify the bulldog spirit that I was talking about a few moments ago.

Also Daniel Hale. Daniel is a whistle-blower you may not know yet. He was in a great documentary movie *National Bird*, made by my good friend Sonia Kennebeck. He was part of the US drone program targeting Afghans in their own country from some mobile command center in Nevada. When his stint in the USAF was over. Daniel’s good heart refused to edit out the burden of remorse he carried and he very bravely decided to tell his story. The FBI/CIA have pursued Daniel remorselessly ever since and he is now in prison awaiting trial. Daniel’s is another name to be carved in pride.

Those of us who have never compromised our liberty in the cause of freedom, who have never picked up the burning torch and held it trembling over the crimes of their superior officers, can only wonder at the extraordinary courage of those who have. There are other speakers here, so I will make way, I could stand here all day railing against the dying of the light should we not stand Bulldog like, with arms linked, ranks closed in front of our brother and comrade Julian Assange. And when the lackies of the American Empire come to take him, to destroy him and hang him in the hedge as a warning to frighten future journalists, we will look them in the eye and steadfast with one voice we will intone. “Over our dead fucking bodies.”

Roger Waters Feb. 22nd 2020

* * *

Today I move from the centre of London down to Woolwich and have to get to Belmarsh Magistrate’s Court (which is entered through Woolwich Crown Court) before dawn to try to queue for one of the 14 public seats in the courtroom. Holding the hearing in such a tiny court is a deliberate act of censorship by the British government. If any readers can offer practical advice on where to queue precisely in terms of access to the building it would be extremely welcome. There is of course no guarantee that the authorities will respect any queue, or have not reserved some of the public seats for the US Embassy etc.

<https://www.craigmurray.org.uk/archives/2020/02/roger-waters-on-julian-assange/>

Chief Magistrate In Assange Extradition Received Financial Benefits From Shadowy Groups

Matt Kennard & Mark Curtis
Daily Maverick
2/23/2020

The senior judge overseeing the extradition proceedings of WikiLeaks publisher Julian Assange received financial benefits from two partner organisations of the British Foreign Office before her appointment, it can be revealed.

It can further be revealed that Lady Emma Arbuthnot was appointed Chief Magistrate in Westminster on the advice of a Conservative government minister with whom she had attended a secretive meeting organised by one of these Foreign Office partner organisations two years before.

Liz Truss, then Justice Secretary, “advised” the Queen to appoint Lady Arbuthnot in October 2016. Two years before, Truss — who is now Trade Secretary — and Lady Arbuthnot both attended an off-the-record two-day meeting in Bilbao, Spain.

The expenses were covered by an organisation called Tertulias, chaired by Lady Arbuthnot’s husband — Lord Arbuthnot of Edrom, a former Conservative defence minister with extensive links to the British military and intelligence community exposed by WikiLeaks.

Tertulias, an annual forum held for political and corporate leaders in the UK and Spain, is regarded by the UK Foreign Office as one of its “partnerships”. The 2014 event in Bilbao was attended by David Lidington, the Minister for Europe, while the Foreign Office has in the past funded Lord Arbuthnot’s attendance at the forum.

The Foreign Office has long taken a strong anti-Assange position, rejecting UN findings in his favour, refusing to recognise the political asylum given to him by Ecuador, and even labelling Assange a “miserable little worm”.

Lady Arbuthnot also benefited financially from another trip with her husband in 2014, this time to Istanbul for the British-Turkish Tatlidil, a forum established by the UK and Turkish governments for “high level” individuals involved in politics and business.

Both Tertulias and Tatlidil are secretive gatherings about which little is known and are not obviously connected — but *Declassified* has discovered that the UK address of the two organisations has been the same.

Lady Arbuthnot personally presided over Assange’s case as judge from late 2017 until mid-2019, delivering two controversial rulings. Although she is no longer personally hearing the Assange extradition proceedings, she remains responsible for supporting and guiding the junior judges in her jurisdiction. Lady Arbuthnot has refused to declare any conflicts of interest in the case.

The new revelations follow previous investigations by *Declassified* showing that Lady Arbuthnot received gifts and hospitality in relation to her husband from a military and cybersecurity company exposed by WikiLeaks. *Declassified* also revealed that the Arbuthnots’ son is linked to an anti-data leak company created by the UK intelligence establishment and staffed by officials recruited from US intelligence agencies behind that country’s prosecution of the WikiLeaks founder.

Lady and Lord Arbuthnot attend the Queen’s garden party at Buckingham Palace in May 2017. Lady Arbuthnot was appointed Chief Magistrate in Westminster by the

Queen eight months before, in September 2016, on the advice of Liz Truss, who had attended the 2014 Tertulias event with Lady Arbuthnot.

Tertulias' annual meetings between the UK and Spain have been held since 1989 but the organisation has no public presence and provides no record of events. *Declassified* found that its current president is Jose de Areilza, a Spanish law professor who is also a board member of the Spanish Ministry of Defence.

Lord Arbuthnot records that he became the unpaid chair of Tertulias in 2012, at which time he was also chair of parliament's Defence Committee. Arbuthnot was then also a member of the Joint Committee on National Security Strategy and chair of Conservative Friends of Israel.

In October 2014, Liz Truss, who was then Secretary of State for Environment, Food and Rural Affairs (DEFRA), attended the Tertulias meeting in Bilbao, alongside the Arbuthnots, Lidington and at least four other British MPs.

Lord and Lady Arbuthnot spent two days at the event and received expenses worth £1,488.20 from Tertulias. Although having attended the annual event regularly since 2000, this was the first time Lord Arbuthnot recorded in his parliamentary register of interests the attendance of his wife.

At the time Lady Arbuthnot was deputy senior district judge. The reason for her attending a meeting described by Lord Arbuthnot as "bringing MPs, business people, academics and artists together to discuss topical issues" is not clear.

Liz Truss was in Bilbao for three days and accrued expenses of £1,235.48 paid by Tertulias. Her flight cost £825.48, suggesting she was flown first class. By contrast, Nick Boles MP charged £178.98 for his flight. The funders of Tertulias and Tatlidil are not known.



Liz Truss, then minister for DEFRA, speaks in the Guggenheim museum at the secretive Tertulias meeting in Bilbao, Spain, 18 October 2014. Standing to her right is Tertulias' chairman, Lord Arbuthnot. Foreign Office partner organisation Tertulias also paid for Lady Arbuthnot — Julian Assange's senior judge — to attend this event. Declassified is now publishing a photo of Truss giving a speech at the 2014 Tertulias forum in the Guggenheim museum in Bilbao. Lord Arbuthnot can be seen standing next to her, likely having just introduced his fellow Conservative MP. It is not known if Lady Arbuthnot was present.

The trip to Bilbao was one of only three Truss has accepted from third parties since becoming an MP in 2010. She also joined a group of Conservative MPs on a trip to Berlin in 2011 and attended in 2019 the annual forum of the American Enterprise Institute (AEI), a highly secretive meeting organised by the most influential neoconservative think tank in Washington populated by senior US military and intelligence officials.

Declassified recently revealed how the AEI, which has a strongly anti-Assange position, has been courting British ministers for years.

Truss's visit to Tertulias is secret enough for even the department she oversaw as minister at the time — DEFRA — to have no information on it. Responding to *Declassified*'s Freedom of Information request for communications between the minister and Tertulias or an itinerary for the Bilbao meeting, DEFRA responded: "Following a search of our paper and electronic records, we have established that the information...you have requested is not held by DEFRA." It is unclear if Truss used a private email to organise the visit.

The month following the Tertulias forum, in November 2014, Lady Arbuthnot went on another trip with her husband, this time to Istanbul for the British-Turkish Tatlidil, which paid the Arbuthnots £2,426 for flights and expenses.

Lord Arbuthnot described the purpose of the visit as "to promote and further bilateral relations between Britain and Turkey at a high level". Tatlidil, which means "sweet talk" in Turkish, was established in 2011 by then prime minister David Cameron and his Turkish counterpart Recep Tayyip Erdoğan. It describes its objectives as "facilitating and strengthen [sic] relations between the Republic of Turkey and the United Kingdom at the level of government, diplomacy, business, academia and media".

The UK delegation to the 2014 meeting in Istanbul was led by Prince Andrew, who also hosted the Tatlidil in Edinburgh the previous year. Then foreign minister Tobias Ellwood spoke at the forum while former foreign secretary Jack Straw, who is a co-chair of Tatlidil, presided over one of the discussions. Erdoğan spoke at the meeting and reportedly called for the removal of Syrian leader Bashar al-Assad.

The sparse information available on the meeting, which largely comes from social media, suggests that Lady Arbuthnot may not have attended the discussions since there was a separate "spouses/partners programme" involving local visits.

Declassified has discovered that the addresses given by Lord Arbuthnot and other parliamentarians for Tertulias and Tatlidil have been the same — despite no obvious connection between the two organisations other than the UK Foreign Office. All the addresses are residential with no clear reason why they would be official addresses of high-level Foreign Office-linked fora.

In 2012, Arbuthnot recorded in his parliamentary register of interests that the address of both organisations was a Grade II listed house in the village of Cowlinge, Suffolk, which has a population of just over 600 people. From 2013-16, the address changed to a house in Higham, a small village with 140 people, also in Suffolk.

The land registry states that the Higham address is part of the Dalham Estate in Newmarket, and is owned by Arat Investments, a vehicle incorporated in Guernsey with a PO Box address. There is little information publicly available about Arat, given Guernsey's secrecy laws. It has been reported that the estate is owned by Sheikh Mohammed al-Makhtoum, the ruler of Dubai, one of the United Arab Emirates.

In 2017, the address for Tertulias changed again to a house — which is divided into three flats — in Battersea, south London. In more recent entries to the register of interests, the address is given by MPs as simply “private”.

Declassified has discovered that both Tertulias and Tatlidil had been managed by the same person living at the addresses given by parliamentarians. She told *Declassified* that Tertulias is “independent” but “works closely” with the Foreign Office. When asked about the organisation’s funders or any personnel involved, including its current parliamentary chair, information was refused.

Tertulias and the Foreign Office

Tatlidil was openly set up by the UK government, but Tertulias is also closely linked to the Foreign Office, which describes Tertulias as one of its “partnerships” and in 2013 referred to the forum as “our Tertulias”. Britain’s former ambassador to Spain, Simon Manley, described the annual event as “our #1 bilateral forum” between the UK and Spain.

Last October, Europe minister Christopher Pincher attended the forum in Edinburgh and stated that “the annual Tertulias dialogue illustrates the breadth and depth of the relationship between the United Kingdom and Spain”. His predecessor Sir Alan Duncan attended the previous forum in Malaga.

Duncan, who has now left office, personally insulted Julian Assange in parliament in 2018 before adding: “It is of great regret that Julian Assange remains in the Ecuador embassy,” where he had been given political asylum by the Ecuadorian government.

Lord Arbuthnot recorded that the costs of his attending his first forum in 2000 were partly met by a “grant” from the Foreign Office. Labour minister Peter Mandelson said in 1998 that he attended the Tertulias forum “following official advice from the Foreign and Commonwealth Office.”

At the 2014 Tertulias attended by Truss and the Arbuthnots, a Spanish banker was awarded a CBE by the Queen on recommendation of the British government.

Lady Arbuthnot’s rulings

Lady Arbuthnot’s husband is a key figure in the British military and intelligence establishment — a highly controversial issue given that Lady Arbuthnot has made rulings in the Assange case and continues to oversee it as chief magistrate.

Lord Arbuthnot was from 2016-17 a director of SC Strategy, a consultancy created by Sir John Scarlett, the former head of MI6 who had been behind the “dodgy dossier” used by Tony Blair to push for war with Iraq.

Arbuthnot is currently the chair of the advisory board of arms corporation Thales UK and board member of Montrose Associates, a “strategic intelligence” consultancy, whose president is former Foreign Secretary Douglas Hurd.

Lady Arbuthnot has refused to formally recuse herself from the Assange case. A judiciary spokesman has said, “There has been no bias demonstrated by the chief magistrate. The chief magistrate, however, is aware of the judicial conduct guidance that advises on avoiding the perception of bias and is not hearing the case”.

It is unclear what “perception of bias” Lady Arbuthnot accepts and on what basis she stepped aside from personally hearing the case.

The chief magistrate’s role includes “supporting and guiding district judge colleagues”, including Vanessa Baraitser, who ruled on the case in 2019. Lady Arbuthnot is also likely to have approved of Baraitser’s appointment to hear the Assange case.

Her previous rulings on Assange cannot be revisited by the defence when she fails to declare a conflict of interest.

Lady Arbuthnot’s first ruling on Assange was made in February 2018 while he was a political asylee in the Ecuadorian embassy in London. Assange’s lawyers had applied to have his British arrest warrant withdrawn.

Assange had never been charged with a crime, and in May 2017 the Swedish proceedings had been discontinued along with the European Arrest Warrant. The warrant related to Assange skipping bail to claim asylum in the Ecuadorian embassy, where the Ecuadorian government agreed that he was at risk of political persecution in the United States.

Arbuthnot refused the request. Her ruling was irregular, dismissing Assange’s fears of US extradition and the findings of the UN. “I accept that Mr Assange had expressed fears of being returned to the United States from a very early stage in the Swedish extradition proceedings but... I do not find that Mr Assange’s fears were reasonable,” she said.

“I give little weight to the views of the Working Group,” she added, referring to the United Nations body which termed Assange’s condition one of “arbitrary detention”. “I do not find that Mr Assange’s stay in the Embassy is inappropriate, unjust, unpredictable, unreasonable, unnecessary or disproportionate.”

When he was grabbed from the Ecuadorian embassy by British police in April 2019, district judge Michael Snow pilloried Assange’s claims that Lady Arbuthnot was conflicted: “His assertion that he has not had a fair hearing is laughable. And his behaviour is that of a narcissist who cannot get beyond his own selfish interests,” Snow told the court.

Lady Arbuthnot made her most recent ruling on Assange in June 2019. District Judge Vanessa Baraitser — who is still overseen by Lady Arbuthnot — will rule on the extradition proceedings which begin on 25 February.

Liz Truss, Lady Arbuthnot, Lord Arbuthnot, and the Foreign Office, did not respond to requests for comment. DM

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<https://www.dailymaverick.co.za/article/2020-02-21-revealed-chief-magistrate-in-assange-case-received-financial-benefits-from-secretive-partner-organisations-of-uk-foreign-office/>

Trump administration targeting 'enemy of America' Julian Assange, court told

*WikiLeaks founder's life is at risk if he is extradited to US, judge in London hears
Amid the din, Assange struggles to hear the case against him*

*Ben Quinn
The Guardian
24 Feb. 2020*

Donald Trump's administration is targeting Julian Assange as "an enemy of the America who must be brought down" and his very life could be at risk if sent to face trial in the US, the first day of the WikiLeaks founder's extradition hearing has been told.

Lawyers for Assange intend to call as a witness a former employee of a Spanish security company who says surveillance was carried out for the US on Assange while he was at Ecuador's London embassy and that conversations had turned to potentially kidnapping or poisoning him.

This was an indication of the danger which Assange faced were he to be extradited to a state "prepared to consider such extreme measures", Edward Fitzgerald QC told Woolwich crown court in south-east London.

The case against extradition, which Assange's lawyers oppose on a range of grounds including that it contravenes the UK-US treaty by being "politically motivated", was laid out after a barrister for US authorities said secret sources who supplied information to the US government "disappeared" after they were put at risk of death or torture by WikiLeaks's release of classified documents.

Assange, 48, is wanted in the US to face 18 charges of attempted hacking and breaches of the Espionage Act. They relate to the publication a decade ago of hundreds of thousands of diplomatic cables and files covering areas including US activities in Afghanistan and Iraq. The Australian, who could face a 175-year prison sentence if found guilty, is accused of working with the former US army intelligence analyst Chelsea Manning to leak classified documents.

The case is set to continue on Tuesday and over the course of this week, when some witnesses are expected to give evidence anonymously, potentially from behind screens.

James Lewis QC, acting for US authorities, told the court: "The US is aware of sources, whose unredacted names and other identifying information was contained in classified documents published by WikiLeaks, who subsequently disappeared, although the US can't prove at this point that their disappearance was the result of being outed by WikiLeaks."

By disseminating material in an unredacted form, Lewis said Assange knowingly put human rights activists, dissidents, journalists and their families at risk of serious harm in states run by oppressive regimes.

Sitting at the back of the court and dressed in a grey blazer, grey sweater and white shirt with reading glasses perched on his head, Assange stood up shortly before lunchtime to tell the judge, Vanessa Baraitser, he was having difficulty hearing amid the noise of chanting from hundreds of supporters outside.

"I am having difficulty concentrating and this noise is not helpful," he said.
"I understand and am very appreciative of the public support. I do understand they must be disgusted by these proceedings."

Assange's counsel delivered a barrage of arguments against extradition, including that Assange would be exposed to cruel and degrading treatment in a maximum-security prison.

Fitzgerald added that Prof Michael Kopelman, a distinguished forensic psychiatrist and expert witness for the defence had said: "I am as confident as a psychiatrist can ever be that, if extradition to the United States were to become imminent, Mr Assange would find a way of suiciding."

Other key parts of the evidence related to the claim, which emerged last week, that a then US Republican congressman offered Assange a pardon if he denied Russian involvement in the leaking of US Democratic party emails during the 2016 US presidential contest.

The court was told that Dana Rohrabacher, who claims to have made the proposal on his own initiative, had presented it as a "win-win" scenario that would allow Assange to leave the embassy and get on with his life. Assange was also said to have been asked to reveal the source of the leaks and rejected this overture.

Fitzgerald was scathing of the US president and referred back to WikiLeaks revelations such as video of US soldiers shooting unarmed civilians from a helicopter and the torture of detainees in Iraq. he added: "Such revelations obviously put him in the sights of the aggressive 'America first' ideologues of the Trump administration."

Earlier, Lewis said that journalism was not an excuse for breaking laws.

He took the court through a number of details about documents relating to sources which the US alleges were put at risk. One had supplied information about an improvised explosive device (IED) attack in Iraq. Another was named in a 2008 US state department cable discussing issues relating to ethnic conflict in China.

Lewis said he wanted to emphasise: "He is not charged with disclosure of embarrassing or awkward information that the government would rather not have have disclosed."

Earlier, Lewis referred to a report in *the Guardian* from September 2011, which said WikiLeaks had published its full archive of 251,000 secret US diplomatic cables, without redactions, potentially exposing thousands of individuals named in the documents to detention, harm or putting their lives in danger.

He went on to describe how the move had been strongly condemned by WikiLeaks' five previous media partners -- *the Guardian*, *the New York Times*, *El País*, *Der Spiegel* and *Le Monde* -- who have worked with the site publishing carefully selected and redacted documents.

The case against extradition counters it is completely misleading to suggest Assange and WikiLeaks were responsible for the disclosure of unredacted names to the public. They say he took every step to prevent the disclosure of unredacted names, and WikiLeaks only published unredacted materials after they had been published in full by others [*notably The Guardian, as The Guardian in this report choose not to relate. -A.B.*].

Assange has been held on remand in Belmarsh prison since last September after serving a jail sentence for breaching bail conditions. He sought refuge in Ecuador's embassy to avoid extradition to Sweden where he was accused of sexual offences, which he denied.

<https://www.theguardian.com/uk-news/2020/feb/24/julian-assange-hearing-journalism-is-no-excuse-for-breaking-law>

As Hearing Begins, Rights Groups Warn Extraditing Assange to US Would Deal 'Body Blow to Press Freedom'

"Using the draconian wartime powers of the Espionage Act against Assange undermines journalists's rights and sets dangerous precedents that cast journalists and publishers as criminals."

Julia Conley
Common Dreams
February 24, 2020

Press freedom advocates slammed the U.S. over its pending espionage charges against WikiLeaks founder Julian Assange Monday as the first phase of Assange's extradition trial began in London.

Groups including Reporters Without Borders (RSF) and the Committee to Protect Journalists (CPJ) joined supporters of Assange gathered at demonstrations around the world in demanding the U.K. not allow the Wikileaks founder's extradition to the U.S., where he faces espionage charges for publishing thousands of classified materials regarding U.S. activities — including evidence of war crimes — in Afghanistan, Iraq, and elsewhere.

On social media, the #DontExtraditeAssange hashtag was being used worldwide by those opposed to the treatment of the now famous journalist and publisher.

The trial, supporters said, is about not just Assange's individual fate, but concerns the future of press freedom all over the world.

"The extradition of Julian Assange to the United States to stand trial for his groundbreaking work with WikiLeaks would deal a body blow to First Amendment rights and press freedom. The U.K. should deny this request," said CPJ deputy executive director Robert Mahoney. "Using the draconian wartime powers of the Espionage Act against Assange undermines journalists's rights and sets dangerous precedents that cast journalists and publishers as criminals."

The first phase of the trial is set to last a week and is aimed at determining whether U.S. efforts to extradite Assange are politically-motivated, which would make it illegal under a 2003 treaty between the two countries.

If extradited, Assange could face a prison sentence of up to 175 years for working with former U.S. Army intelligence analyst Chelsea Manning, who leaked documents to WikiLeaks and who has been held for nearly a year in a prison in Virginia for refusing to cooperate with a grand jury subpoena.

Demonstrators assembled outside Belmarsh Prison, where Assange has been held since September, and at other protests around the world, holding signs reading, "Assange's freedom is my freedom" and "Free Assange."



Prosecutors focused opening arguments on government sources who "disappeared" after being put at risk by Wikileaks' release of the documents, which included information about U.S. attacks and civilian casualties in Iraq and Afghanistan. Press freedom groups have argued for years that punishing Assange for disseminating information about U.S. military and diplomatic activities will put all journalists' rights at grave risk.

"Deciding if Julian Assange is a hero or a saint is not the question. Whether we like or don't like Julian Assange is not the question," said Christophe Deloire, secretary-general of Reporters Without Borders, at a press conference in London. "The question is: do we think it's acceptable for a contribution to journalism to be treated as spying? That's the question."

Deloire reported from the trial that while the prosecutor accused Assange of placing individuals in danger, "he was not capable of naming any victims."

Human rights advocates including Amnesty International have in recent days joined in demanding the charges against Assange, brought by the Trump administration, be dropped.

In addition to waging a "full-scale assault on the right to freedom of expression," Amnesty said Friday, the U.S. has taken part in an attack on Assange's human rights as medical experts warn that his imprisonment and the seven years he spent in the Ecuadorean embassy in London have led to "medical neglect and fragile health."

Should he be extradited, Amnesty said, Assange could face further "torture and other ill-treatment, including prolonged solitary confinement."

The Council of Europe's human rights commissioner expressed similar concerns last week.

"Any extradition to a situation in which the person involved would be at real risk of torture or inhuman or degrading treatment would be contrary to Article 3 of the European Convention on Human Rights," said Commissioner Dunja Mijatovic.

<https://www.commondreams.org/news/2020/02/24/hearing-begins-rights-groups-warn-extraditing-assange-us-would-deal-body-blow-press>

Protests in Washington Call on US Lawmakers to Oppose Assange's Extradition

Morgan Artyukhina
Sputnik
24.02.2020

As the extradition hearing for Julian Assange began in the UK on Monday, protesters in Washington, DC, demonstrated against the WikiLeaks co-founder being charged for publishing leaked documents and brought to the US to stand trial.

At Woolwich Crown Court, immediately adjacent to the southeast London jail that has held him for nearly a year, Assange's hearing on being extradited to the US to stand trial on 18 charges relating to WikiLeaks publications began. The charges include that he helped then-US Army intelligence analyst Chelsea Manning break into a US government computer to steal documents WikiLeaks later published, and that he violated the 1917 Espionage Act by publishing stolen classified documents.

Those documents exposed systematic coverups by Washington of war crimes carried out by US forces in Iraq and Afghanistan, including the murder of *Reuters* journalists by US soldiers, which the Pentagon claimed had been a tragic incident of collateral damage. However, barrister James Lewis QC, representing the US government, revealed in the courtroom Monday that Assange isn't wanted for exposing war crimes, but for dissemination of "particular classified documents concerning national defense, including the unredacted identities of sources," even though he also admitted "no harm" came from those divulgences.

Protesters around the world rallied on Monday against Assange's potential extradition to the US from the UK, where he was arrested last April in connection with the indictments. In Washington, DC, they met in front of the White House before marching to Trump Hotel and then the US Department of Justice.

"We really want to make sure people know that this is happening right now," Christy Dopf of Action 4 Assange told *Sputnik* Monday outside the White House. "There's a lot going on in the US — primary season kicking off and the candidates taking up a lot of the news cycle — so we really want to make sure the American public understands that the US government is the one indicting Assange and why we do not want him brought here: because he would face a show trial and essentially be put away for 175 years for publishing war crimes."

Action 4 Assange was one of several groups that convened a week of protests in the US capital in conjunction with those in London and elsewhere, including Unity4J and anti-war group Code Pink.

Andrew Smith, another Action 4 Assange activist, said that while third-party, US candidates for the Libertarian, Green and Socialist Equality parties had come out against Assange's charges, no mainstream candidates were willing to talk about the case, and the corporate media avoids mentioning the content of the documents WikiLeaks published, even when discussing information that came from them.

"Even with the discussions around Syria and all the things that WikiLeaks has revealed, they won't even bring his name up in reference to the information that we now know," Smith said. "So it's really disheartening to see the established political order constantly killing this man."

"Absent from CNN's debate stage is any mention of Julian Assange whatsoever," Steve Boykin, another Action 4 Assange activist, said.

Code Pink co-founder Medea Benjamin told *Sputnik* that as a journalist and publisher, Assange's case is "about free expression and releasing information that's critical for the public to know about how our governments act. And to take that as a case of espionage is to so totally twist what he has been doing and trying to punish him to the max to send a message out to other journalists around the world: 'Don't mess with what we consider our national security.'"

"There's a big discussion about this extradition treaty that there exists between the US and the UK: it says 'except for political cases,' and this, for the public, I think, it's very obvious that this is a political case," Benjamin said, noting the case was further complicated by the Conservative UK government of Prime Minister Boris Johnson, who "wants to please [US President] Donald Trump."

"We'll see if there's really an independent court in the UK that understands that this is a totally political case, and Julian Assange should not be extradited -- on the contrary, he should be set free and allowed to go back home to Australia."

An activist with Unity4J named Dack told *Sputnik* he had personally asked 18 Democratic presidential candidates what their positions on Assange's case were.

"The only person who actually took a clear, unambiguous stance against the prosecution was [Hawaii Rep.] Tulsi Gabbard. She of course has been disrespected by the Democratic Party from the beginning, the mainstream media did not cover her, and her campaign is basically dead in the water now,"

Dack told *Sputnik*. "All of the other candidates expressed either an unwillingness to talk about the case, an ignorance of the case or said that they did not support him and they felt that he did something wrong and he should face the consequences for it. We saw a lot of agreement with what the Trump administration is doing."

The activist noted that businessman Andrew Yang, despite being a party outsider, nonetheless gave a "disappointing" answer in favor of prosecuting Assange; Sen. Cory Booker (D-NJ), "who's good friends with Hillary Clinton, he claimed he didn't know enough about the issue to comment. I find that hard to believe."

As for former South Bend, Indiana, Mayor Pete Buttigieg, “when I explained that Assange was dying in prison, Pete Buttigieg said that he’s not going to make a commitment to pardon Assange, and the crowd of about three or four hundred erupted in applause,” Dack said. “This is the state of American morality in the year 2020.”

“They’re really not any different from Trump in terms of superficial style,” he noted. “I even framed it: ‘Do you support Trump’s war on journalism?’ And they could not show a clear definitive opposition to that. So if any of them were to get into power, I would not be optimistic for Assange’s chances for survival.”

<https://sputniknews.com/us/202002241078396920-videos-protests-in-washington-call-on-us-lawmakers-to-oppose-assanges-extradition/>

Julian Assange was 'handcuffed 11 times and stripped naked'

WikiLeaks founder's lawyers complain of interference after first day of extradition hearing

*Ben Quinn
The Guardian
25 Feb. 2020*

Julian Assange was handcuffed 11 times, stripped naked twice and had his case files confiscated after the first day of his extradition hearing, according to his lawyers, who complained of interference in his ability to take part.

Their appeal to the judge overseeing the trial at Woolwich crown court in south-east London was also supported by legal counsel for the US government, who said it was essential the WikiLeaks founder be given a fair trial.

Edward Fitzgerald QC, acting for Assange, said the case files, which the prisoner was reading in court on Monday, were confiscated by guards when he returned to prison later that night and that he was put in five cells.

The judge, Vanessa Baraitser, replied that she did not have the legal power to comment or rule on Assange’s conditions but encouraged the defence team to formally raise the matter with the prison.

The details emerged on the second day of Assange’s extradition hearing, during which his legal team denied that he had “knowingly placed lives at risk” by publishing unredacted US government files.

The court was told Wikileaks had entered into a collaboration with *the Guardian*, *El País*, *the New York Times* and other media outlets to make redactions to 250,000 leaked cables secret cables in 2010 and publish them.

Mark Summers, QC, claimed the unredacted files had been published because a password to this material had appeared in a *Guardian* book on the affair. “The gates got opened not by Assange or WikiLeaks but by another member of that partnership,” he said.

The Guardian denied the claim. [The claim will later be verified by other evidence. --A.B.]

"*The Guardian* has made clear it is opposed to the extradition of Julian Assange. However, it is entirely wrong to say *the Guardian's* 2011 Wikileaks book led to the publication of unredacted US government files," a spokesman said.

"The book contained a password which the authors had been told by Julian Assange was temporary and would expire and be deleted in a matter of hours. The book also contained no details about the whereabouts of the files. No concerns were expressed by Assange or Wikileaks about security being compromised when the book was published in February 2011. Wikileaks published the unredacted files in September 2011."

The Guardian's former investigations editor David Leigh, who wrote the book with Luke Harding, said: "It's a complete invention that I had anything to do with Julian Assange's own publication decisions. His cause is not helped by people making things up."

Assange, 48, is wanted in the US to face 18 charges of attempted hacking and breaches of the Espionage Act. They relate to the publication a decade ago of hundreds of thousands of diplomatic cables and files covering areas including US activities in Afghanistan and Iraq.

The Australian, who could face a 175-year prison sentence if found guilty, is accused of working with the former US army intelligence analyst Chelsea Manning to leak classified documents.

As well as rejecting allegations that Assange had put the lives of US sources in danger, much of the hearing was taken up with defence counter arguments to the US case that he helped the former intelligence analyst Chelsea Manning to "crack" a scrambled password stored on US Department of Defense computers in order to continue sending leaked material to Wikileaks.

"You can accurately describe this chapter of the case as lies, lies and more lies," Summers told the court at the outset of the day.

Manning already had access to the information and did not need to decode the scrambled password, or "hash value". Nor could she have done so, as is alleged, in order to gain someone else's password, because access to the system was recorded on the basis of IP addresses, Summers says.

As for the US contention that Assange had "solicited" leaks from Manning, a whistleblower who served more than six years of a 35-year military prison sentence before it was commuted by Barack Obama, Summers drew on Manning's insistence that she was moved by her conscience.

James Lewis QC responded for the US government by accusing the defence of consistently misrepresenting the US indictment of Assange, adding: "What he [Summers] is trying to do is consistently put up a straw man and then knock it down."

For example, on the question of cracking the password hash, he emphasised that the US was making a "general allegation" that doing so would make it "more difficult" for the authorities to identify the source of the leaks.

Lewis rejected claims made on Monday by the defence that the US had deliberately "ratcheted up" the charges against Assange in response to the fact that Swedish authorities announced in May 2019 their intention to reopen the investigation of Assange for alleged sexual offences and issue a European arrest warrant.

"The inference that charging Mr Assange with publishing the names of sources was simply ratcheting up the charges is defeated by the objective facts that the [US] grand jury found and indicted him on," he said.

"It just does not follow we will ratchet up the charges in case there might be a competition. We have a clear unequivocal and legal basis for charging him and that is the end of it."

The hearing continues.

<https://www.theguardian.com/media/2020/feb/25/julian-assange-handcuffed-stripped-naked-claim-lawyers>

US once considered poisoning Julian Assange, court told

The US government once considered poisoning Julian Assange, while informants to the US disappeared after WikiLeaks outed them, a London court has heard.

SBS News
25/02/2020

The US government considered poisoning Julian Assange after WikiLeaks published the names of hundreds of their informants, some of whom disappeared, a court has heard.

The first day of the WikiLeaks founder's extradition hearing in a London court heard a series of revelations by lawyers for the US government and Assange's legal team.

Mr Assange, 48, is facing 17 charges of violating the US Espionage Act and one of conspiring to commit computer intrusion over leaking and publishing thousands of classified US diplomatic and military files in 2010.

Barrister Edward Fitzgerald, for Mr Assange, told the packed court a witness will confirm the US had contemplated more "extreme measures" against the Australian.

"Such as kidnapping or poisoning Julian Assange in the embassy," he said at Woolwich Crown Court, referring to Mr Assange's seven-year asylum in the Ecuadorian embassy in London.

James Lewis QC, for the prosecution, said some US informants disappeared after WikiLeaks published their real names.

"The US is aware of sources, whose redacted names and other identifying information was contained in classified documents published by WikiLeaks, who subsequently disappeared, although the US can't prove at this point that their disappearance was the result of being outed by WikiLeaks," Mr Lewis said.

He said Mr Assange was also charged with conspiracy to commit computer intrusion for helping former US Army intelligence analyst Chelsea Manning, hack a password hash so he could hide his identity while accessing and downloading classified files.

Mr Lewis said the extradition hearing wasn't a trial and all Judge Vanessa Baraitser had to decide was whether Mr Assange's alleged offences were crimes under UK laws.

"Reporting or journalism is not an excuse for criminal activities or a licence to break ordinary criminal laws," he said.

But Mr Assange's defence argued he was being pursued for "ulterior political motives".

Mr Fitzgerald detailed how the Americans had spied on his meetings with lawyers in the embassy and added charges to their extradition request in order to supersede a Swedish extradition request.

"Again this is not about criminal justice. It is about the manipulation of the system to ensure the US government was able to make an example of Julian Assange," he said.

Mr Fitzgerald also maintained that US congressman Dana Rohrabacher had indeed offered Mr Assange a pardon on orders of President Donald Trump, which both men denied last week.

"President Trump denies everything and we say 'well, he would, wouldn't he'," Mr Fitzgerald said.

Mr Fitzgerald argued if Mr Assange were extradited he would face discrimination because of his foreign nationality, which denied him free speech protections under the US First Amendment.

He warned it would be unjust given his long battle with depression and high risk of suicide.

Mr Assange, who looked relaxed in the dock and wore a grey suit and grey sweater with a white shirt, is unlikely to give evidence, his lawyers said.

But the Australian unexpectedly stood as the judge was about to rise for the lunch break, saying the sound of protesters outside the court was distracting.

"I cannot concentrate and the noise outside is not helpful, even though I appreciate the public support — they must be disgusted with the proceedings," he said.

The charges against Mr Assange carry a total sentence of 175 years imprisonment in the US.

<https://www.sbs.com.au/news/us-once-considered-poisoning-julian-assange-court-told>

Doctors treating Julian Assange in London faced intimidation and state surveillance

Laura Tieman
TruePublica
25 February 2020

This week's edition of *the Lancet* — the world's pre-eminent peer-reviewed medical journal — carries a letter from 117 medical doctors in 18 countries, renewing their call for urgent action to save the life of WikiLeaks publisher Julian Assange. Their letter [appeared] less than one week before the start of the US extradition hearing in London that may decide Assange's fate.

The doctors' two-page letter appears in the correspondence section of the *Lancet* under the heading "End torture and medical neglect of Julian Assange." It was

written by Dr Stephen Frost (UK), Dr Lissa Johnson, clinical psychologist (Australia), Dr Jill Stein (former leader of the US Green Party) and William Frost (UK).

“The case of Assange... is multifaceted,” the doctors write. “It relates to law, freedom of speech, freedom of the press, journalism, publishing, and politics. It also, however, clearly relates to medicine and public health. The case highlights several concerning aspects that warrant the medical profession’s close attention and concerted action.”

Nearly three months ago, on November 22, more than 65 doctors issued an open letter to the UK government challenging the illegal and arbitrary detention of Assange. A follow-up letter to the Australian government was issued on December 16. Neither government has responded.

Issuing their appeal to medical colleagues throughout the world — the *Lancet* has 1.8 million subscribers — the letter’s authors describe multiple human rights violations by the US, UK, Swedish, Ecuadorian and Australian governments against Assange. This includes nearly a decade of “illegal and arbitrary detention” and relentless state persecution amounting to “prolonged psychological torture.”

Readers of *the Lancet* might be shocked to learn that doctors treating Assange in London have faced intimidation and state surveillance — methods commonly employed by military dictatorships. “There was a climate of fear surrounding the provision of health care in the Embassy,” the letter recounts, with treating doctors forced to report their identity to police.

“Disturbingly,” they write, “it seems that this environment of insecurity and intimidation, further compromising the medical care available to Assange, was by design. Assange was the subject of a 24/7 covert surveillance operation inside the embassy, as the emergence of secret video and audio recordings has shown.

“He was surveilled in private and with visitors, including family, friends, journalists, lawyers, and doctors. Not only were his rights to privacy, personal life, legal privilege, and freedom of speech violated, but so, too, was his right to doctor-patient confidentiality.”

The signatories state emphatically, “We condemn the torture of Assange. We condemn the denial of his fundamental right to appropriate health care. We condemn the climate of fear surrounding the provision of health care to him. We condemn the violations of his right to doctor-patient confidentiality. Politics cannot be allowed to interfere with the right to health and the practice of medicine.”

Doctors for Assange (as the doctors are collectively known) have launched a new website, and their letter to the *Lancet* links to this, “We invite fellow doctors to join us as signatories to our letters to add further voice to our calls. Even as the world’s designated authorities on arbitrary detention, torture, and human rights added their calls to doctors’ warnings, governments have sidelined medical authority, medical ethics, and the human right to health.

“This politicisation of foundational medical principles is of grave concern to us, as it carries implications beyond the case of Assange. Abuse by politically motivated medical neglect sets a dangerous precedent”

“This politicisation of foundational medical principles is of grave concern to us, as it carries implications beyond the case of Assange. Abuse by politically motivated

medical neglect sets a dangerous precedent, whereby the medical profession can be manipulated as a political tool, ultimately undermining our profession's impartiality, commitment to health for all, and obligation to do no harm."

The doctors issue a stark warning, "Should Assange die in a UK prison, as the UN Special Rapporteur on Torture has warned, he will have effectively been tortured to death. Much of that torture will have taken place in a prison medical ward, on doctors' watch. The medical profession cannot afford to stand silently by, on the wrong side of torture and the wrong side of history, while such a travesty unfolds."

Yesterday, Doctors for Assange sent copies of their letter to UK Home Secretary Priti Patel and to Australian Foreign Minister Marise Payne. "Mr Assange's human rights to health care and freedom from torture must be upheld. At this late hour, we call on you to act decisively," the doctors wrote.

Their letter to *the Lancet* concludes, "Our appeals are simple: we are calling upon governments to end the torture of Julian Assange and ensure his access to the best available health care before it is too late. Our request to others is this: please join us."

<https://truepublica.org.uk/united-kingdom/doctors-treating-julian-assange-in-london-faced-intimidation-and-state-surveillance/>

Your Man in the Public Gallery — Assange Hearing, Day 1

Craig Murray
25 Feb. 2020

Woolwich Crown Court is designed to impose the power of the state. Normal courts in this country are public buildings, deliberately placed by our ancestors right in the centre of towns, almost always just up a few steps from a main street. The major purpose of their positioning and of their architecture was to facilitate public access in the belief that it is vital that justice can be seen by the public.

Woolwich Crown Court, which hosts Belmarsh Magistrates Court, is built on totally the opposite principle. It is designed with no other purpose than to exclude the public. Attached to a prison on a windswept marsh far from any normal social centre, an island accessible only through navigating a maze of dual carriageways, the entire location and architecture of the building is predicated on preventing public access. It is surrounded by a continuation of the same extremely heavy duty steel paling barrier that surrounds the prison. It is the most extraordinary thing, a courthouse which is a part of the prison system itself, a place where you are already considered guilty and in jail on arrival. Woolwich Crown Court is nothing but the physical negation of the presumption of innocence, the very incarnation of injustice in unyielding steel, concrete and armoured glass. It has precisely the same relationship to the administration of justice as Guantanamo Bay or the Lubyanka. It is in truth just the sentencing wing of Belmarsh prison.

When enquiring about facilities for the public to attend the hearing, an Assange activist was told by a member of court staff that we should realise that Woolwich is a "counter-terrorism court". That is true *de facto*, but in truth a "counter-terrorism court" is an institution unknown to the UK constitution. Indeed, if a single day at Woolwich

Crown Court does not convince you the existence of liberal democracy is now a lie, then your mind must be very closed indeed.

Extradition hearings are not held at Belmarsh Magistrates Court inside Woolwich Crown Court. They are always held at Westminster Magistrates Court as the application is deemed to be delivered to the government at Westminster. Now get your head around this. This hearing is at Westminster Magistrates Court. It is being held by the Westminster magistrates and Westminster court staff, but located at Belmarsh Magistrates Court inside Woolwich Crown Court. All of which weird convolution is precisely so they can use the “counter-terrorist court” to limit public access and to impose the fear of the power of the state.

One consequence is that, in the courtroom itself, Julian Assange is confined at the back of the court behind a bulletproof glass screen. He made the point several times during proceedings that this makes it very difficult for him to see and hear the proceedings. The magistrate, Vanessa Baraitser, chose to interpret this with studied dishonesty as a problem caused by the very faint noise of demonstrators outside, as opposed to a problem caused by Assange being locked away from the court in a massive bulletproof glass box.

Now there is no reason at all for Assange to be in that box, designed to restrain extremely physically violent terrorists. He could sit, as a defendant at a hearing normally would, in the body of the court with his lawyers. But the cowardly and vicious Baraitser has refused repeated and persistent requests from the defence for Assange to be allowed to sit with his lawyers. Baraitser of course is but a puppet, being supervised by Chief Magistrate Lady Arbuthnot, a woman so enmeshed in the defence and security service establishment I can conceive of no way in which her involvement in this case could be more corrupt.

It does not matter to Baraitser or Arbuthnot if there is any genuine need for Assange to be incarcerated in a bulletproof box, or whether it stops him from following proceedings in court. Baraitser's intention is to humiliate Assange, and to instill in the rest of us horror at the vast crushing power of the state. The inexorable strength of the sentencing wing of the nightmarish Belmarsh Prison must be maintained. If you are here, you are guilty.

It's the Lubyanka. You may only be a remand prisoner. This may only be a hearing not a trial. You may have no history of violence and not be accused of any violence. You may have three of the country's most eminent psychiatrists submitting reports of your history of severe clinical depression and warning of suicide. But I, Vanessa Baraitser, am still going to lock you up in a box designed for the most violent of terrorists. To show what we can do to dissidents. And if you can't then follow court proceedings, all the better.

You will perhaps better accept what I say about the Court when I tell you that, for a hearing being followed all round the world, they have brought it to a courtroom which had a total number of sixteen seats available to members of the public. 16. To make sure I got one of those 16 and could be your man in the gallery, I was outside that great locked iron fence queuing in the cold, wet and wind from 6am. At 8am the gate was unlocked, and I was able to walk inside the fence to another queue before the doors of the courtroom, where despite the fact notices clearly state the court opens to the public at 8am, I had to queue outside the building again for another hour and forty minutes. Then I was processed through armoured airlock doors, through airport

type security, and had to queue behind two further locked doors, before finally getting to my seat just as the court started at 10am. By which stage the intention was we should have been thoroughly cowed and intimidated, not to mention drenched and potentially hypothermic.

There was a separate media entrance and a media room with live transmission from the courtroom, and there were so many scores of media I thought I could relax and not worry as the basic facts would be widely reported. In fact, I could not have been more wrong. I followed the arguments very clearly every minute of the day, and not a single one of the most important facts and arguments today has been reported anywhere in the mainstream media. That is a bold claim, but I fear it is perfectly true. So I have much work to do to let the world know what actually happened. The mere act of being an honest witness is suddenly extremely important, when the entire media has abandoned that role.

James Lewis QC made the opening statement for the prosecution. It consisted of two parts, both equally extraordinary. The first and longest part was truly remarkable for containing no legal argument, and for being addressed not to the magistrate but to the media. It is not just that it was obvious that is where his remarks were aimed, he actually stated on two occasions during his opening statement that he was addressing the media, once repeating a sentence and saying specifically that he was repeating it again because it was important that the media got it.

I am frankly astonished that Baraitser allowed this. It is completely out of order for a counsel to address remarks not to the court but to the media, and there simply could not be any clearer evidence that this is a political show trial and that Baraitser is complicit in that. I have not the slightest doubt that the defence would have been pulled up extremely quickly had they started addressing remarks to the media. Baraitser makes zero pretence of being anything other than in thrall to the Crown, and by extension to the US Government.

The points which Lewis wished the media to know were these: it is not true that mainstream outlets like *the Guardian* and *New York Times* are also threatened by the charges against Assange, because Assange was not charged with publishing the cables but only with publishing the names of informants, and with cultivating Manning and assisting him to attempt computer hacking. Only Assange had done these things, not mainstream outlets.

Lewis then proceeded to read out a series of articles from the mainstream media attacking Assange, as evidence that the media and Assange were not in the same boat. The entire opening hour consisted of the prosecution addressing the media, attempting to drive a clear wedge between the media and Wikileaks and thus aimed at reducing media support for Assange. It was a political address, not remotely a legal submission. At the same time, the prosecution had prepared reams of copies of this section of Lewis' address, which were handed out to the media and given them electronically so they could cut and paste.

Following an adjournment, magistrate Baraitser questioned the prosecution on the veracity of some of these claims. In particular, the claim that newspapers were not in the same position because Assange was charged not with publication, but with "aiding and abetting" Chelsea Manning in getting the material, did not seem consistent with Lewis' reading of the 1989 Official Secrets Act, which said that merely obtaining and publishing any government secret was an offence. Surely, Baraitser suggested, that meant that newspapers just publishing the Manning leaks would be guilty of an offence?

This **appeared** to catch Lewis entirely off guard. The last thing he had expected was any perspicacity from Baraitser, whose job was just to do what he said. Lewis hummed and hawed, put his glasses on and off several times, adjusted his microphone repeatedly and picked up a succession of pieces of paper from his brief, each of which appeared to surprise him by its contents, as he waved them haplessly in the air and said he really should have cited the Shayler case but couldn't find it. It was like watching Columbo with none of the charm and without the killer question at the end of the process.

Suddenly Lewis appeared to come to a decision. Yes, he said much more firmly. The 1989 Official Secrets Act had been introduced by the Thatcher Government after the Ponting Case, specifically to remove the public interest defence and to make unauthorised possession of an official secret a crime of strict liability — meaning no matter how you got it, publishing and even possessing made you guilty. Therefore, under the principle of dual criminality, Assange was liable for extradition whether or not he had aided and abetted Manning. Lewis then went on to add that any journalist and any publication that printed the official secret would therefore also be committing an offence, no matter how they had obtained it, and no matter if it did or did not name informants.

Lewis had thus just flat out contradicted his entire opening statement to the media stating that they need not worry as the Assange charges could never be applied to them. And he did so straight after the adjournment, immediately after his team had handed out copies of the argument he had now just completely contradicted. I cannot think it has often happened in court that a senior lawyer has proven himself so absolutely and so immediately to be an unmitigated and ill-motivated liar. This was undoubtedly the most breathtaking moment in today's court hearing.

Yet remarkably I cannot find any mention anywhere in the mainstream media that this happened at all. What I can find, everywhere, is the mainstream media reporting, via cut and paste, Lewis's first part of his statement on why the prosecution of Assange is not a threat to press freedom; but nobody seems to have reported that he totally abandoned his own argument five minutes later. Were the journalists too stupid to understand the exchanges?

The explanation is very simple. The clarification coming from a question Baraitser asked Lewis, there is no printed or electronic record of Lewis' reply. His original statement was provided in cut and paste format to the media. His contradiction of it would require a journalist to listen to what was said in court, understand it and write it down. There is no significant percentage of mainstream media journalists who command that elementary ability nowadays. "Journalism" consists of cut and paste of approved sources only. Lewis could have stabbed Assange to death in the courtroom, and it would not be reported unless contained in a government press release.

I was left uncertain of Baraitser's purpose in this. Plainly she discomfited Lewis very badly on this point, and appeared rather to enjoy doing so. On the other hand the point she made is not necessarily helpful to the defence. What she was saying was essentially that Julian could be extradited under dual criminality, from the UK point of view, just for publishing, whether or not he conspired with Chelsea Manning, and that all the journalists who published could be charged too. But surely this is a point so extreme that it would be bound to be invalid under the Human Rights Act? Was she pushing Lewis to articulate a position so extreme as to be untenable — giving him enough rope to hang himself — or was she slaver at the prospect of not just extraditing Assange, but of mass prosecutions of journalists?

The reaction of one group was very interesting. The four US government lawyers seated immediately behind Lewis had the grace to look very uncomfortable indeed as Lewis baldly declared that any journalist and any newspaper or broadcast media publishing or even possessing any government secret was committing a serious offence. Their entire strategy had been to pretend not to be saying that.

Lewis then moved on to conclude the prosecution's arguments. The court had no decision to make, he stated. Assange must be extradited. The offence met the test of dual criminality as it was an offence both in the USA and UK. UK extradition law specifically barred the court from testing whether there was any evidence to back up the charges. If there had been, as the defence argued, abuse of process, the court must still extradite and then the court must pursue the abuse of process as a separate matter against the abusers. (This is a particularly specious argument as it is not possible for the court to take action against the US government due to sovereign immunity, as Lewis well knows). Finally, Lewis stated that the Human Rights Act and freedom of speech were completely irrelevant in extradition proceedings.

Edward Fitzgerald then arose to make the opening statement for the defence. He started by stating that the motive for the prosecution was entirely political, and that political offences were specifically excluded under article 4.1 of the UK/US extradition treaty. He pointed out that at the time of the Chelsea Manning Trial and again in 2013 the Obama administration had taken specific decisions not to prosecute Assange for the Manning leaks. This had been reversed by the Trump administration for reasons that were entirely political.

On abuse of process, Fitzgerald referred to evidence presented to the Spanish criminal courts that the CIA had commissioned a Spanish security company to spy on Julian Assange in the Embassy, and that this spying specifically included surveillance of Assange's privileged meetings with his lawyers to discuss extradition. For the state trying to extradite to spy on the defendant's client-lawyer consultations is in itself grounds to dismiss the case. (This point is undoubtedly true. Any decent judge would throw the case out summarily for the outrageous spying on the defence lawyers).

Fitzgerald went on to say the defence would produce evidence the CIA not only spied on Assange and his lawyers, but actively considered kidnapping or poisoning him, and that this showed there was no commitment to proper rule of law in this case.

Fitzgerald said that the prosecution's framing of the case contained deliberate misrepresentation of the facts that also amounted to abuse of process. It was not true that there was any evidence of harm to informants, and the US government had confirmed this in other fora, eg in Chelsea Manning's trial. There had been no conspiracy to hack computers, and Chelsea Manning had been acquitted on that charge at court martial. Lastly it was untrue that Wikileaks had initiated publication of unredacted names of informants, as other media organisations had been responsible for this first.

Again, so far as I can see, while the US allegation of harm to informants is widely reported, the defence's total refutation on the facts and claim that the fabrication of facts amounts to abuse of process is not much reported at all. Fitzgerald finally referred to US prison conditions, the impossibility of a fair trial in the US, and the fact the Trump Administration has stated foreign nationals will not receive First Amendment protections, as reasons that extradition must be barred. You can read the whole defence statement: https://dontextraditeassange.com/IA_Defence_Opening.pdf

<https://www.craigmurray.org.uk/archives/2020/02/your-man-in-the-public-gallery-assange-hearing-day-1/>

Queen's Counsel Charges vs Assange 'Significantly Overwrought'

The CIA and Pentagon are saying, in effect, "Trust Us." What could possibly go wrong? — aside from a publisher of accurate information spending the rest of his life in prison .

Ray McGovern
Consortium News
February 25, 2020

We are about to see how malleable the British Court system is to dictat from Washington. Will the British embrace the flimsiest of circumstantial "evidence" from U.S. security services that have axes to grind?

Will British officials turn their back on 800 years of progress on the human rights wrested from King John at Runnymede? Are there today no "English Nobles" to thwart the obscene "legal" proceedings aimed at extraditing WikiLeaks publisher Julian Assange to a U.S. prison for publishing the truth about U.S. and UK war crimes?

At Monday's court hearing in London, James Lewis QC, argued the U.S. case using information the U.S. gave him from "secret sources" in Iraq and Afghanistan. Here's Mr. Lewis:

"The U.S. is aware of sources, whose unredacted names and other identifying information were contained in classified documents published by WikiLeaks, who subsequently disappeared, although the US can't prove at this point that their disappearance was the result of being outed by WikiLeaks."

With the CIA and Defense Department saying, in effect, "Trust Us", what could possibly go wrong? — aside from a publisher of accurate information spending the rest of his life in prison — and all future journalists running the same risk, should they run afoul of U.S. authorities.

Unless the British Court system has become totally subservient to U.S. influence, James Lewis QC will have to do better in the coming weeks to plausibly pin a crime on Julian Assange.

Still, do not underestimate British "flexibility" in reaction to orders from Washington. Recall, for example, that just a short, but havoc-filled 17 years ago, UK Attorney General Lord Peter Henry QC (now Baron) Goldsmith was persuaded to abruptly reverse his opinion on the upcoming U.S./UK unprovoked attack on Iraq from "illegal" to "legal", for which he was awarded yet additional British honorifics.

Do President Donald Trump and Prime Minister Boris Johnson really wish to take their cue from the sorry pair of Bush and Blair? We never did learn very much about the "secret sources" that were said to be behind all the poppycock about those elusive Weapons of Mass Destruction in Iraq, did we?

Speaking on behalf of U.S. officialdom, Lewis claimed that hundreds of people across the world had to be warned after the WikiLeaks disclosures. Some had to be relocated. Others later disappeared, he said. But wait. He was careful to indicate that the U.S. would not try to prove that these events resulted directly from the disclosures. (Is this not what was once called "hearsay"?)

As an ominous coda to his presentation, Lewis somberly added that some WikiLeaks information was found at Osama bin Laden's hideout in Pakistan. Aha!

'Significantly Overwrought'

After WikiLeaks published copious materials on the wars in Afghanistan and Iraq, and State Department cables, there was a hue and cry regarding the "inevitable" damage to U.S. assets and equities. On Nov. 30, 2010, then Secretary of Defense Robert Gates offered a more candid appraisal of risks and damage from the WikiLeaks disclosures.

Here's Gates at a formal Pentagon news briefing: "Now, I've heard the impact of these releases on our foreign policy described as a meltdown, as a game-changer, and so on. I think — I think those descriptions are fairly significantly overwrought ... We are still essentially, as has been said before, the indispensable nation. So other nations will continue to work with us. We will continue to share sensitive information with one another.

"Is this embarrassing? Yes. Is it awkward? Yes. Consequences for U.S. foreign policy? I think fairly modest."

Shortly after Gates's unusually frank correction, politicians and pundits adjusted their sights on Assange, to allegations that he was a "terrorist." Then Vice President Joe Biden said publicly that Assange was a "high-tech terrorist", and CNN invited a slew of talking heads to confirm the new meme: Yes indeed, Assange clearly was a terrorist.

Apparently, someone told CNN it might look a little better if they added another head for balance. I became the token head "for balance" — the patsy.

CNN's Don Lemon asked me on Dec. 12, 2010 to explain why many of my VIPS colleagues and I could conceivably think Assange was not a terrorist, but rather a journalist.

Lemon: "So, you don't like the way he's been labeled a terrorist or a hacker? You actually think that he's a journalist. I want to get that correct."

Lemon was right about one thing: "That will have to be the last word." Indeed, I have not been invited onto CNN since.

When I had a chance to review the show, I found it so transparent that I actually felt a bit sorry for Lemon who, after all, clearly had his instructions — and perhaps a family to feed. That turned out to be silly; he got promoted and now has his own show on CNN.

Collateral Murder

The gunsight video-cum-audio showing the cold-blooded killing of at least 12 Iraqi civilians, including two Reuters journalists, by gunners in a U.S. Apache helicopter on July 12, 2007 during the "surge" of U.S. forces into the Baghdad area needs to accompany any story on WikiLeaks' revelations; this whether or not it is given much play at the hearing in the days ahead. Watching this 18-minute video will provide some idea as to why Private Chelsea Manning was moved to give it to WikiLeaks.

Every American should watch this video to get some sense of the kind of war crimes WikiLeaks exposed — accurately, with original footage — and to understand why Establishment Washington got so angry at Assange and remains hell bent on making an example of him.

For broader perspective on events surrounding Manning's decision to give the video to WikiLeaks, there is no better source than the account given by video-maker Sonia Kennebeck, née Mayr.

Her work "Shooters Walk Free, Whistleblower Jailed" appeared first on the German TV program Panorama; it is only 12 minutes long, but speaks volumes.

There was nothing like it at the time, so Panorama was persuaded to prepare a version, with Sonia's own voice-over, for English speakers. Strongly recommended. (Kennebeck later directed/produced the award winning documentary film about drone warfare, "*National Bird*" (2016).

Ray McGovern works with Tell the Word, a publishing arm of the ecumenical Church of the Saviour in Washington, DC. He was an Army/Infantry and CIA intelligence analyst for three decades, and personally conducted the early morning briefings of The President's Daily Brief from 1981 to 1985. He is co-founder of Veteran Intelligence Professionals for Sanity (VIPS).

<https://consortiumnews.com/2020/02/25/ray-mcgovern-queens-counsel-charges-vs-assange-significantly-overwrought/>

Yanis Varoufakis: To persecute Assange is to "murder the truth"

Anu Shukla
The London Economic
February 25, 2020

If the trial of Julian Assange has made one thing clear, it is that the US has immunity from alleged war crimes exposed by Wikileaks, Yanis Varoufakis told *The London Economic* at the Don't Extradite Assange protest in London yesterday.

Speaking on Parliament Square the Greek economist and former finance minister of the Syriza Party warned that these are no longer the days of Daniel Ellsberg. "The machinations of the establishment were not as sophisticated back then as they are post 911."

"Absolute power leads to absolute tyranny. And the US government has enjoyed immunity from any kind of check and balance", he said.

But the "scandalous way" that US authorities have so far been allowed to "eves-drop" on conversations between Assange and his lawyers "effectively guarantees that this trial is going to be lost".

As far as Varoufakis is concerned though, the fight for freedom does not end there.

He added: "There are great hopes for the next step when we appeal, because there will be judges in this country who will see this as a fantastic opportunity to assert their independence and dignity against a crime perpetrated not just towards Julian, but the Magna Carta, and basic civil liberties."

Varoufakis has already said in the past that Assange, who was facing allegations of sexual abuse under a rape inquiry dropped in November 2019, was not given the chance to face his accusers without risk of extradition to the US. Had he been given this opportunity, he said it would not only have been a move that “empowered women”, but it would also have “protected whistleblowers.”

He told *The London Economic*: “Julian is being persecuted for embarrassing national security operators and the American military by telling truth. He has allowed us to know what was done in our name while we were ignorant. That is what matters.

“So whether it’s the Arab Spring or the political revolution that is now supporting Bernie Sanders, you find links between the truth and political events left, right and centre. What matters right now, is that we do not obliterate the truth by allowing the British and American state to murder Assange.”

But Varoufakis said he is not convinced by actions taken in support of whistleblowers at EU level.

He said such gestures as the Whistleblower’s Directive, launched several months after Assange’s arrest at the Embassy of Ecuador, shows how the EU “is remarkably good at creating beautiful directives that warm our hearts,” but which are “only labels covering up the absence of truth with packaging.”

He added: “The EU is brilliant at creating the resemblance of a humanitarian and progressive policy setting. Look at the Green Deal, which they are now presenting as a one trillion euro leap to a green future. There’s no money involved in that.”

In the coming days, Varoufakis said he planned to release the recordings of EU meetings which were not officially documented. “For five years now, they have been lying about what’s going on there. So much for European transparency.”

The release of the recordings dubbed ‘Euroleaks’, he said, will expose the EU’s internal decision making process and why its reform is necessary for upholding democracy.

But he said Assange and Wikileaks are “not favoured anywhere”, as also seen by past media reports claiming Wikileaks and the exposure of western secrets are beneficial to Russian Prime Minister Vladimir Putin.

“Julian has created this digital postbox so anyone can put information there that would be in the public interest. He cannot control who puts what into this postbox. What he can control, is that it is accurate. That is his job”

“And as for the benefits to Putin, Russia, Iran and so on from any Wikileaks exposés, let me put it this way: Mr Putin is sitting in his office in the Kremlin watching the US establishment and the EU, and killing himself with laughter because everything they do strengthens him.

“It is not Wikileaks that sucked in Putin, it was the comedy of errors in the foreign and economic policies of Europe and the US. Look at the way Trump abandoned the Kurdish fighters who helped the west defeat ISIS, they abandoned them and allowed free space to Putin’s troops.

“Now, the west is working for Putin, not as a result of any strategic plan, but as a result of immense idiocy. So let’s stop this rubbish about Wikileaks helping Putin; Putin’s best friend is Donald Trump and the EU.”

Julian Assange's trial began for a week on Monday 24 February. Proceedings will resume again for a period of three weeks, beginning 18 May. He faces an 18-count indictment under the US Espionage Act for publishing classified diplomatic documents exposing alleged war crimes in Iraq and the U.S, and secret reports detailing ill-treatment of detainees in Guantanamo Bay. Assange could face 175 years in jail if taken to stand trial in the US.

<https://www.thelondoneconomic.com/politics/yanis-varoufakis-exclusive-to-persecute-assange-is-to-murder-the-truth/25/02/>

Behandlingen av Assange — ett svenskt misslyckande

Anne Ramberg

Blogg

Februari 25, 2020

I dagarna ska en brittisk domstol avgöra om Julian Assange ska utlämnas till USA, där han är misstänkt för dataintrång och spioneri. Bakgrunden är som alla minns Wikileaks avslöjanden om amerikanska krigsbrott, tortyr och kidnappningar av misstänkta terrorister.

Assange blev en uppburen kändis som försåg de världsledande nyhetsredaktionerna med hemligt stoff. Han inbjöds till Sverige för att tala och inledde sexuella kontakter med två kvinnor. Dessa polisanmälde honom för bl.a. våldtäkt. En förundersökning inleddes så småningom. Assange var i landet i fem veckor. Ingen besvärade sig med att kalla honom till förhör. Han kontaktade åklagaren och meddelade att han var tvungen att lämna Sverige. Därefter önskade han inte återvända varför åklagaren utfärdade en s.k. arresteringsorder. Redan här finns skäl att reagera. Att det överhuvudtaget inleddes en förundersökning kan starkt ifrågasättas. Att förundersökningen inte fördes framåt är anmärkningsvärt. Att domstolarna inte ställde krav på åklagaren var slappt. Att nedläggningsbeslutet dröjde så många år var oförsvarligt. Sammantaget har svenskt rättsväsende skäl att känna skam.

Det är föga smickrande för ett land som Sverige, som brukar tala med hög röst när det gäller andra länders tillkortakommanden vad avser rättssäkerhet och brott mot mänskliga rättigheter, att så totalt misslyckas som vi gjort i fallet Julian Assange. Konsekvenserna för Assange är ohjälpliga. Effekterna för tilltron till rättssamhället är skadliga. Nu står yttrandefriheten på spel.

Fallet Assange handlar nämligen ytterst om yttrandefrihet och rättsstatliga principer. Det handlar om rätten och den moraliska skyldigheten för envar att avslöja krigsbrott, alldeles oavsett hur informationen åtkommit. Det gjorde Assange och Wikileaks. Avslöjandena om USAs övergrepp var chockerande och synnerligen angelägna. Enligt min mening handlar yttrande- och tryckfrihet inte bara om rätten att uttrycka en åsikt. Med rättigheten följer att ansvar. Assange och Snowden är exempel på personer som tagit det ansvaret och vågat avslöja förhållanden som de ansett innefatta grova brott. Genom deras berättelser fick världen reda på de utomordentligt allvarliga krigsförbrytelser som ägde rum från USAs sida.

Det behövs personer som Bob Woodward och Carl Bernstein, Jan Guillou och Peter Bratt, Edward Snowden och Julian Assange. De har medvetet riskerat att hamna i fängelse för att avslöja allvarliga brister i det demokratiska systemet. De utgör en

viktig del i demokratin. Och därför behöver de skydd. Ett skydd som svenskt rättsväsende inte tillhandahållit. Och såvitt kan förstås inte heller det brittiska. Hur kunde det gå så?

FN:s särskilda rapportör om tortyr, Nils Meltzer, beskriver i en av sina rapporter behandlingen av Julian Assange med orden "There has been a relentless and unrestrained campaign of public mobbing". Något, som sannolikt bidragit till att Sverige liksom Storbritannien fullständigt misslyckats med att upprätthålla rättsstatens principer. Hanteringen av misstankarna mot Assange lever inte upp till de krav som regeringsformen, Europakonventionen och internationella konventioner uppställer. Och här har inte heller den svenska och internationella pressen heller gjort sitt jobb. Man har moraliserat över Assange kvinnosyn och gottat sig i frågan om vad som utspelade sig i de olika sängar som Assange tillbringade några av sina nätter i Sverige. Spaltmeter har skrivits om Assange mindre sympatiska personlighet. Med åren har en tydlig fokusförskjutning ägt rum från de extraordinära avslöjandena till huruvida Assange har sig själv att skylla. Någon principiell granskning av det haveri som Assangeutredningen är ett uttryck för har med några få undantag skett.

FN:s kommissionär för mänskliga rättigheter krävde redan 2015 att Assange skulle släppas från vad han beskrev som godtycklig och olaglig internering. Något som han på goda grunder upprepade 2018, dock utan framgång. Assange har under den tid som han hållits i brittiskt fängelse inledningsvis utsatts för en omänsklig behandling. Assange riskerar nu att utlämnas till den galne presidenten Trumps USA, där han enligt uppgift riskerar upp till 175 års fängelse. Ansvar för den omänskliga behandlingen av Assange vilar tungt på Sverige.

<https://anneramberg.wordpress.com/blogg-2/>

Your Man in the Public Gallery — Assange Hearing, Day 2

Craig Murray
26 Feb. 2020

This afternoon Julian's Spanish lawyer, Baltasar Garzon, left court to return to Madrid. On the way out he naturally stopped to shake hands with his client, proffering his fingers through the narrow slit in the bulletproof glass cage. Assange half stood to take his lawyer's hand. The two security guards in the cage with Assange immediately sprang up, putting hands on Julian and forcing him to sit down, preventing the handshake.

That was not by any means the worst thing today, but it is a striking image of the senseless brute force continually used against a man accused of publishing documents. That a man cannot even shake his lawyer's hand goodbye is against the entire spirit in which the members of the legal system like to pretend the law is practised. I offer that startling moment as encapsulating yesterday's events in court.

Day 2 proceedings had started with a statement from Edward Fitzgerald, Assange's QC, that shook us rudely into life. He stated that yesterday, on the first day of trial, Julian had twice been stripped naked and searched, eleven times been handcuffed, and five times been locked up in different holding cells. On top of this, all of his court documents had been taken from him by the prison authorities, including privileged communications between his lawyers and himself, and he had been left with no ability to prepare to participate in today's proceedings.

Magistrate Baraitser looked at Fitzgerald and stated, in a voice laced with disdain, that he had raised such matters before and she had always replied that she had no jurisdiction over the prison estate. He should take it up with the prison authorities. Fitzgerald remained on his feet, which drew a very definite scowl from Baraitser, and replied that of course they would do that again, but this repeated behaviour by the prison authorities threatened the ability of the defence to prepare. He added that regardless of jurisdiction, in his experience it was common practice for magistrates and judges to pass on comments and requests to the prison service where the conduct of the trial was affected, and that jails normally listened to magistrates sympathetically.

Baraitser flat-out denied any knowledge of such a practice, and stated that Fitzgerald should present her with written arguments setting out the case law on jurisdiction over prison conditions. This was too much even for prosecution counsel James Lewis, who stood up to say the prosecution would also want Assange to have a fair hearing, and that he could confirm that what the defence were suggesting was normal practice. Even then, Baraitser still refused to intervene with the prison.

She stated that if the prison conditions were so bad as to reach the very high bar of making a fair hearing impossible, the defence should bring a motion to dismiss the charges on those grounds. Otherwise they should drop it.

Both prosecution and defence seemed surprised by Baraitser's claim that she had not heard of what they both referred to as common practice. Lewis may have been genuinely concerned at the shocking description of Assange's prison treatment yesterday; or he may have just had warning klaxons going off in his head screaming "mistrial". But the net result is Baraitser will attempt to do nothing to prevent Julian's physical and mental abuse in jail nor to try to give him the ability to participate in his defence. The only realistic explanation that occurs to me is that Baraitser has been warned off, because this continual mistreatment and confiscation of documents is on senior government authority.

A last small incident for me to recount: having queued again from the early hours, I was at the final queue before the entrance to the public gallery, when the name was called out of Kristin Hrnafsson, editor of Wikileaks, with whom I was talking at the time. Kristin identified himself, and was told by the court official he was barred from the public gallery.

Now I was with Kristin throughout the entire proceedings the previous day, and he had done absolutely nothing amiss — he is rather a quiet gentleman. When he was called for, it was by name and by job description — they were specifically banning the editor of Wikileaks from the trial. Kristin asked why and was told it was a decision of the Court.

At this stage John Shipton, Julian's father, announced that in this case the family members would all leave too, and they did so, walking out of the building. They and others then started tweeting the news of the family walkout. This appeared to cause some consternation among court officials, and fifteen minutes later Kristin was re-admitted. We still have no idea what lay behind this. Later in the day journalists were being briefed by officials it was simply over queue-jumping, but that seems improbable as he was removed by staff who called him by name and title, rather than had spotted him as a queue-jumper.

None of the above goes to the official matter of the case. All of the above tells you more about the draconian nature of the political show-trial which is taking place than does the charade being enacted in the body of the court. There were moments today when I got drawn in to the court process and achieved the suspension of disbelief you

might do in theatre, and began thinking “Wow, this case is going well for Assange”. Then an event such as those recounted above kicks in, a coldness grips your heart, and you recall there is no jury here to be convinced. I simply do not believe that anything said or proved in the courtroom can have an impact on the final verdict of this court.

So to the actual proceedings in the case.

For the defence, Mark Summers QC stated that the USA charges were entirely dependent on three factual accusations of Assange behaviour:

- 1) Assange helped Manning to decode a hash key to access classified material. Summers stated this was a provably false allegation from the evidence of the Manning court-martial.
- 2) Assange solicited the material from Manning. Summers stated this was provably wrong from information available to the public.
- 3) Assange knowingly put lives at risk. Summers stated this was provably wrong both from publicly available information and from specific involvement of the US government.

In summary, Summers stated the US government knew that the allegations being made were false as to fact, and they were demonstrably made in bad faith. This was therefore an abuse of process which should lead to dismissal of the extradition request. He described the above three counts as “rubbish, rubbish and rubbish”.

Summers then walked through the facts of the case. He said the charges from the USA divide the materials leaked by Manning to Wikileaks into three categories:

- a) Diplomatic Cables
- b) Guantanamo detainee assessment briefs
- c) Iraq War rules of engagement
- d) Afghan and Iraqi war logs

Summers then methodically went through a), b), c) and d) relating each in turn to alleged behaviours 1), 2) and 3), making twelve counts of explanation and exposition in all. This comprehensive account took some four hours and I shall not attempt to capture it here. I will rather give highlights, but will relate occasionally to the alleged behaviour number and/or the alleged materials letter. I hope you follow that — it took me some time to do so!

On 1) Summers at great length demonstrated conclusively that Manning had access to each material a) b) c) d) provided to Wikileaks without needing any code from Assange, and had that access before ever contacting Assange. Nor had Manning needed a code to conceal her identity as the prosecution alleged — the database for intelligence analysts Manning could access — as could thousands of others — did not require a username or password to access it from a work military computer. Summers quoted testimony of several officers from Manning’s court-martial to confirm this. Nor would breaking the systems admin code on the system give Manning access to any additional classified databases. Summers quoted evidence from the Manning court-martial, where this had been accepted, that the reason Manning wanted to get in to systems admin was to allow soldiers to put their video-games and movies on their government laptops, which in fact happened frequently.

Magistrate Baraitser twice made major interruptions. She observed that if Chelsea Manning did not know she could not be traced as the user who downloaded the

databases, she might have sought Assange's assistance to crack a code to conceal her identity from ignorance she did not need to do that, and to assist would still be an offence by Assange.

Summers pointed out that Manning knew that she did not need a username and password, because she actually accessed all the materials without one. Baraitser replied that this did not constitute proof she knew she could not be traced. Summers said in logic it made no sense to argue that she was seeking a code to conceal her user ID and password, where there was no user ID and password. Baraitser replied again he could not prove that. At this point Summers became somewhat testy and short with Baraitser, and took her through the court martial evidence again. Of which more...

Baraitser also made the point that even if Assange were helping Manning to crack an admin code, even if it did not enable Manning to access any more databases, that still was unauthorised use and would constitute the crime of aiding and abetting computer misuse, even if for an innocent purpose.

After a brief break, Baraitser came back with a real zinger. She told Summers that he had presented the findings of the US court martial of Chelsea Manning as fact. But she did not agree that her court had to treat evidence at a US court martial, even agreed or uncontested evidence or prosecution evidence, as fact. Summers replied that agreed evidence or prosecution evidence at the US court martial clearly was agreed by the US government as fact, and what was at issue at the moment was whether the US government was charging contrary to the facts it knew. Baraitser said she would return to her point once witnesses were heard.

Baraitser was now making no attempt to conceal a hostility to the defence argument, and seemed irritated they had the temerity to make it. This burst out when discussing c), the Iraq war rules of engagement. Summers argued that these had not been solicited from Manning, but had rather been provided by Manning in an accompanying file along with the *Collateral Murder* video that showed the murder of Reuters journalists and children. Manning's purpose, as she stated at her court martial, was to show that the *Collateral Murder* actions breached the rules of engagement, even though the Department of Defense claimed otherwise. Summers stated that by not including this context, the US extradition request was deliberately misleading as it did not even mention the *Collateral Murder* video at all.

At this point Baraitser could not conceal her contempt. Try to imagine Lady Bracknell saying "A Handbag" or "the Brighton line", or if your education didn't run that way try to imagine Pritti Patel spotting a disabled immigrant. This is a literal quote: "Are you suggesting, Mr Summers, that the authorities, the Government, should have to provide context for its charges?"

An unfazed Summers replied in the affirmative and then went on to show where the Supreme Court had said so in other extradition cases. Baraitser was showing utter confusion that anybody could claim a significant distinction between the Government and God.

The bulk of Summers' argument went to refuting behaviour 3), putting lives at risk. This was only claimed in relation to materials a) and d). Summers described at great length the efforts of Wikileaks with media partners over more than a year to set up a massive redaction campaign on the cables. He explained that the unredacted cables only became available after Luke Harding and David Leigh of *the Guardian* published the password to the cache as the heading to Chapter XI of their book Wikileaks, published in February 2011.

Nobody had put 2 and 2 together on this password until the German publication *Der Freitag* had done so and announced it had the unredacted cables in August 2011. Summers then gave the most powerful arguments of the day.

The US government had been actively participating in the redaction exercise on the cables. They therefore knew the allegations of reckless publication to be untrue.

Once *Der Freitag* announced they had the unredacted materials, Julian Assange and Sara Harrison instantly telephoned the White House, State Department and US Embassy to warn them named sources may be put at risk. Summers read from the transcripts of telephone conversations as Assange and Harrison attempted to convince US officials of the urgency of enabling source protection procedures — and expressed their bafflement as officials stonewalled them. This evidence utterly undermined the US government's case and proved bad faith in omitting extremely relevant fact. It was a very striking moment.

With relation to the same behaviour 3) on materials d), Summers showed that the Manning court martial had accepted these materials contained no endangered source names, but showed that Wikileaks had activated a redaction exercise anyway as a “belt and braces” approach.

There was much more from the defence. For the prosecution, James Lewis indicated he would reply in depth later in proceedings, but wished to state that the prosecution does not accept the court martial evidence as fact, and particularly does not accept any of the “self-serving” testimony of Chelsea Manning, whom he portrayed as a convicted criminal falsely claiming noble motives. The prosecution generally rejected any notion that this court should consider the truth or otherwise of any of the facts; those could only be decided at trial in the USA.

Then, to wrap up proceedings, Baraitser dropped a massive bombshell. She stated that although Article 4.1 of the US/UK Extradition Treaty forbade political extraditions, this was only in the Treaty. That exemption does not appear in the UK Extradition Act. On the face of it therefore political extradition is not illegal in the UK, as the Treaty has no legal force on the Court. She invited the defence to address this argument in the morning.

<https://www.craigmurray.org.uk/archives/2020/02/your-man-in-the-public-gallery-assange-hearing-day-2/>

With Wikileaks, Julian Assange Did What All Journalists Should Do

Patrick Cockburn
CounterPunch
February 26, 2020

I was in Kabul in 2010 when Julian Assange and WikiLeaks first released a vast archive of classified US government documents, revealing what Washington really knew about what was happening in the world. I was particularly interested in one of these disclosures which came in the shape of a video that the Pentagon had refused to release despite a Freedom of Information Act request.

When WikiLeaks did release the video, it was obvious why the US generals had wanted to keep it secret. Three years earlier, I had been in Baghdad when a US

helicopter machine-gunned and fired rockets at a group of civilians on the ground, who its pilots claimed were armed insurgents, killing or wounding many of them.

Journalists in Iraq were disbelieving about the US military claim because the dead included two reporters from the Reuters news agency. Nor was it likely that insurgents would have been walking in the open with their weapons when a US Apache helicopter was overhead.

We could not prove anything until WikiLeaks made public the film from the Apache. Viewing it still has the power to shock: the pilots are cock-a-hoop as they hunt their prey, which included people in a vehicle who stopped to help the wounded, saying, "Oh yeah, look at those dead bastards" and "Ha, ha, I hit them." Anybody interested in why the US failed in Iraq should have a look.

The WikiLeaks revelations in 2010 and in 2016 are the present-day equivalent of the release by Daniel Ellsberg in 1971 of the *Pentagon Papers*, unmasking the true history of the US engagement in the Vietnam War. They are, in fact, of even greater significance because they are more wide-ranging and provide an entry point into the world as the US government really sees it.

The disclosures were probably the greatest journalistic scoop in history and newspapers like *The New York Times* recognised this by the vast space they gave to the revelations. Corroboration of their importance has been grimly confirmed by the rage of US security establishment and its allies abroad and the furious determination with which they have pursued Julian Assange as the co-founder of Wikileaks.

Daniel Ellsberg is rightly treated as a hero who revealed the truth about Vietnam, but Julian Assange, whose actions were very similar to Ellsberg's, is held in Belmarsh high security prison. He faces a hearing in London this week to decide on his extradition from the UK to the US on spying charges. If extradited, he stands a good chance of being sentenced to 175 years in the US prison system under the Espionage Act of 1917.

Ever since Assange orchestrated the release of documents through WikiLeaks, he has been the target of repeated official attempts to discredit him or, at the very least, to muddy the waters in a case that should be all about freedom of speech.

The initial bid to demonise Assange came immediately after the first release of documents, claiming that they would cost the lives of people named. The US government still argues that lives were put at risk by WikiLeaks, though it has never produced evidence for this.

On the contrary, in 2013 the US counter-intelligence official who was in charge of the Pentagon's investigation into the impact of the WikiLeaks' disclosures admitted in evidence that there was not a single instance of an individual being killed by enemy forces as a result of what WikiLeaks had done.

Brigadier General Robert Carr, head of the Pentagon's Information Review Task Force, told the sentencing hearing for Chelsea Manning that his initial claim that an individual named by WikiLeaks had been killed by the Taliban in Afghanistan was untrue. "The name of the individual was not in the disclosures," he admitted.

On the day the WikiLeaks revelations were made public I had a pre-arranged meeting in Kabul with a US official who asked what the coding on the top of the leaked papers

was. When I read this out, he was dismissive about the extent to which the deep secrets of the US state were being revealed.

I learned later the reason for his relaxed attitude. The database Manning had accessed was called SIPRNet (Secret Internet Protocol Router) which is a US military internet system. After 9/11 it was used to make sure that confidential information available to one part the US government was available to others. The number of people with the right security clearance who could theoretically access SIPRNet was about three million, though the number with the correct password, while still substantial, would have been much fewer.

The US government is not so naïve as to put real secrets on a system whose purpose was to be open to so many people, including a low-ranking sergeant like Chelsea Manning. Sensitive materials from defence attaches and the like were sent through alternative and more secure channels. Had the US security services really been sending the names of those whose lives would be in danger if their identity was disclosed in a system as insecure as SIPRNet, then they soon would have run short of recruits.

The false accusation that lives had been lost or could have been lost because of WikiLeaks damaged Assange. More damaging by far are the allegations he has faced of the rape and sexual molestation of two women in Sweden in 2010. He denies the allegation, but it has condemned him to permanent pariah status in the eyes of many. The Swedish prosecutor discontinued the rape investigation last year because of lapse of time, but this makes no difference for those who feel that anything Assange has said or done is permanently tainted and that the WikiLeaks disclosures are only a tangential issue. Much of the media likewise views Assange's character and alleged behaviour as the only story worth covering. Though information about SIPRNet and General Carr's evidence was published long ago, few journalists seem to be aware of this.

But it is not because of anything that may have happened in Sweden that Assange is threatened with extradition to the US to face prosecution under the Espionage Act. The charges all relate to the release of government secrets, the sort of thing that all journalists should aspire to do, and many have done on a regular basis in Britain and the US, though without being subject to official sanctions.

Compare the British government's eagerness to detain Assange with its lack of interest in pursuing whoever leaked the secret cables of the British Ambassador to the US, Kim Darroch, to the *Mail on Sunday* last year. His negative comments about Donald Trump provoked an angry reaction from the president that forced Darroch to resign his job.

Assange has made disclosures about the activities of the US government that are more significant than the revelations in the *Pentagon Papers*. That is why he has been pursued to this day and his punishment is so much more severe than anything inflicted on Daniel Ellsberg.

*Patrick Cockburn is the author of
The Rise of Islamic State: ISIS and the New Sunni Revolution.*

<https://www.counterpunch.org/2020/02/26/with-wikileaks-julian-assange-did-what-all-journalists-should-do/>

Your Man in the Public Gallery — The Assange Hearing, Day 3

Craig Murray
27 Feb. 2020

In yesterday's proceedings in court, the prosecution adopted arguments so stark and apparently unreasonable I have been fretting on how to write them up in a way that does not seem like caricature or unfair exaggeration on my part. What has been happening in this court has long moved beyond caricature. All I can do is give you my personal assurance that what I recount actually is what happened.

As usual, I shall deal with procedural matters and Julian's treatment first, before getting in to a clear account of the legal arguments made.

Vanessa Baraitser is under a clear instruction to mimic concern by asking, near the end of every session just before we break anyway, if Julian is feeling well and whether he would like a break. She then routinely ignores his response. Yesterday he replied at some length he could not hear properly in his glass box and could not communicate with his lawyers (at some point yesterday they had started preventing him passing notes to his counsel, which I learn was the background to the aggressive prevention of his shaking Garzon's hand goodbye).

Baraitser insisted he might only be heard through his counsel, which given he was prevented from instructing them was a bit rich. This being pointed out, we had a ten minute adjournment while Julian and his counsel were allowed to talk down in the cells — presumably where they could be more conveniently bugged yet again.

On return, Edward Fitzgerald made a formal application for Julian to be allowed to sit beside his lawyers in the court. Julian was "a gentle, intellectual man" and not a terrorist. Baraitser replied that releasing Assange from the dock into the body of the court would mean he was released from custody. To achieve that would require an application for bail.

Again, the prosecution counsel James Lewis intervened on the side of the defence to try to make Julian's treatment less extreme. He was not, he suggested diffidently, quite sure that it was correct that it required bail for Julian to be in the body of the court, or that being in the body of the court accompanied by security officers meant that a prisoner was no longer in custody. Prisoners, even the most dangerous of terrorists, gave evidence from the witness box in the body of the court next to the lawyers and magistrate. In the High Court prisoners frequently sat with their lawyers in extradition hearings, in extreme cases of violent criminals handcuffed to a security officer.

Baraitser replied that Assange might pose a danger to the public. It was a question of health and safety. How did Fitzgerald and Lewis think that she had the ability to carry out the necessary risk assessment? It would have to be up to Group 4 to decide if this was possible.

Yes, she really did say that. Group 4 would have to decide.

Baraitser started to throw out jargon like a Dalek when it spins out of control. "Risk assessment" and "health and safety" featured a lot. She started to resemble something worse than a Dalek, a particularly stupid local government officer of a very low grade.

“No jurisdiction” — “Up to Group 4”. Recovering slightly, she stated firmly that delivery to custody can only mean delivery to the dock of the court, nowhere else in the room. If the defence wanted him in the courtroom where he could hear proceedings better, they could only apply for bail and his release from custody in general. She then peered at both barristers in the hope this would have sat them down, but both were still on their feet.

In his diffident manner (which I confess is growing on me) Lewis said “the prosecution is neutral on this request, of course but, err, I really don’t think that’s right”. He looked at her like a kindly uncle whose favourite niece has just started drinking tequila from the bottle at a family party.

Baraitser concluded the matter by stating that the Defence should submit written arguments by 10 am tomorrow on this point, and she would then hold a separate hearing into the question of Julian’s position in the court.

The day had begun with a very angry Magistrate Baraitser addressing the public gallery. Yesterday, she said, a photo had been taken inside the courtroom. It was a criminal offence to take or attempt to take photographs inside the courtroom. Vanessa Baraitser looked at this point very keen to lock someone up. She also seemed in her anger to be making the unfounded assumption that whoever took the photo from the public gallery on Tuesday was still there on Wednesday; I suspect not. Being angry at the public at random must be very stressful for her. I suspect she shouts a lot on trains.

Ms Baraitser is not fond of photography — she appears to be the only public figure in Western Europe with no photo on the internet. Indeed the average proprietor of a rural car wash has left more evidence of their existence and life history on the internet than Vanessa Baraitser. Which is no crime on her part, but I suspect the expunging is not achieved without considerable effort. Somebody suggested to me she might be a hologram, but I think not. Holograms have more empathy.

I was amused by the criminal offence of attempting to take photos in the courtroom. How incompetent would you need to be to attempt to take a photo and fail to do so? And if no photo was taken, how do they prove you were attempting to take one, as opposed to texting your mum? I suppose “attempting to take a photo” is a crime that could catch somebody arriving with a large SLR, tripod and several mounted lighting boxes, but none of those appeared to have made it into the public gallery.

Baraitser did not state whether it was a criminal offence to publish a photograph taken in a courtroom (or indeed to attempt to publish a photograph taken in a courtroom). I suspect it is. Anyway *Le Grand Soir* has published a translation of my report yesterday, and there you can see a photo of Julian in his bulletproof glass anti-terrorist cage. Not, I hasten to add, taken by me.

We now come to the consideration of yesterday’s legal arguments on the extradition request itself. Fortunately, these are basically fairly simple to summarise, because although we had five hours of legal disquisition, it largely consisted of both sides competing in citing scores of “authorities”, e.g. dead judges, to endorse their point of view, and thus repeating the same points continually with little value from exegesis of the innumerable quotes.

As prefigured yesterday by magistrate Baraitser, the prosecution is arguing that Article 4.1 of the UK/US extradition treaty has no force in law.

The UK and US Governments say that the court enforces domestic law, not international law, and therefore the treaty has no standing. This argument has been made to the court in written form to which I do not have access. But from discussion in court it was plain that the prosecution argue that the Extradition Act of 2003, under which the court is operating, makes no exception for political offences. All previous Extradition Acts had excluded extradition for political offences, so it must be the intention of the sovereign parliament that political offenders can now be extradited.

Opening his argument, Edward Fitzgerald QC argued that the Extradition Act of 2003 alone is not enough to make an actual extradition. The extradition requires two things in place; the general Extradition Act and the Extradition Treaty with the country or countries concerned. “No Treaty, No Extradition” was an unbreakable rule. The Treaty was the very basis of the request. So to say that the extradition was not governed by the terms of the very treaty under which it was made, was to create a legal absurdity and thus an abuse of process. He cited examples of judgements made by the House of Lords and Privy Council where treaty rights were deemed enforceable despite the lack of incorporation into domestic legislation, particularly in order to stop people being extradited to potential execution from British colonies.

Fitzgerald pointed out that while the Extradition Act of 2003 did not contain a bar on extraditions for political offences, it did not state there could not be such a bar in extradition treaties. And the extradition treaty of 2007 was ratified after the 2003 extradition act.

At this stage Baraitser interrupted that it was plain the intention of parliament was that there could be extradition for political offences. Otherwise they would not have removed the bar in previous legislation. Fitzgerald declined to agree, saying the Act did not say extradition for political offences could not be banned by the treaty enabling extradition.

Fitzgerald then continued to say that international jurisprudence had accepted for a century or more that you did not extradite political offenders. No political extradition was in the European Convention on Extradition, the Model United Nations Extradition Treaty and the Interpol Convention on Extradition. It was in every single one of the United States’ extradition treaties with other countries, and had been for over a century, at the insistence of the United States. For both the UK and US Governments to say it did not apply was astonishing and would set a terrible precedent that would endanger dissidents and potential political prisoners from China, Russia and regimes all over the world who had escaped to third countries.

Fitzgerald stated that all major authorities agreed there were two types of political offence. The pure political offence and the relative political offence. A “pure” political offence was defined as treason, espionage or sedition. A “relative” political offence was an act which was normally criminal, like assault or vandalism, conducted with a political motive. Every one of the charges against Assange was a “pure” political offence. All but one were espionage charges, and the computer misuse charge had been compared by the prosecution to breach of the official secrets act to meet the dual criminality test. The overriding accusation that Assange was seeking to harm the political and military interests of the United States was in the very definition of a political offence in all the authorities.

In reply Lewis stated that a treaty could not be binding in English law unless specifically incorporated in English law by Parliament. This was a necessary

democratic defence. Treaties were made by the executive which could not make law. This went to the sovereignty of Parliament. Lewis quoted many judgements stating that international treaties signed and ratified by the UK could not be enforced in British courts. "It may come as a surprise to other countries that their treaties with the British government can have no legal force" he joked.

Lewis said there was no abuse of process here and thus no rights were invoked under the European Convention. It was just the normal operation of the law that the treaty provision on no extradition for political offences had no legal standing.

Lewis said that the US government disputes that Assange's offences are political. In the UK/Australia/US there was a different definition of political offence to the rest of the world. We viewed the "pure" political offences of treason, espionage and sedition as not political offences. Only "relative" political offences — ordinary crimes committed with a political motive — were viewed as political offences in our tradition. In this tradition, the definition of "political" was also limited to supporting a contending political party in a state. Lewis will continue with this argument tomorrow.

<https://www.craigmurray.org.uk/archives/2020/02/your-man-in-the-public-gallery-the-assange-hearing-day-3/>

Press freedom will be 'thing of the past' if British help Americans get their way with Assange — Irish MEP

RT

26 Feb. 2020

Irish MEP Mick Wallace slammed US prosecutors for "undermining" international law" during Julian Assange extradition hearings and warned that, if the whistleblower is extradited, freedom of the press will be a "thing of the past."

Speaking outside Woolwich Crown Court on the third day of the preliminary hearings, Wallace said James Lewis QC, acting for the US government, was putting international law and freedom of the press "under serious threat."

Lewis argued on Wednesday that British courts can't apply rights from international treaties which have not been established in English domestic law. He was making the case that a US-UK extradition treaty which prohibits extradition for "political offenses" is superseded by the UK's Extradition Act of 2003, which does not contain the same provision.

Wallace said that Assange's case was clearly an international one and that international law cannot be ignored or undermined. He said the case would likely go to multiple appeals and questioned whether the WikiLeaks founder, who has suffered ill health and alleged inhumane treatment in the top-security Belmarsh Prison, would survive more years locked up.

"His only crime is exposing the truth about US war crimes. You cannot shout it loudly enough," he said.

Assange's father John Shipton also spoke outside the court after the third day of hearings wrapped up, asking journalists to "advance the case that Julian get bail immediately."

A spokesperson for Reporters Without Borders said the press freedom organization was concerned that the prosecution was arguing the international law does not apply in Assange's case. She said it "does apply" and Assange faces "politically motivated" charges in the US.

<https://www.rt.com/uk/481753-mick-wallace-julian-assange-extradition/>

Prosecution of WikiLeaks' Julian Assange violates First Amendment

Judge Andrew P. Napolitano

Fox News

27 February 2020

In the oral argument of the famous U.S. Supreme Court cases known collectively as the Pentagon Papers Case, the late Justice William O. Douglas asked a government lawyer if the Department of Justice views the "no law" language in the First Amendment to mean literally no law. The setting was an appeal of the Nixon administration's temporarily successful efforts to bar *The New York Times* and *The Washington Post* from publishing documents stolen from the Department of Defense by Daniel Ellsberg.

*"Congress shall make no law... abridging the freedom of speech."
-- First Amendment to the U.S. Constitution*

The documents were a history of the Vietnam War, which revealed that President Lyndon B. Johnson and his secretaries of defense and state and the military's top brass materially misrepresented the status of the war to the American people. Stated differently, they regularly, consistently and systematically lied to the public and the news media.

Though LBJ was retired, Nixon did not want this unvarnished version of the war he was still fighting to make its way into the public arena. The Nixon DOJ persuaded a federal district court judge to enjoin the publication of the documents because they contained classified materials and they had been stolen.

In a landmark decision, the court ruled that all truthful matters material to the public interest that come into the hands of journalists — no matter how they get there — may lawfully be disseminated. That does not absolve the thief — though the case against Ellsberg was dismissed because the FBI committed crimes against him during his prosecution — but it does insulate the publisher absolutely against civil and criminal liability.

The *Pentagon Papers* Case is a profound explication of one of the great values underlying the freedom of speech; namely, the government cannot lawfully punish those who publish truths it hates and fears.

After his administration lost the case and the *Times* and the *Post* published the documents, Nixon attempted to distinguish his presidency and administration of the war from LBJ's, but he did not challenge the truthfulness of the publications.

Regrettably, the Trump administration is pretending the Pentagon Papers Case does not exist. It is manifesting that pretense in its criminal pursuit of international gadfly and journalist Julian Assange, the founder of WikiLeaks.

Sometime in 2010, Assange and his colleagues began receiving classified U.S. Department of Defense materials from an Army intelligence officer now known as Chelsea Manning.

Manning committed numerous crimes, for which she pleaded guilty, and was sentenced to 45 years in prison. Her sentence was commuted by President Barack Obama, whose Department of Justice publicly declined to prosecute Assange in deference to the once universal acceptance of the Pentagon Papers Case and the numerous court rulings that have followed it.

The Trump DOJ, however, sought and obtained two indictments of Assange, who is now charged with 17 counts of espionage and faces 175 years in prison. Assange is currently being held in a maximum-security prison outside of London. The U.S. has sought his extradition at a proceeding that began in a British courtroom this week.

When lawyers blatantly reject well-accepted law for some political gain, they violate their oaths to uphold the law. When government lawyers do this, they also violate their oaths to uphold the Constitution. For them, there is no escaping the Pentagon Papers Case. While the case turned on the concept of prior restraint of speech, it clearly reflects the views of the court that it matters not how the publisher obtained the secrets that he published.

WikiLeaks revealed -- in partnership with major international publications, including the two involved in the Pentagon Papers Case-- videos of American troops murdering civilians and celebrating the murders (a war crime) as well as documentary proof of American complicity in torture (also a war crime).

Just as in the Pentagon Papers revelations, neither the Obama nor the Trump administration has questioned the truthfulness of the WikiLeaks publication -- even though they revealed murderous wrongdoing, duplicity at the highest levels of government and the names of American intelligence sources (which some mainstream publications declined to make known).

Assange fears that he cannot get a fair trial in the United States. The government says he can and will. When the government suddenly became interested in fair trials remains a mystery. Yet, arguments about fairness miss the point of this lawless prosecution. A journalist is a gatherer and disseminator of facts and opinions. The government's argument that because he communicated with Manning and helped Manning get the data into WikiLeaks' hands, Assange somehow crossed the line from protected behavior to criminal activity shows a pitiful antipathy to personal freedom.

Democracy dies in darkness. The press is the eyes and ears of an informed public. And those eyes and ears need a nose, so to speak. They need breathing room. It is the height of naiveté to think that Ellsberg just dropped off the *Pentagon Papers* at the *Times* and the *Post*, without some coordination with those publications -- coordination that the courts assume exist and implicitly protect.

Might all of this be part of the Trump administration's efforts to chill the free speech of its press critics -- to deny them breathing room? After all, it has referred to them as "sick," "dishonest," "crazed," "unpatriotic," "unhinged" and "totally corrupt purveyors of fake news."

Yet the whole purpose of the First Amendment is to assure open, wide, robust debate about the government, free from government interference and threats. How can that debate take place in darkness and ignorance?

If "no law" doesn't really mean no law, we are deluding ourselves, and freedom is not reality. It is merely a wished-for fantasy.

Andrew P. Napolitano, a former judge of the Superior Court of New Jersey, is the senior judicial analyst at Fox News Channel.

<https://www.foxnews.com/opinion/judge-andrew-napolitano-julian-assange-first-amendment>

Support Growing in France for Assange Asylum Bid

*Nicolas Pinault
VOA News
February 27, 2020*

A British court is still considering whether Julian Assange should be extradited to the U.S. to face espionage charges. The WikiLeaks founder could benefit from a growing wave of support across Europe among those who oppose his possible transfer to the United States to face trial. Assange's European legal team intends to seek political asylum in France for him.

The high-profile case of Julian Assange has brought a number of lawyers who claim to defend the man who considers himself a whistleblower. In France, one the members of this legal team wants President Emmanuel Macron to grant asylum to Assange, who is jailed in London and faces extradition to the United States. Eric Dupond-Moretti, a well-known French lawyer, claims the current process is unfair. Assange could spend the rest of his life in a U.S. prison, if convicted.

He explained that the United States wants to have a political process and that freedom of press is threatened with this case. He said the Constitution of the United States would prevent the prosecution of a U.S. citizen for such facts. This case is a concern for all journalists, non U.S. citizen around the world. Dupond-Moretti said the U.S. Supreme Court stated clearly in different decisions that freedom of expression cannot be prosecuted as it is case with Assange.

In London, a lawyer for the United States accused Julian Assange of risking the lives of intelligence sources by publishing classified U.S. government documents. Assange faces charges under the U.S. Espionage Act for the 2010 release via his website of a trove of files detailing the realities of U.S. military campaigns in Afghanistan and Iraq.

Organizations supporting the Wikileaks founder call it a bogus argument. Rebecca Vincent is the Britain Bureau Director for Reporters without borders.

"Whether it should be a matter of criminal offense to leak information, the question of public's interest defense is very important. Of course, it is the prerogative of states and some information action must be confidential. But when the information leaked is in the public interest, when it contributes to journalism, and, in fact, political change on the basis of revelations that the public has a right to know. We consider a matter of press freedom and we will defend it. That is very much the case with Mr. Assange," she said.

In 2010, WikiLeaks also released hundreds of thousands of documents in their original form — including the secret identities of diplomats and local sources. It was a shocking revelation that brought to light some US intelligence operations, including

spying on leaders from foreign countries, such as France or Germany. For that specific reason, some French lawmakers think Julian Assange should be rewarded with asylum in France.

Jean-Christophe Lagarde, a centrist French representative, is one of them. He said that even if the United States has been an ally of France, before Donald Trump came to power, the French cannot trust them because, to defend their own interests, the [Americans] can spy on foreign leaders. Lagarde said he thinks it is a red flag between democracies. For that, he said, some countries should give Julian Assange the proper recognition for releasing American secrets.

Julian Assange's legal battle in Britain is far from over as the hearing is expected to take several weeks before the judge make a decision on his case.

<https://www.voanews.com/europe/support-growing-france-assange-asylum-bid>

Aftonbladet: 2020-02-27

Ni lovade att stå upp för Assanges publiceringar

Johannes Wahlström rapporterar från rättegången i Englands Guantanamo

En timmas bilresa från centrala London, på den plats där staden efter en rad kolerautbrott i slutet av 1800-talet förlagt sitt avloppssystem, där idag resterna av trasproletariatet tillsammans med nyanlända flyktingar spikar igen spruckna fönsterrutor med plankor, och där dubbelfiliga motorvägar möts av en strid ström av lågt passerande flygplan, ligger Englands ökända motsvarighet till Guantanamo: fängelset Belmarsh.

I Belmarsh har Wikileaksgrundaren Julian Assange suttit det senaste året i väntan på utlämning till USA. Beslutet att utlämna honom har redan undertecknats av den brittiska regeringen, men Assange har vänt sig till brittisk domstol för att bestrida det. — Jag kan knappt tro att det är sant att Assange hålls här i Belmarsh, i denna skithåla, bland de farligaste mördarna, galningarna och terroristerna i landet, säger en ung brittisk åklagare som fått i uppdrag att bistå de amerikanska myndigheterna med att få Julian Assange utlämnad till USA.

Åklagaren sitter i ett väntrum utanför rätten och pratar med låg stämma med en fängväktare. Väktaren, som har östafrikanska rötter ser sig omkring som för att försäkra sig om att ingen överordnad hör honom.

— Min pappa var politiskt engagerad och fick ruttna i fängelse för det i sitt hemland, så tro inte att jag inte fattar. Vi fattar alla att det här är ett politiskt spektakel inte en rättegång. Det här är ju Assange, en hjälte som Snowden, inte en kallblodig mördare.

Här i Woolwich Crown Court, som egentligen är ett annex till Belmarshfängelset, avgörs nu Assanges öde, och här är fångarna skyldiga tills motsatsen är bevisad. Med stöd av anti-terrorlagstiftning sitter många fångar här på obestämd tid, utan åtal, och utan dom. De som får sin sak prövad i rätten leds in från sina celler i Belmarsh genom underjordiska tunnelsystem och hamnar i en parallell del av rätten, i en bunker omgärdad av skottsäkert glas.

Denna glasbunker kommer under veckan att vikas till en av världens mest kända journalister, min vän och kollega Julian Assange, Wikileaksgrundaren som under de senaste tio åren avslöjat fler korrupsionshärvor och krigsbrott än någon publikation i världen.

När Assange leds in av vakterna placeras en lunta dokument på hans bänk, det är bland annat åtalspunkterna. Assange tar fram ett par trasiga läsglasögon och försöker med märkbar svårighet tyda vad rätten har lagt fram mot honom och som hans advokater framför glasmuren nu försöker skydda honom från. Genom gluggarna i glaset har han dessutom svårt att höra och gestikulerar till domaren, som låtsas om att hon inte förstår.

I den publika kammaren bakom ett annat skottsäkert glas sitter jag tillsammans med Wikileaks chefredaktör, EU-parlamentariker, en delegation från Reportrar utan gränser, PEN-klubben, Regissörer och familjemedlemmar. När Assange tittar upp mot oss knyter vi gemensamt våra nävar i solidaritet, för vi har just fått höra vad Trump-administrationens åklagare lagt fram till den brittiska rättens anti-terrordomare.

— Assange har gjort sig skyldig till att ha mottagit hemliga amerikanska uppgifter från en källa inom den amerikanska militären. Detta är olagligt handskande med hemliga uppgifter. Vidare har han olagligen tillgängliggjort dessa hemliga uppgifter till allmänheten och därmed äventyrat amerikanska intressen.

Åklagaren säger att dessa skäl räcker mer än väl för att domaren ska godkänna en utlämning till USA och tillägger att Assange dessutom hjälpt sin källa, samt att hans publiceringar utsatt amerikanska informanter för fara, även om inget konkret materialiserades av den faran.

När domaren frågar om åklagarens tolkning av lagstiftningen kan innebära att journalister som handskas med hemliga uppgifter också kan omfattas av repressalier, så svarar denne helt öppet efter en viss betänketid — Ja, det omfattar mycket riktigt alla som olovligen tagit emot eller publicerat hemliga amerikanska uppgifter.

Samtidigt som åklagaren släpper sitt bombnedslag om att alla journalister står på tur, så letar sig en välklädd amerikansk tjänsteman genom raderna i rätten och delar ut pressutskick tryckta på miljövänligt papper. Med samma bestämda vänlighet som en dammsugarförsäljare ger han en var till journalisterna i rätten. I pressutskicket står det att åtalet mot Assange på intet sätt är ett angrepp på journalistiken, Assange är ju inte ens en journalist.

Efter att på nära hand ha bevittnat den utdragna processen som malt ned Assange och efter att ha arbetat med honom och hans avslöjanden sedan tio år tillbaka så kan jag inte annat än att slås av en djupt obehaglig déjà vu-känsla. Inte bara för att åklagaren för tio år sedan i samma domstol, med samma övertygande ton bedyrade att det dåvarande åtalet inte hade något med Assanges avslöjanden att göra. Och inte heller bara för att en stor del av presskåren okritiskt återrapporterade pressutskicket istället för att bedriva journalistik. Utan framförallt för att hela spektaklet känns så riggat.

I tio års tid har jag hört mina kollegor säga att fallet Assange inte handlat om publiceringarna. Alla som varit med och publicerat genom åren, alla journalister och redaktörer på Aftonbladet, SVT, SVD, DN, SR, alla professionella yttrandefrihetskämpar, människorättsorganisationer och fackförbund lovade och bedyrade att stå upp för Assange den dagen det handlade om publiceringarna.

Och nu hålls Assange fången i Belmarsh, snart överlämnas han till Trumps USA där han väntas dömmas till 175 års fängelse för publiceringar som tusentals av oss gjort tillsammans. Om idag inte är den dagen då alla måste resa sig upp, då finns inte den dagen.

<https://www.aftonbladet.se/kultur/a/XgL77E/ni-lovade-att-sta-upp-for-assanges-publiceringar>

Prosecution in Assange Extradition Hearing: US-UK Treaty Does Not Apply To Wikileaks' Publisher

As his defense team argues U.S. effort to get their hands on Assange is clearly political in nature, the defendant complains to court he is being prevented from meeting privately to consult with his lawyers.

*Kevin Gosztola
Shadowproof
February 27, 2020*

The prosecution in Julian Assange's extradition hearing in London Wednesday maintained a magistrate court has the authority to flout an international norm enshrined in treaties and approve the extradition of the WikiLeaks founder to the United States.

Arguments on the third day of the hearing focused on the issue of "political offenses" and whether an extradition treaty between the U.S. and the U.K. applies to the case. If it does, the defense believes extradition should be denied because the allegations against Assange involve the publication of state secrets and are "purely political offenses."

Assange is accused of 17 counts of violating the Espionage Act and one count of violating a computer crime law that, as alleged in the indictment, is also an espionage offense. Espionage is widely recognized as an "offense directed against the state itself."

An extradition treaty signed by both the U.S. and the U.K. in 2003 contains a section that explicitly applies to political offenses. It states, "Extradition shall not be granted if the offense for which extradition is requested is a political offense."

However, in 2003, the U.K. Parliament passed the Extradition Act and omitted a section on political offenses. The prosecution argues Parliament did not include a right related to political offenses, therefore, Assange cannot invoke the protection to prevent his extradition.

Why the political offense exception was omitted from the 2003 law is unclear. But at the time of passage, it was early in the global war on terrorism.

Christopher Joyner, a professor of international law at Georgetown University, articulated what was a prevalent concern at the time.

"Perhaps most problematic for extradition cases involving acts of terrorism is the political offense exception. Many modern extradition treaties specifically exempt political offenses from extradition, since liberal and democratic governments developed a strong antipathy toward the idea of surrendering dissidents into the hands of a despotic government."

Joyner continued, "There are, however, no recognized criteria as to what constitutes a 'political' offense, nor is there a rule of international law prohibiting the extradition of political offenders. As a result, the decision whether to extradite rests on subjective criteria, as determined by the holding government."

"Accordingly, the bilateral extradition system can provide only partial remedies for bringing international terrorists to justice. The consequence is that, while governments might agree that terrorist acts rise to being criminal offenses against the international community, strict multilateral enforcement through extradition in prosecuting such acts may still be lacking."

The U.S.-U.K. treaty dealt with this issue by specifically listing violent offenses that were to be excluded from the political offense exception.

Judge Vanessa Baraitser seemed receptive to the prosecution's argument for disregarding the treaty. Before James Lewis, the lead prosecutor, responded to the defense, Baraitser instructed the defense to stop their argument about political offenses and focus on whether the treaty is relevant to proceedings.

To this, defense attorney Edward Fitzgerald told the judge the treaty is the basis of the extradition request. "To have an extradition request, you've got to have a treaty."

The Magna Carta of 1215 banned arbitrary detention and granted defendants rights of habeas corpus. Fitzgerald emphasized that such due process protections have been enshrined for centuries, and in fact, the U.S. Constitution contains them as well. But as the "Don't Extradite Assange Campaign" observed, the judge acted like Parliament overrode the Magna Carta, as the defense outlined why a person should not be subject to arbitrary detention.

The defense offered several salient examples that related to the matter of political offenses.

"It is ultimately no different [than] the extradition request concerning MI5 agent David Shayler, prosecuted under the Official Secrets Act 1989 for passing top secret documents to The Mail on Sunday in 1997," the defense recalled. That included "disclosing the names of agents who had been put in fear of their lives by his actions."

The French Court of Appeals rejected extradition in 1998 because it was covered by the "political offense exception."

As the defense described, "Shayler disclosed that MI5 kept files on prominent politicians, including Labour Ministers, that the bombings of the City of London in 1993 and the Israeli embassy in 1994 could have been avoided, and that MI6 were involved in a plot to assassinate" Libyan Leader Muammar Gaddafi.

The case of Katharine Gun was mentioned, a GCHQ whistleblower who revealed a pressure campaign against UN member countries to coerce support for the invasion of Iraq.

Also, the judge heard about how prosecutors, intelligence officials, politicians, and others have attributed motivation and purpose to Assange that strongly suggests he was committed to damaging the work of U.S. security and intelligence agencies and that he wanted to damage the "capability of the armed forces of the [U.S.] to carry out their tasks" and sought to "endanger the interests" of the U.S. abroad."

U.S. government officials "freely, publicly, and regularly ascribe motives 'hostile'" to the U.S. government to Assange, which the defense believes is evidence he is charged with political offenses.

Ultimately, what the defense detailed may make little difference if the judge agrees with prosecutors that the extradition treaty does not matter. What takes priority is what is in domestic law, and in domestic law, Assange deserves no protection from this specific violation of his rights.

* * *

Standing outside the Woolwich courthouse adjacent to the Belmarsh prison where Assange is detained, WikiLeaks editor-in-chief Kristinn Hrafnsson said, "This is an anti-terrorist court here beside Belmarsh, and Julian is treated as a terrorist. He is strip-searched. He is handcuffed ten or 11 times a day. His [legal] material is taken away from him. It is totally unacceptable."

Hrafnsson was speaking about the toll the proceedings and confinement are taking on Assange. In the afternoon, when the judge asked Assange if he needed a break, he stood up to address the court. He complained yet again about the lack of access to his attorneys and how there are security guards around him any time he wants to have a privileged conversation.

Assange suggested there were unnamed officials from the Ecuador embassy in the courtroom. "I cannot communicate with my lawyers or ask them for clarifications without the other side seeing. There has been enough spying on my lawyers already. The other side has about 100 times more contact with their lawyers per day."

These remarks came near the end of the day, and the defense informed the judge they would like Assange to be able to sit with them in the well instead of the glass box. She opposed the request, contending it was unreasonable to think she could approve that without a "risk assessment" from personnel involved in security.

When the defense made it clear they would make a formal request, she seemed to think they would have to ask for bail, which the prosecution would oppose. That prompted Lewis, the prosecutor, to inform the judge they took a "neutral stance." He did not think a bail application was appropriate nor did he think it was as complicated as the judge was making it. Assange could have a security guard stand by him while he sat with his attorneys.

Shadowproof editor Kevin Gosztola is in London for WikiLeaks founder Julian Assange's week-long extradition hearing.

<https://shadowproof.com/2020/02/26/prosecution-us-uk-treaty-does-not-apply-to-assange-extradition/>

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They Came First for Assange

Maj. Danny Sjursen, USA (ret.)

AntiWar.com

February 27, 2020

Back in the day, not so long ago, The Donald loved him some WikiLeaks. He said so on at least five occasions out on the campaign trail — in Pennsylvania, Florida, Ohio, and Michigan. That was when WikiLeaks, ostensibly at least, served his purposes by releasing hacked DNC emails that were rather unflattering to his opponent, Hillary Clinton. The MAGA crew must've agreed with him regarding the Julian Assange-headed web publication at the time: Trump carried all four battleground states, which propelled him into the White House. He's had more than three years, now, to acclimate to his new digs and, somewhere along the way, pulled a 180 on Assange, whom his administration now labels "an enemy of the state who must be brought down." So it is that this week, Assange began the fight — perhaps, quite literally, for his life — in the UK against the Justice Department's stated intent to extradite and try him in the United States.

A journalist, a publisher, has been labeled by the U.S. Government as an “Enemy of America.” Now that’s dangerous language with scary historical precedent in America and abroad. Recall that the term has been used against “unfriendly” press elements by others: the military junta in Myanmar; Venezuela’s Hugo Chavez; Russia’s Boris Yeltsin and Vladimir Putin, President Richard “The press is your enemy” Nixon; and, you know, Cambodia’s Pol Pot, and Soviet Premier Josef Stalin, for starters. In our own history, press suppression, especially in times of war, is as American as apple pie. During World War I, the (still on the books) 1917 Espionage Act was used to wage all-out combat against any and all critical media sources. Sometimes persecution bordered on the Orwellian absurd. For example, in September 1918, even *The Nation* was banned from the mail for four days by the US Postal Service simply for criticizing the pro-war labor leader Samuel Gompers.

The relatively muted coverage of this press-freedom fight-of-our-times in the mainstream American media is as remarkable as it is disturbing. But it isn’t surprising. Besides a few brief spikes in coverage — often focused as much on her transgender status or that blatantly accused her of treason —, the same can be said of Assange’s alleged co-conspirator, former army intelligence analyst, Chelsea Manning. Consider Manning, herself a longtime — and still unfree — political prisoner, collateral damage in the ongoing Assange martyrdom saga.

For her role in passing the documents in question to WikiLeaks, the Obama Justice Department slapped her with a 35-year federal prison sentence — one of the most draconian ever handed down for a leaker. She served seven years before receiving an eleventh-hour commutation (but, notably, not a full pardon) from President Obama. Now, Chelsea, in an admirable, high-risk, display of courage, has refused to testify against Assange. That show of integrity landed her back in jail a time or two, where, notably, she remains at the time of writing.

For his “sins,” Assange likely faces even harsher punishment if extradited to and — almost invariably, in this political climate — convicted in a US court. He could serve 75 years if found guilty on the 18 counts — most under the archaic Espionage Act — he’s been charged with. That’s a long bid. It seems the US Government has lost all sense of scale, maybe even sanity. For example, the just nine convicted perpetrators of prisoner abuse at Abu Ghraib Prison in Iraq — a global scandal that, empirically, created far more “terrorists, and thus contributed to more American deaths than anything Assange has been accused of — were all enlisted soldiers, none higher ranking than a staff sergeant. The top prison sentence meted out was ten years; the rest ranged from 0-3 years. Sure, a few officers received verbal or written reprimands — slap-on-the-wrist admonishments, these — and one female brigadier general was relieved and reduced one rank. As for Assange, though, 75 years is warranted? Give me a break.

Some of the more remarkable revelations, so far, from this week’s hearing have involved the totally believable (given the agency’s sordid history) Assange-defense-team claims of US Intelligence (read: CIA) threats and shenanigans against the defendant. These include allegations that U.S.-induced Spanish security company employees conducted surveillance on Assange whilst he was in the Ecuadorian embassy in London, and, potentially even discussed kidnapping or poisoning him. It all reads like a bad John le Carre spy novel — which is precisely why I wouldn’t rule it out.

The case against Assange, meanwhile is rather weak. It hinges on vague, furtive, and unproven allegations, according to the administration lawyers, that he “knowingly placed lives at risk,” by publishing the leaked files. Specifically, James Lewis, acting

for US authorities, told the court that: “The US is aware of sources, whose redacted names and other identifying information was contained in classified documents published by WikiLeaks, who subsequently disappeared.” Sounds ominous, huh? Well, wait for it — Lewis then continued with the stunning admission: “although the US can’t prove at this point that their disappearance was the result of being outed by WikiLeaks.”

Sounds like hearsay. Isn’t that inadmissible in court? And the US government can’t prove that WikiLeaks had these detrimental effects? Call me crazy, but I was under the silly impression that “proof” was the name of the game in the legal system. Bottom line, even after the egregious record of Intelligence community lies peddled during the run-up to the Iraq War and regarding the CIA torture program (for starters), the American people are expected to just blindly trust these clowns. Count me out.

Furthermore, British law states that extradition may not move forward if the requesting nation’s criminal charges are “politically-motivated,” which, the defense team asserts the case against Assange is. Of course, it is patently politically-motivated. However much the administration’s lawyers deny it — “the lady doth protest too much?” — Assange’s real crime, from the perspective of the government, was to embarrass them by exposing widespread US war crimes and concomitant coverups. All information, mind you, that We the People had a right to know.

What is at stake here, absent any hyperbole, is the very existence of a free press. And, in today’s increasingly globalized information sphere, it matters not, really, that Julian Assange happens to be an Australian national. See, in an even aspirational free society, the benefit of the doubt in such cases ought go to the publisher, the journalist, the writer. As Thomas Jefferson wrote the very year the current US Constitution was crafted, “Were it left to me to decide whether we should have a government without newspapers, or newspapers without a government, I should not hesitate a moment to prefer the latter.” Given such “radical” — especially for the 18th century— sentiment, can there be much doubt where our third president would (at least theoretically) fall on the Assange issue?

These complaints, mind you, aren’t simply a low-hanging-fruit Trump-swipe either. Saint Obama set the precedent and foundations of press censorship that Trump is now running with. Recall that Obama went after more whistleblowers under the Espionage Act than all other previous presidents (over the course of a century) combined. Furthermore, his wanna-be, aspirational successor, Joe Biden is on the record calling Assange a “high-tech terrorist.” So, if Obama can be said to have set up the pins, Trump is poised to roll a strike. The Donald has, however, taken matters a dangerous step further that could, in the near future, pose an existential threat to the very existence of permissive publication of sensitive information.

This all sets a rather dangerous precedent. Leakers have long been prosecuted and punished by the US Government. Publishers? Not so often. That’s a line few administrations will cross. Even Espionage Act-enthusiast Obama flinched, and decided not to charge Assange. Regarding the Obama Justice Department’s thinking the *Washington Post* reported, in 2013, that:

Justice officials said they looked hard at Assange but realized that they have what they described as a “*New York Times* problem.” If the Justice Department indicted Assange, it would also have to prosecute the *New York Times* and other news organizations and writers who published classified material, including *The Washington Post* and Britain’s *Guardian* newspaper.

So, mainstream American publishers — of newspapers, online sites, and even cable news producers — really ought to brush up on their Evelyn Beatrice Hall; you know her oft-quoted, but rarely practiced profession: “I disapprove of what you say, but I will defend to the death your right to say it.”

Ultimately, it matters not whether one likes Assange, shares his worldview, or even approves of his tactics. The name of the civil libertarian game must instead be a press-sovereignty solidarity that transcends the person of Mr. Assange. Love him or hate him; like WikiLeaks or loathe it; the most powerful American press organizations must close ranks with Assange. Almost assuredly, the Washington Post, New York Times, and the rest of their establishment ilk will not. Mark my words: they will rue the day they didn’t.

For when Trump — or whatever potential monster that follows him — pulls out the legal precedent from a past Assange conviction to prosecute, say, the *New York Times*, when that paper someday publishes something that embarrasses or angers the governing administration, who will be there to speak up for the nation’s “newspaper of record?” Reflecting on Nazi state oppression and his conclusion that common Germans’ complicity made it possible, Martin Niemoller famously wrote about how:

First they came for the socialists, and I did not speak out — because I was not a socialist.

Then they came for the trade unionists, and I did not speak out — because I was not a trade unionist.

Then they came for the Jews, and I did not speak out — because I was not a Jew.

Then they came for me — and there was no one left to speak for me.

As in mid-20th Century Germany, so today, in 2020 America. Only, let me propose a modified version of Niemoller’s quote that’s highly relevant to the mainstream press: First they came for (that’s right) *Antiwar.com*. Then *WikiLeaks*. Then Max Blumenthal’s *The Grayzone*...then, well, you know how this ends...

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https://original.antiwar.com/danny_sjursen/2020/02/26/first-they-came-for-assange/

Your Man in the Public Gallery — Assange Hearing, Day Four

Craig Murray
28 Feb. 2020

Please try this experiment for me. Try asking this question out loud, in a tone of intellectual interest and engagement: “Are you suggesting that the two have the same effect?”.

Now try asking this question out loud, in a tone of hostility and incredulity bordering on sarcasm: “Are you suggesting that the two have the same effect?”.

Firstly, congratulations on your acting skills; you take direction very well. Secondly, is it not fascinating how precisely the same words can convey the opposite meaning dependent on modulation of stress, pitch, and volume?

Yesterday the prosecution continued its argument that the provision in the 2007 UK/US Extradition Treaty that bars extradition for political offences is a dead letter, and that Julian Assange’s objectives are not political in any event. James Lewis QC for the prosecution spoke for about an hour, and Edward Fitzgerald QC replied for the defence for about the same time. During Lewis’s presentation, he was interrupted by Judge Baraitser precisely once. During Fitzgerald’s reply, Baraitser interjected seventeen times.

In the transcript, those interruptions will not look unreasonable:

“Could you clarify that for me Mr Fitzgerald...”

“So how do you cope with Mr Lewis’s point that...”

“But surely that’s a circular argument...”

“But it’s not incorporated, is it?...”

All these and the other dozen interruptions were designed to appear to show the judge attempting to clarify the defence’s argument in a spirit of intellectual testing. But if you heard the tone of Baraitser’s voice, saw her body language and facial expressions, it was anything but.

The false picture a transcript might give is exacerbated by the courtly Fitzgerald’s continually replying to each obvious harassment with “Thank you Madam, that is very helpful”, which again if you were there, plainly meant the opposite. But what a transcript will helpfully nevertheless show was the bully pulpit of Baraitser’s tactic in interrupting Fitzgerald again and again and again, belittling his points and very deliberately indeed preventing him from getting into the flow of his argument. The contrast in every way with her treatment of Lewis could not be more pronounced.

So now to report the legal arguments themselves.

James Lewis for the prosecution, continuing his arguments from the day before, said that Parliament had not included a bar on extradition for political offences in the 2003 Act. It could therefore not be reintroduced into law by a treaty. “To introduce a Political Offences bar by the back door would be to subvert the intention of Parliament.”

Lewis also argued that these were not political offences. The definition of a political offence was in the UK limited to behaviour intended “to overturn or change a government or induce it to change its policy.” Furthermore the aim must be to change government or policy in the short term, not the indeterminate future.

Lewis stated that further the term “political offence” could only be applied to offences committed within the territory where it was attempted to make the change. So to be classified as political offences, Assange would have had to commit them within the territory of the USA, but he did not.

If Baraitser did decide the bar on political offences applied, the court would have to determine the meaning of “political offence” in the UK/US Extradition Treaty and construe the meaning of paragraphs 4.1 and 4.2 of the Treaty. To construe the terms of an international treaty was beyond the powers of the court.

Lewis perorated that the conduct of Julian Assange cannot possibly be classified as a political offence. "It is impossible to place Julian Assange in the position of a political refugee". The activity in which Wikileaks was engaged was not in its proper meaning political opposition to the US Administration or an attempt to overthrow that administration. Therefore the offence was not political.

For the defence Edward Fitzgerald replied that the 2003 Extradition Act was an enabling act under which treaties could operate. Parliament had been concerned to remove any threat of abuse of the political offence bar to cover terrorist acts of violence against innocent civilians. But there remained a clear protection, accepted worldwide, for peaceful political dissent. This was reflected in the Extradition Treaty on the basis of which the court was acting.

Baraitser interrupted that the UK/US Extradition Treaty was not incorporated into English Law.

Fitzgerald replied that the entire extradition request is on the basis of the treaty. It is an abuse of process for the authorities to rely on the treaty for the application but then to claim that its provisions do not apply.

"On the face of it, it is a very bizarre argument that a treaty which gives rise to the extradition, on which the extradition is founded, can be disregarded in its provisions. It is on the face of it absurd."

Fitzgerald added that English Courts construe treaties all the time. He gave examples.

Fitzgerald went on that the defence did not accept that treason, espionage and sedition were not regarded as political offences in England. But even if one did accept Lewis's too narrow definition of political offence, Assange's behaviour still met the test. What on earth could be the motive of publishing evidence of government war crimes and corruption, other than to change the policy of the government? Indeed, the evidence would prove that Wikileaks had effectively changed the policy of the US government, particularly on Iraq.

Baraitser interjected that to expose government wrongdoing was not the same thing as to try to change government policy. Fitzgerald asked her, finally in some exasperation after umpteen interruptions, what other point could there be in exposing government wrongdoing other than to induce a change in government policy?

That concluded opening arguments for the prosecution and defence.

MY PERSONAL COMMENTARY

Let me put this as neutrally as possible. If you could fairly state that Lewis's argument was much more logical, rational and intuitive than Fitzgerald's, you could understand why Lewis did not need an interruption while Fitzgerald had to be continually interrupted for "clarification". But in fact it was Lewis who was making out the case that the provisions of the very treaty under which the extradition is being made, do not in fact apply, a logical step which I suggest the man on the Clapham omnibus might reason to need rather more testing than Fitzgerald's assertion to the contrary. Baraitser's comparative harassment of Fitzgerald when he had the prosecution on the ropes was straight out of the Stalin show trial playbook.

The defence did not mention it, and I do not know if it features in their written arguments, but I thought Lewis's point that these could not be political offences, because Julian Assange was not in the USA when he committed them, was

breathtakingly dishonest. The USA claims universal jurisdiction. Assange is being charged with crimes of publishing committed while he was outside the USA. The USA claims the right to charge anyone of any nationality, anywhere in the world, who harms US interests. They also in addition here claim that as the materials could be seen on the internet in the USA, there was an offence in the USA. At the same time to claim this could not be a political offence as the crime was committed outside the USA is, as Edward Fitzgerald might say, on the face of it absurd. Which curiously Baraitser did not pick up on.

Lewis's argument that the Treaty does not have any standing in English law is not something he just made up. Nigel Farage did not materialise from nowhere. There is in truth a long tradition in English law that even a treaty signed and ratified with some bloody Johnny Foreigner country, can in no way bind an English court. Lewis could and did spout reams and reams of judgements from old beetroot faced judges holding forth to say exactly that in the House of Lords, before going off to shoot grouse and spank the footman's son. Lewis was especially fond of the Tin Council case.

There is of course a contrary and more enlightened tradition, and a number of judgements that say the exact opposite, mostly more recent. This is why there was so much repetitive argument as each side piled up more and more volumes of "authorities" on their side of the case.

The difficulty for Lewis — and for Baraitser — is that this case is not analogous to me buying a Mars bar and then going to court because an International Treaty on Mars Bars says mine is too small.

Rather the 2003 Extradition Act is an Enabling Act on which extradition treaties then depend. You can't thus extradite under the 2003 Act without the Treaty. So the Extradition Treaty of 2007 in a very real sense becomes an executive instrument legally required to authorise the extradition. For the executing authorities to breach the terms of the necessary executive instrument under which they are acting, simply has to be an abuse of process. So the Extradition Treaty owing to its type and its necessity for legal action, is in fact incorporated in English Law by the Extradition Act of 2003 on which it depends.

The Extradition Treaty is a necessary precondition of the extradition, whereas a Mars Bar Treaty is not a necessary precondition to buying the Mars Bar.

That is as plain as I can put it. I do hope that is comprehensible.

It is of course difficult for Lewis that on the same day the Court of Appeal was ruling against the construction of the Heathrow Third Runway, partly because of its incompatibility with the Paris Agreement of 2016, despite the latter not being fully incorporated into English law by the Climate Change Act of 2008.

VITAL PERSONAL EXPERIENCE

It is intensely embarrassing for the Foreign and Commonwealth Office (FCO) when an English court repudiates the application of a treaty the UK has ratified with one or more foreign states. For that reason, in the modern world, very serious procedures and precautions have been put into place to make certain that this cannot happen. Therefore the prosecution's argument that all the provisions of the UK/US Extradition Treaty of 2007 are not able to be implemented under the Extradition Act of 2003, ought to be impossible.

I need to explain I have myself negotiated and overseen the entry into force of treaties within the FCO. The last one in which I personally tied the ribbon and applied the sealing wax (literally) was the Anglo-Belgian Continental Shelf Treaty of 1991, but I was involved in negotiating others and the system I am going to describe was still in place when I left the FCO as an Ambassador in 2005, and I believe is unchanged today (and remember the Extradition Act was 2003 and the US/UK Extradition Treaty ratified 2007, so my knowledge is not outdated). Departmental nomenclatures change from time to time and so does structural organisation. But the offices and functions I will describe remain, even if names may be different.

All international treaties have a two stage process. First they are signed to show the government agrees to the treaty. Then, after a delay, they are ratified. This second stage takes place when the government has enabled the legislation and other required agency to implement the treaty. This is the answer to Lewis's observation about the roles of the executive and legislature. The ratification stage only takes place after any required legislative action. That is the whole point.

This is how it happens in the FCO. Officials negotiate the extradition treaty. It is signed for the UK. The signed treaty then gets returned to FCO Legal Advisers, Nationality and Treaty Department, Consular Department, North American Department and others and is sent on to Treasury / Cabinet Office Solicitors and to Home Office, Parliament and to any other Government Department whose area is impacted by the individual treaty.

The Treaty is extensively vetted to check that it can be fully implemented in all the jurisdictions of the UK. If it cannot, then amendments to the law have to be made so that it can. These amendments can be made by Act of Parliament or more generally by secondary legislation using powers conferred on the Secretary of State by an act. If there is already an Act of Parliament under which the Treaty can be implemented, then no enabling legislation needs to be passed. International Agreements are not all individually incorporated into English or Scottish laws by specific new legislation.

This is a very careful step by step process, carried out by lawyers and officials in the FCO, Treasury, Cabinet Office, Home Office, Parliament and elsewhere. Each will in parallel look at every clause of the Treaty and check that it can be applied. All changes needed to give effect to the treaty then have to be made — amending legislation, and necessary administrative steps. Only when all hurdles have been cleared, including legislation, and Parliamentary officials, Treasury, Cabinet Office, Home Office and FCO all certify that the Treaty is capable of having effect in the UK, will the FCO Legal Advisers give the go ahead for the Treaty to be ratified. You absolutely cannot ratify the treaty before FCO Legal Advisers have given this clearance.

This is a serious process. That is why the US/UK Extradition Treaty was signed in 2003 and ratified in 2007. That is not an abnormal delay.

So I know for certain that ALL the relevant British Government legal departments MUST have agreed that Article 4.1 of the UK/US Extradition Treaty was capable of being given effect under the 2003 Extradition Act. That certification has to have happened or the Treaty could never have been ratified.

It follows of necessity that the UK Government, in seeking to argue now that Article 4.1 is incompatible with the 2003 Act, is knowingly lying. There could not be a more gross abuse of process.

I have been keen for the hearing on this particular point to conclude so that I could give you the benefit of my experience. I shall rest there for now, but later today hope to post further on yesterday's row in court over releasing Julian from the anti-terrorist armoured dock.

<https://www.craigmurray.org.uk/archives/2020/02/your-man-in-the-public-gallery-assange-hearing-day-four/>

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Australia: Workers and youth call for intensification of Assange and Manning defence campaign

World Socialist Web Site
28 February 2020

Socialist Equality Party (SEP) and International Youth and Students for Social Equality (IYSSE) members and supporters have been campaigning for this Saturday's Brisbane rally to demand the immediate and unconditional release of WikiLeaks founder Julian Assange and US whistle blower Chelsea Manning.

On Thursday, IYSSE club members at Griffith University appealed to students and staff at the Nathan campus Market Day to join the forthcoming rally.

IYSSE club president Gulshan said: "All the students and academics around the world should unite to continue the legacy of Julian Assange and free media." She said the information revealed by Chelsea Manning and WikiLeaks was vital "for human health and safety and for respect of the basic dignity of every civilian around the world."

Gulshan issued an appeal: "Unite for Assange! Unite for a safe future! Unite for prosperity of the countries around the world! The time has come and the time is NOW!"

Another IYSSE member, an international student, said: "We should defend Assange and Manning, because they are on the front line against the conspiracy of imperialism. We can see how Assange was deprived of his rights during this period of detention, and how his personal safety was deprived."

Speaking of the extradition hearing underway in London, he commented: "It shows that this is a trial full of lies and tells everyone that there is no justice in the capitalist courts. This is undoubtedly a warning to everyone: everything that Assange and Manning suffer today will be intensified and repeated on us. The experiences of Manning and Assange show how imperialist war traffickers hate free speech. The ruling class want people to lose sight of the truth and the voices of opposition."

"This is why we defend Assange and Manning. The more the imperialists want us to forget, the more we should remember; the more the imperialists want us to keep silent, the louder we should shout out. Assange and Manning have made great contributions in the struggle against imperialist war, but this has never been the cause of one person, and it should be done by all of us...

"It is time for us to stand up: all students, youth and workers — all those who support justice, truth and peace. The future of the world is up to us."

This weekend's forthcoming rally in Brisbane follows successful protests organised last weekend by the SEP in Melbourne and Parramatta, in western Sydney.

Workers, students and youth from across New South Wales attended the Parramatta rally. Many of those attending purchased literature, t-shirts, bumper stickers and left their contact details to participate in future campaigns.

Marilyn, a retired age-care nurse, decided to join the rally as she was walking past Parramatta Town Hall.

"I think what they are doing to Assange is horrible. The upcoming hearing is a kangaroo court. I wasn't even fully aware of what was happening until I spoke to you guys today. People can watch the news, but they are not told the real truth," she said.

"Assange is being used as an example. We have a right to the information Assange revealed. There is a lot of cover-up. Look at how the ABC was raided. Once again, the raid is the same as what is happening with Julian. There was information being revealed, the government didn't want the information revealed, so they raided it.

"I've not been a pro-active political person before. I'd seen Assange on TV but it didn't really gel for me. Now I can see that this is an absolute threat for all of us."

Nate, a 16-year-old TAFE student, said: "I support Assange because he is speaking out about important issues that matter. He's a great icon for freedom of speech and this is what brought me to the rally today. Assange is being subjected to inhumane conditions. He is being locked up and tortured.

"Freedom of speech is a very important issue that we have to fight for. We can't be silent. The working class needs freedom of speech to be able to express their thoughts and concerns to the government. It is crucially important and an essential part of democracy."

Assange is being attacked, he continued, because "governments are scared of change, they're scared of revolution, and they're scared of the power getting into the hands of the people instead of the rich.

"Young people need to support Assange. This is our future that we have to fight for. So many issues tie in with Assange, climate change and the looming threat of extinction, the bushfires and the drive to war, nuclear war, that will be catastrophic for the entire earth. So much money is spent on the military. There are advertisements everywhere trying to get young people to join, telling us all of these benefits. They just want us to fight wars for the rich."

Suny, a University of New South Wales student said: "What Assange is doing is good for citizens because he's exposed the big people who did the wrong things. What is going on with him is totally wrong — that he is getting physically and mentally tortured by government. We need to do something to take him back. Scott Morrison is preventing an initiative because he thinks that our relations with the US will get destroyed. So that is why we have to take action.

"We have to stand up for Assange. Otherwise, no-one else can take the initiative or steps to expose the politicians."

Jodie said it was the second SEP rally she had attended in defence of Assange and Manning.

"It's a fundamental democratic principle. If we can't criticise our governments and be informed about what they are doing, then we're not in a democracy. Particularly

journalists, they have to be able to report wrongdoings of the government and criticise them without fear of being imprisoned for 175 years,” she said

<https://www.wsws.org/en/articles/2020/02/28/sepi-f28.html>

Legal arguments during the first week of Julian Assange’s extradition hearing highlight lack of US evidence

Reporters without Borders
February 28, 2020

During the first week of Wikileaks founder Julian Assange’s US extradition hearing in London, Reporters Without Borders (RSF — Reporters sans frontières) was concerned by the clear lack of evidence from the US for its charges against Assange. RSF also remains concerned about Assange’s wellbeing and inability to participate properly in his hearing, following reports of mistreatment at Belmarsh prison and the judge’s rejection of his application to sit with his lawyers in the courtroom. The hearing will resume from 18 May, when three weeks of evidence will be heard.

RSF conducted an unprecedented international trial-monitoring mission to the UK for Julian Assange’s US extradition hearing from 24-27 February, as the prosecution and defence presented their legal arguments at Woolwich Crown Court in London. RSF Secretary-General Christophe Deloire and RSF Germany Director Christian Mihr joined RSF UK Bureau Director Rebecca Vincent for the hearing, and Vincent was able to systematically monitor each sitting over the four days. RSF staff from London, Paris, and Berlin also staged an action outside the adjacent Belmarsh Prison — where Assange is being held — on 23 February, and joined protests outside the court on 24 February.

District judge Vanessa Baraitser presided over the hearing. James Lewis QC acted for the US government, and barristers Edward Fitzgerald QC and Mark Summers QC argued in Assange’s defence. US government representatives were present, but did not speak during the hearing. Assange did not take the stand, and his several attempts to speak from the secure dock he was held in at the back of the courtroom were interrupted by the judge, who stated that as he was “well represented,” he must speak through his lawyers.

Assange is being pursued under a US indictment on the basis of 17 charges under the Espionage Act and one charge under the Computers Fraud and Abuse Act, related to Wikileaks’ publication in 2010 and 2011 of several hundred thousand military documents and diplomatic cables leaked by Chelsea Manning. These charges carry a combined possible sentence of up to 175 years in prison. The publication of the leaked documents resulted in extensive media reporting on matters of serious public interest including actions of the US in Guantánamo Bay, Iraq and Afghanistan.

In the course of the prosecution’s argument, it became clear that the US still has no evidence for its claim that Assange had put sources at “serious and imminent risk,” but are pursuing the charges based on the risks that he is accused of knowingly causing. At one point the prosecution said the publication of the leaked documents had led to the disappearance of some sources — but with no apparent evidence in

support of this claim. The prosecution argued that Assange had damaged the US' defence and intelligence capabilities and hurt US interests abroad.

However, the defence argued that these proceedings constitute an abuse of process as the case is being pursued for ulterior political motives and fundamentally misrepresents the facts. They outlined that Wikileaks had worked for months with a partnership of professional media organisations to redact the leaked documents. The defence explained that as redaction was in progress, one of the media partners had published a book containing the password to the unredacted dataset, which led to its access and publication by other parties. The defence outlined how Assange had attempted to mitigate any risk to sensitive sources by notifying the White House and State Department that publication outside of Wikileaks' control was potentially forthcoming, imploring them to take action to protect the named individuals.

"We were not surprised by the prosecution's argument, which again confirmed the lack of evidence for the charges against Mr Assange. This week's hearing confirmed our belief that he has been targeted for his contributions to public interest reporting. We call again for the UK not to extradite Mr Assange to the US, for the charges against him to be dropped, and for him to be released as a matter of urgent priority," said RSF Secretary-General Christophe Deloire.

In arguments around extradition, the defence argued that the Anglo-US Extradition Treaty expressly prevents extradition on the basis of political offences, presenting a bar to Assange's extradition. They presented that these rights were protected by domestic law as they constituted a cornerstone of the constitution and were enshrined in the Magna Carta, and were further protected by international law, including the European Convention on Extradition, the Model United Nations Extradition Treaty and the Interpol Convention on Extradition.

The prosecution countered that the Extradition Act 2003 contains no provision for extradition to be barred on the basis of political offences -- and that Assange's actions could not be interpreted as political under English law. They argued that as the Extradition Treaty had not been incorporated by parliament, rights could not be derived from it, with James Lewis QC stating at one point that it might surprise other states to know that treaties meant very little when signed by the British government; parliamentary sovereignty meant the rights were only enforceable in a domestic context if ratified by parliament.

RSF observers remain concerned for Assange's wellbeing, as he appeared very pale and tired throughout the hearing, and complained several times that he could not follow proceedings properly or communicate easily with his legal team from the glass-partitioned dock. On day two, Assange's lawyer reported that he had been mistreated at Belmarsh prison; after the first day of the hearing, he was strip-searched twice, handcuffed 11 times, moved holding cells five times, and had his legally privileged documents confiscated on entering and exiting the prison. The judge stated it was not a matter within her jurisdiction. On day four, she rejected his application to be allowed to sit with his lawyers in the courtroom when evidence is given in May, despite the fact that the prosecution did not object to the request.

"We remain extremely concerned for Mr Assange's treatment and wellbeing, as he was clearly not well this week and struggled to participate properly in his own hearing. The reports of mistreatment at Belmarsh prison are alarming, and we expect that to be addressed as a matter of urgent priority. We also call for Mr Assange to be

allowed to sit next to his legal team in the courtroom in accordance with international standards, and not held in a glass cage like a violent criminal. He is in a vulnerable position and presents no physical threat to anyone, and his rights under the European Convention must be respected,” said RSF UK Bureau Director Rebecca Vincent.

Two short procedural hearings are scheduled in the coming weeks: a mandatory call-in on 25 March to be heard at Westminster Magistrates’ Court with Assange joining via video link; and a hearing at Woolwich Crown Court on 7 April where case management and the issue of anonymity of two witnesses will be discussed. Assange will be required to attend the latter in person. Evidence is then expected to be heard over three weeks from 18 May at Woolwich Crown Court.

The UK and US are respectively ranked 33rd and 48th out of 180 countries on RSF’s 2019 World Press Freedom Index.

Press contact: Rebecca Vincent on rvincent@rsf.org or +44 (0)207 324 8903.

<https://rsf.org/en/news/uk-legal-arguments-during-first-week-julian-assanges-extradition-hearing-highlight-lack-us-evidence>

ASSANGE EXTRADITION HEARING ADJOURNED UNTIL MAY 18

Consortium News
February 29, 2020

Consortium News is in London to cover the formal extradition process of WikiLeaks publisher Julian Assange and has provided updates throughout the week.

MONDAY (February 24)

[Time in reverse order]

6:45 pm London time: WikiLeaks tweets that the defense will present its case “in earnest” on Tuesday at Woolwich Crown Court. *Consortium News* will continue its Live Updates Tuesday unless it gets a place inside the courtroom, in which case we will present a report at the end of the day.

Assange’s lawyer tells court prosecution cares little for justice and is politically motivated. Says extradition should be barred because of prosecutions’ “political motives.” Judge is told that Assange will not likely give testimony during this opening week of the hearing.

3:10 pm London time: U.S. lawyer in court is trying to turn normal journalistic practice into a crime by confusing Assange’s attempts to help Chelsea Manning (who had top secret clearance and legal access to the documents she leaked) hide her identity by logging in as an administrator, not to help her hack the material, which she didn’t need to do. The two indictments against Assange make it perfectly clear that that is what happened and that Assange was not engaged in hacking.

2:55 pm London time: The hundreds of people demonstrating outside Woolwich Crown Court are making so much noise that it is making it difficult to hear inside the courtroom. Even Assange said so.

2:50 pm London time: WikiLeaks Editor-in-Chief Kristinn Hrafnsson has left the courthouse and addressed the media. He asked why the court was discussing the alleged harm done by the releases on Afghanistan and Iraq in 2010 and not the war crimes that those documents revealed. "That is what we should be talking about in a courtroom in this country.

12:08 pm London time: Julian Assange's father, John Shipton, spoke with the press outside the courthouse during a break and denounced the prosecutors' allegation that Assange had endangered the lives of U.S. informants:

"The essential part of the argument of the prosecutors' case is that WikiLeaks publications endangered sources. This is simply not true. The Pentagon admitted, under oath, in Chelsea Manning's trial that nobody had been hurt by the releases.

"Robert Gates, ex-secretary of defense, in testimony before Congress said it's awkward, it's embarrassing, but no damage was done. I'll note that the prosecutor didn't give one example of a broken fingernail. He just said sources were endangered. Well it's simply not true."

11:45 am London time: The formal hearing to determine whether Julian Assange will be extradited to the United States to stand trial on 17 counts of the Espionage Act has begun in London on Monday morning. Assange's lawyers arrived at Woolwich Crown Court with stacks of evidence that will be presented during the first week of the hearing, which will resume in May.

Yellow Vests, who've traveled to London from Paris to protest outside the courthouse, present a vest to John Shipton to give to his son Julian Assange.

U.S. prosecutors began by arguing that Assange is not a journalist and that he risked the lives of U.S. informants.

Revealing the names of U.S. informants is not a crime and is not listed on Assange's indictment as a statute U.S. prosecutors are alleging Assange has violated. After more than ten years, there is absolutely no evidence that any informant's life was harmed by WikiLeaks revelations, [said WikiLeaks Editor-in-Chief Kristinn Hrafnsson](#) at a press conference on Wednesday.

TUESDAY

11:45 pm London time: *Consortium News* was in the courtroom for the full hearing on Tuesday. Editor-in-Chief Joe Lauria filed this report:

With the sound of protestors permeating the walls of Woolwich Crown Court, Assange's defense presented the first part of its case, demolishing the U.S. government's extradition submission:

- regarding Assange helping Chelsea Manning crack a password; i.e. allegedly participating in the theft of government documents;
- the use of WikiLeaks Most Wanted List of stories as a way to supposedly "solicit" stories from Manning,
- that Assange recklessly endangered the lives of U.S. informants.

Assange attorney Mark Summers revealed that Assange's supposed attempt to help Manning "hack" a government computer for secret documents was actually an attempt to help her crack a password to download video games, movies and music videos, forbidden on military computers.

Summers says Manning had legal access to classified material and did not need a user name or a password to get into the database. The Espionage Act indictment says Assange helped Manning sign in under an administrator's password in order to help get secrets, not the latest video game.

The U.S. government's case is based on "lies, lies and more lies," Summers told the court. Summers said that there's no evidence Manning ever saw WikiLeaks's wish list, and she provided material that wasn't asked for. Manning gave WikiLeaks the U.S. Rules of Engagement in Iraq to show that the *Collateral Murder* video had violated those rules, not because Assange had asked for it, Summers said.

It is difficult to understand how a journalist asking sources to provide the information, even classified information, can be construed as a crime.

Summers also gave a detailed explanation about why the government's assertion that Assange had endangered the lives of U.S. informants was false. He explained that Assange had instituted a Harm Mitigation Program to redact the names of informants and other people that might be at risk, a program so stringent that David Leigh of *The Guardian* complained to *Der Spiegel*, two publications partnering with WikiLeaks, that too much time was being wasted.

A *Spiegel* journalist said it was the extreme measures he had ever experienced. Summers also told the court that *The Guardian* was responsible for publishing the password for the encrypted, un-redacted State Department cables that WikiLeaks and its media partners were slowly and carefully running out. When *The Guardian* made the entire archive available, Assange called the State Department to warn them.

"You might think that would be something you would have known when the government submitted the extradition request," Summers told Baraister.



In the extradition hearing, America's QC claimed Julian #Assange failed to redact names and risked lives. In fact, the Guardian reporters, Leigh and Harding, revealed the secret password in their book: a truth the Guardian now distorts. Read this
...[twitter.com/khrafnsnson/sta...](https://twitter.com/khrafnsnson/status/1011111111)

Kristinn Hrafnsson @khrafnsnson

David Leigh again dismisses his responsibility for the release of the unredacted cables. He posted a password for its encrypted file - in his book. Now claims Assange told him the password was temporary. Leigh himself writes in his book about a temporary WEBSITE. Not the same.

Before the hearing began Tuesday a court officer instructed Kristinn Hrafnsson, WikiLeaks editor-in-chief, that he had been instructed to bar the "head of WikiLeaks" from entering the public gallery, a glassed-in room with two rows of seats high above the small courtroom.

John Shipton, Assange's father, and Assange's brother Gabriel and Hrafnsson protested and left the cramped area where 18 people lined up to get into the gallery. A few minutes later they returned. Hrafnsson said sending out a few tweets got the court authorities to change their mind. He said no explanation for why the court wanted him barred was given.

The family sat down to hear Assange's lawyers complaining that on Monday Assange had been intimidated by prison authorities, being strip searched, handcuffed 11 times, made to stay in five different cells and had legal documents he was studying taken away from him. Judge Vanessa Baraister told the court she had no jurisdiction over how Assange is being mistreated.

During the hearing Assange is separated from his lawyers in room at the back of the court behind bullet-proof glass. He wore a gray jumper and blazer and looked to have aged well beyond his 48 years. He appeared mostly able to focus on the proceedings, at times intensely. He sent word to the judge through one of his lawyers that he wished to sit among his attorneys in the courtroom.

WEDNESDAY

4:45 pm London time: Julian Assange's attorney Edward Fitzgerald QC is arguing in Woolwich Crown Court that the U.S. charges against Assange are political, as espionage is a political crime, and thus in violation of Article 4.1 of the U.S.-British extradition treaty. However the prosecution is putting forth the argument that the UK Extradition Act, the implementing domestic legislation for the treaty, does not preclude political offenses. Further, the U.S. is arguing in court that the charges are not political in nature.

For the first time, Assange spoke directly to the court, saying he wanted to leave the bullet-proof glass cage and sit with his lawyers. "I am as much a participant in these proceedings as a spectator at Wimbledon," Assange told the judge, who replied that his attorneys could apply for bail so that he may leave the cage. Fitzgerald told the court: "This is a gentle man of intellectual nature, there is no reason why he should not sit with us."

 **M. A. E.**
@MEImaazi

... its in EU convention on extradition, its on the Interpol convention. The US of course writes it in to every treaty, but then when someone invokes this the other way they say [sorry] well that we say is inconsistent..." - Edward Fitzgerald QC submitting for the defence

 **Kevin Gosztola** ✓
@kgosztola

Under the umbrella of "abuse of process," defense is putting a lot in the record that would be useful at High Court, Appeal Court, Supreme Court, or European Court of Human Rights. Because the judge may not be receptive to much of their defense case.
[#Assange](#)

THURSDAY

11:30 pm London time: The judge has adjourned the hearings a day earlier than planned. It will resume in Woolwich Crown Court on May 18.

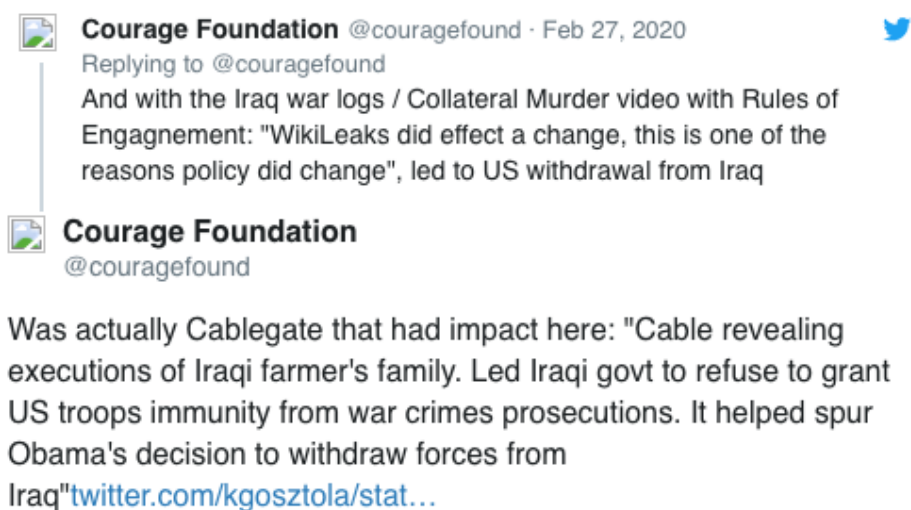
The defense this week seriously undermined the prosecutors' case that Assange had endangered lives of informants, had "solicited" classified material from Chelsea Manning, and had helped Manning crack a password to enter a government computer. The defense showed Manning had legal access to the database and did not need a user name or password. Assange was helping her download video games and movies forbidden to U.S. soldiers.

The defense also laid out its evidence that Assange actually worked to protect informants; and that Manning had not responded to WikiLeaks' solicitations, a charge that ignores that asking sources for classified information is a routine journalistic practice.

The last two days of the hearings were consumed by the question of whether Assange was being accused of political offenses, and whether the British-U.S. extradition treaty or British domestic law on extraditions would apply. The question of whether Assange was being given a fair trial also arose, given that he is cut off from communication with his attorneys during the proceedings, while being locked in a glass cage behind them....

6:00 pm London time: The argument continued from Wednesday about whether Britain's domestic Extradition Act of 2003 or the 2007 U.S.-British Extraction Treaty takes precedence....

Back to the argument whether WikiLeaks has had an effect on policy, defense made this point:



1:20 pm London time: Defense is arguing that WikiLeaks work is to affect change in policy....

12:10 pm London time: Assange is back in his glass cage at the back of the courtroom. The court gave him headphones to help him hear what is going on, but he soon after took them off. The spectacle on Wednesday, in which Assange said he was no more a participant in his own hearing that "a spectator at Wimbledon," underscored the

pettiness and even sadism of the governor of Belmarsh prison. What other reason to separate Assange from his attorneys in the courtroom, when murder suspects routinely sit with their lawyers, what other reason to strip search him, handcuff him 11 times, put him five different cells and take away his legal papers on Monday than to simply humiliate him and show that his life is in their abusive hands?

12:00 pm London time: The prosecution resumed its argument from Wednesday that Assange's offense against the United States is not political. Ironically, James Lewis QC, arguing for the U.S., says Assange's aim would have had to have been to change the U.S. government, for his "crime" to be political offense. Ironical, because most Assange critics believe he tried to change the government by denying Hillary Clinton the presidency. Assange is being charged only for activities in 2010 not 2016. This argument illustrates how the U.S. is grasping at straws in this case.

<https://consortiumnews.com/2020/02/29/live-updates-from-london-assange-extradition-hearing-adjourned-until-may-18/>

Rally in defence of Julian Assange held in Zurich

World Socialist Web Site
2 March 2020

Coinciding with last week's opening of the shameful show trial of Julian Assange in London, opposition is developing across Europe to the extradition of the WikiLeaks founder to the United States.

On February 25, the first rally in Zurich, Switzerland in support of Assange was held. Marianne Arens spoke on behalf of the Sozialistische Gleichheitspartei (Socialist Equality Party — SGP) and called for the mobilisation of the working class in Assange's defence.

Despite the cold and wet weather, some 120 demonstrators gathered at a pavilion on Zurich's Bürkliplatz to put forward their demand for the freedom of the courageous WikiLeaks founder. The rally was called by the Free Julian Assange Committee Switzerland.

In her contribution, Arens said the disgraceful show trial in London was a mockery of the rule of law and an outrageous crime. She explained the political issues involved: "The defence of Julian Assange and Chelsea Manning requires one thing above all, the mobilisation of working people against capitalism and war."

An example was being made of Assange, she continued. "Anyone who dares to expose war crimes is to be intimidated. And why? Because new wars and new war crimes are being planned and prepared." She referred to the current large NATO military manoeuvres titled "Defender 2020," saying their purpose was "clearly to rehearse war against Russia."

She went on to discuss the scandal involving the Swiss company Crypto AG, with whose help the CIA and the German Federal Intelligence Service (BND) had spied on more than 100 countries of the world for decades.

“The supposedly neutral government of Switzerland knew all about this,” Arens said. All the governments, including the German and Swiss governments, were part of a conspiracy in the current show trial in London.

“And this is not a surprise,” she continued, “because they all advocate the same policies of war, private enrichment and social attacks on the working population. What we see today is the return of fascism and war.”

She spoke of the horrific terrorist attack that had taken place a few days earlier in the German city of Hanau, in the state of Hesse, saying: “In Germany, the grand coalition government has taken over the policies of the AfD [Alternative for Germany] in many areas, thereby strengthening the radical right-wing forces. As in the 1930s, right-wing and fascist forces are needed to enforce a war policy against a population that does not want this at all.”

The policies of militarism and extreme social inequality were incompatible with democracy, she explained. That was why there was no constituency for the defence of democratic rights within the ruling elite.

She cited the historical example of the German journalist Carl von Ossietzky, who was convicted and imprisoned for “espionage” and “betrayal of secrets” in 1929 — that is, even before the Nazi regime came to power. He died nine years later as a result of his mistreatment in a fascist concentration camp.

It was important to learn the lessons of this historical precedent, she said, because it was strikingly similar to the London show trial. Assange too was threatened with conviction under the US espionage act. “Therefore, his defence is directly linked to a fight against militarism and war and against capitalist exploitation,” she said. “For this it is necessary to mobilize the working class on the basis of an international socialist programme.”

Her contribution was interrupted by applause several times. Arens concluded with the appeal: “The only way to prevent Assange’s extradition and gain his complete freedom is through the independent mobilization of a politically conscious, international mass movement.”

The administrator of the Free Julian Assange Committee Switzerland, Marlene Jost, welcomed each speaker with a personal introduction. In between the speeches, she skilfully provided musical interludes on her violin.

The first speaker of the evening was the lawyer and journalist Dr. Milosz Matuschek, who supports the Geneva initiative for a humanitarian Swiss visa for Julian Assange. “For me, the Assange case is the Dreyfus case of our days,” he explained, with the conspiracy against Assange being even worse.

“Four states — Ecuador, Sweden, Britain and the United States — have conspired against a single person,” he noted. He then warned, “If the powerful are above the law, then we no longer live in a state based on the rule of law. We live in a despotic state.”

He continued, “The right of Assange to publish is our right to be informed,” and that is why it was so important “to get him out of the cell, because otherwise we will all end up in this cell — perhaps not immediately physically, but certainly spiritually. For who should dare to publish such things in the future when the truth carries such a price tag?”

Matuschek asked his journalist colleagues to draw the appropriate conclusions, saying, "Either journalists are willing to take on the powerful, or they are pure show business."

In his speech, Zurich lawyer Dr. Philip Stolkin dealt with the importance of investigative journalists for society. He said they are the only ones who explain to us where our tax money goes and that "our governments are involved when weapons and wars are financed, when bombs explode in Yemen, and when children are torn to shreds." This reference to the fact that the Federal Council (the Swiss government) spends billions of Swiss francs on its own armaments and authorizes huge exports of war weapons was met with strong applause.

Stolkin raised the question: "Should human rights really apply only to holiday speeches in which we celebrate ourselves as wonderful democrats?" He was not ready for that, he said. It was important that investigative journalists continue to speak out, so it was important to free Julian Assange and Chelsea Manning.

The last speaker, Basel lawyer Dr. Andreas Noll, addressed the accusation against Assange that WikiLeaks had endangered individuals by publishing thousands of names. He emphasized: "This is wrong! On the contrary, Assange was the only one to take care of the anonymization of tens of thousands of names, while *the Guardian* and other media outlets had already published the material."

Noll reminded the audience of the time when the Second World War ended in Europe on May 8, 1945, with tens of millions of dead. The wish "Never again war" had been universal, and on this basis the United Nations had adopted the Universal Declaration of Human Rights and the four Geneva Conventions.

"Because of these achievements," he said, "we felt comfortable for a long time. But behind our backs, the secret services have created a very different reality." It was Julian Assange who had opened people's eyes "and showed the world that our governments are responsible for systematic war crimes and torture. We have been living in a dream world."

Since May 2019, Andreas Noll, together with Stolkin and other Swiss lawyers, have been calling on the Federal Council to grant asylum in Switzerland to Julian Assange and Chelsea Manning.

The Federal Council acknowledged that Assange, "as an information technology expert, investigative journalist and political activist," had indeed contributed to "uncovering cases of human rights violations" by disseminating confidential information. However, it said it "had no intention" of promoting and protecting human rights through the violations he uncovered.

Consequently, "Julian Assange could not be recognised as a human rights defender nor could he receive the protection provided for in the Swiss guidelines" (quoted from a written reply by the Foreign Ministry).

Noll commented on this disgraceful attitude, pointing out that Assange was apparently no longer subject to any fundamental democratic rights, neither the prohibition of torture nor the right to a fair trial, nor freedom of the press, nor the UN Refugee Convention. "The rule of law is behaving in this case no differently from the medieval clergy," he declared.

<https://www.wsws.org/en/articles/2020/03/02/zuri-m02.html>

Australian parliamentary parties endorse British show trial of Julian Assange

*Oscar Grenfell
World Socialist Web Site
5 March 2020*

Senior representatives of the Liberal-National Coalition government, including Foreign Minister Marise Payne, have signalled their complete support for the Trump administration's attempt to extradite WikiLeaks publisher Julian Assange from the United Kingdom to the US for his exposure of American war crimes. The leadership of the opposition Labor Party, which has always sided with Washington against WikiLeaks and freedom of speech, remained silent as Assange faced the first week of his extradition hearing in London.

Speaking in the House of Representatives on Monday evening, Coalition MP Dave Sharma complained that "many in Australia are following the case of Julian Assange closely." He then declared his "faith in the rule of law, due process and the independence of the judiciary in the United Kingdom."

Sharma's comments were in line with previous government statements, contrasting Britain's supposed "rule of law" and "due process" with the anti-democratic actions of totalitarian regimes. In fact, the first week of Assange's court hearings resembled nothing so much as the show trials staged by despotic regimes, replete with a denial of fundamental legal rights, a biased judiciary and a preordained conclusion.

In the months leading up to the hearings, Assange was denied the right to prepare, with his access to legal documents and to his own lawyers severely limited. He appeared in a court generally reserved for terrorism suspects, to which he was transported by a tunnel running from the maximum-security Belmarsh Prison where he is detained — despite the fact that he has been convicted of no crime.

Assange was subjected to constant physical and psychological abuse by the Belmarsh and judicial authorities. He was repeatedly strip-searched, shifted from cell to cell and had his documents confiscated by prison guards. During the court proceedings, he was confined in a bullet-proof glass cage that prevented him from hearing most of what was said and interacting with his lawyers. The judge presiding over the case is openly hostile to Assange and repeatedly dismissed clear legal arguments as to why the extradition application should be rejected.

The Australian parliamentarians are all well aware of this outrageous state of affairs. Sharma nevertheless had the gall to state: "Mr Assange has strong legal representation in an open trial and before an impartial judiciary. The charges he faces are known, and he has a spirited defence team acting on his behalf. He will get a fair hearing in court, and justice will ultimately be served."

Sharma's dismissive statements in parliament, which were not challenged by any other member, are a greenlight from Canberra for continuing attacks on Assange's rights. They are in line with the refusal of every government, beginning with the Greens-backed Gillard Labor government in 2010, to defend Assange as a persecuted Australian citizen and journalist.

The week before Sharma's remarks, Foreign Minister Payne declared on February 25 that the government had "no standing in any of Mr. Assange's legal proceedings and is unable to intervene in them." In a question to Payne, Greens' Senator Peter Whish-

Wilson noted that this was patently false. Payne herself had travelled to Thailand last year to secure the freedom of soccer player Hakeem al-Araibi, a soccer player and Australian permanent resident who faced deportation to his native Bahrain. Australian governments have made numerous diplomatic interventions on behalf of Australian citizens, including Al Jazeera journalist Peter Greste who was framed-up in Egypt and falsely imprisoned.

Assange has not been defended solely because of the bipartisan support of the Coalition and Labor for Washington's persecution of WikiLeaks and its publisher, and the broader assault on all independent and critical journalism.

Underscoring the government's contempt for democratic rights, Payne rejected the warnings of United Nations Special Rapporteur on Torture Nils Melzer that Assange would have no prospect of a fair trial if he was dispatched to the US. She brushed aside Melzer's damning findings that Assange has been subjected to relentless psychological torture. Payne dismissed the seasoned and highly-informed UN official as just "an individual rapporteur who has made a range of observations, not all of which we agree with."

The Australian parliament is flagrantly flouting international laws and institutions to give support to the US-led vendetta against Assange, just as it did when it supported the illegal 2003 invasion of Iraq. Payne refused to even comment on the revelations that the US Central Intelligence Agency illegally spied on Assange when he was a political refugee in Ecuador's London embassy — a fact that should have seen the extradition application thrown out as soon as the court convened.

The stand of the Coalition and Labor Party flows directly from the unalloyed commitment of the Australian ruling class to the US-Australia military alliance and its role as a junior partner in Washington's relentless aggression to maintain its waning global dominance. Payne and Sharma are both deeply involved in the preparations for Australia to play a frontline role in a US war with China, which were initiated under the Gillard Labor government. Anthony Albanese has not said a single word about Assange since being installed as Labor leader last May.

The complicity in Assange's persecution extends across all official establishment. The Greens and other parties represented in the parliament have issued no formal party statements and waged no campaign for Assange's freedom as he is subjected to a legal travesty. While Senator Whish-Wilson posed questions in parliament, Greens leader Adam Bandt, who is ostensibly the most senior figure in the small cross-party grouping of politicians calling for Assange to be "brought home," has only issued one statement.

As for the corporate media, its coverage of Assange's extradition hearing was perfunctory. For years, editorial boards of the print and television news outlets peddled the innumerable slanders against Assange concocted by his persecutors. They ridiculed his warnings that he faced extradition to the US as a "conspiracy theory," in a transparent attempt to isolate him and poison public opinion against him. Now that Assange's warnings have come to pass, they are doing everything possible to prevent the development of a broad political movement in his defence.

The shameful role of the press has allowed the collaboration of the parliamentary establishment with the persecution of Assange to go largely unscrutinised. Albanese, for example, has not faced a single press question about their refusal to say a word about the extradition hearing.

The line-up against Assange demonstrates that his freedom will not be won by peddling illusions in, or issuing moral appeals to, any section of the country's political and media establishment. What is required is the development of a mass political movement of the working class in Australia and internationally, fighting to block Assange's extradition to the US, as part of the struggle to defend all democratic rights.

<https://www.wsws.org/en/articles/2020/03/05/ausa-m05.html>

IBAHRI condemns UK treatment of Julian Assange in US extradition trial

*International Bar Association
10 March 2020*

The International Bar Association's Human Rights Institute (IBAHRI) condemns the reported mistreatment of Julian Assange during his United States extradition trial in February 2020, and urges the government of the United Kingdom to take action to protect him. According to his lawyers, Mr Assange was handcuffed 11 times; stripped naked twice and searched; his case files confiscated after the first day of the hearing; and had his request to sit with his lawyers during the trial, rather than in a dock surrounded by bulletproof glass, denied.

The UK hearing, which began on Monday 24 February 2020 at Woolwich Crown Court in London, UK, will decide whether the WikiLeaks founder, Mr Assange, will be extradited to the US, where he is wanted on 18 charges of attempted hacking and breaches of the 1917 Espionage Act. He faces allegations of collaborating with former US army intelligence analyst Chelsea Manning to leak classified documents, including exposing alleged war crimes in Afghanistan and Iraq. The hearing was adjourned after four days, with proceedings set to resume on 18 May 2020.

IBAHRI Co-Chair, the Hon Michael Kirby AC CMG, commented: 'The IBAHRI is concerned that the mistreatment of Julian Assange constitutes breaches of his right to a fair trial and protections enshrined in the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, to which the UK is party. It is deeply shocking that as a mature democracy in which the rule of law and the rights of individuals are preserved, the UK Government has been silent and has taken no action to terminate such gross and disproportionate conduct by Crown officials. As well, we are surprised that the presiding judge has reportedly said and done nothing to rebuke the officials and their superiors for such conduct in the case of an accused whose offence is not one of personal violence. Many countries in the world look to Britain as an example in such matters. On this occasion, the example is shocking and excessive. It is reminiscent of the Abu Grahb Prison Scandal which can happen when prison officials are not trained in the basic human rights of detainees and the Nelson Mandela Rules.'

In accordance with the Human Rights Act 1998, which came into force in the UK in October 2000, every person tried in the UK is entitled to a fair trial (Article 6) and freedom from torture and inhuman or degrading treatment (Article 3). Similarly, Article 10 of the Universal Declaration of Human Rights upholds an individual's right to a fair and public hearing by an independent and impartial tribunal.

IBAHRI Co-Chair, Anne Ramberg Dr jur hc, commented: 'The IBAHRI concurs with the widespread concern over the ill-treatment of Mr Assange. He must be afforded

equality in access to effective legal representation. With this extradition trial we are witnessing the serious undermining of due process and the rule of law. It is troubling that Mr Assange has complained that he is unable to hear properly what is being said at his trial, and that because he is locked in a glass cage is prevented from communicating freely with his lawyers during the proceedings commensurate with the prosecution.'

A recent report from Nils Melzer, the UN Special Rapporteur on Torture and Inhumane Treatment, presented during the 43rd session of the UN Human Rights Council (24 February – 20 March 2020), argues that the cumulative effects of Mr Assange's mistreatment over the past decade amount to psychological torture. If Mr Assange was viewed as a victim of psychological torture, his extradition would be illegal under international human rights law.

Notes to editors

Related material: Watch the interview of Julian Assange given to IBA Executive Director Mark Ellis during the IBA's 2017 Annual Conference in Sydney, Australia. www.ibanet.org/Conferences/238921283.aspx

The International Bar Association (IBA), the global voice of the legal profession, is the foremost organisation for international legal practitioners, bar associations and law societies. Established in 1947, shortly after the creation of the United Nations, it was born out of the conviction that an organisation made up of the world's bar associations could contribute to global stability and peace through the administration of justice.

In the ensuing 70 years since its creation, the organisation has evolved from an association comprised exclusively of bar associations and law societies to one that incorporates individual international lawyers and entire law firms. The present membership is comprised of more than 80,000 individual international lawyers from most of the world's leading law firms and some 190 bar associations and law societies spanning more than 170 countries.

The IBA has considerable expertise in providing assistance to the global legal community, and through its global membership, it influences the development of international law reform and helps to shape the future of the legal profession throughout the world.

The IBA's administrative office is in London, United Kingdom. Regional offices are located in: São Paulo, Brazil; Seoul, South Korea; and Washington DC, United States, while the International Bar Association's International Criminal Court and International Criminal Law Programme (ICC & ICL) is managed from an office in The Hague, the Netherlands.

The International Bar Association's Human Rights Institute (IBAHRI), an autonomous and financially independent entity, works to promote, protect and enforce human rights under a just rule of law, and to preserve the independence of the judiciary and the legal profession worldwide.

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Groundswell of support to free Julian Assange around February extradition hearing

Kevin Rennie
Global Voices
13 March 2020

Wikileaks' founder Julian Assange's hearing for extradition to the United States on February 24, 2020 led many people, both on the streets and online, to rally support for his release....

Assange also has significant backing among mainstream journalists:

It is nearly eight years since Assange sought asylum in the Ecuadorian embassy in London, and a year since his imprisonment in the United Kingdom's Belmarsh Prison for breaching bail.

In 2006 he launched the Wikileaks website, which has published leaked and classified information from the U.S. government and other sources. Major instances include the Afghanistan and Iraq War Logs, and Cablegate. Assange collaborated with US Army

whistleblower Chelsea Manning on these leaks. The extradition case relates to indictments for conspiracy to commit computer intrusion and espionage. Assange faces up to 175 years imprisonment if convicted of all charges. He has been accused by the American government of putting lives at risk.



 **Mary Kostakidis**
@MaryKostakidis



1200 journals from 98 countries: We urge all journo's to speak up in defense of J Assange at this critical time. Dangerous times call for fearless journalism. [#JournalistsSpeakUpForAssange](#).

World-wide journalists condemn court action against Julian Assange [pressenza.com/2020/02/world-...](https://www.pressenza.com/2020/02/world-journalists-condemn-court-action-against-julian- Assange/)

Assange is a controversial figure for a number of other reasons. In 2010, Sweden issued an international arrest warrant for him in relation to sexual assault allegations; the charge has now expired. In 2016, the publication of Hillary Clinton's private email archive blotted his copybook in the eyes of many progressives, who accused him of doing Russian President Putin's dirty work and of helping to elect Donald Trump. Assange denies these accusations.

But many netizens dismiss attacks on Assange and Wikileaks. Some believe that what is paramount are the principles involved, not Assange's character....

Others refuse to support him for a range of reasons....

Former Australian ambassador to Israel and now government backbencher, Dave Sharma, has joined numerous politicians who have little time for Assange. Greg Barns, a human rights advocate and advisor to the Assange team, recently took Sharma to task....

There is a small group of pro-Assange members in Australia's federal parliament. Opposition backbencher Julian Hill backed the 'other Julian' in a House of Representatives speech....

Campaigning to #FreeAssange

There has been a worldwide resurgence of protest meetings and demonstrations. New Zealand academic Alex Hill is an activist who coordinates Candles4Assange:



Antiwar  AlexHills  
@GreenweaverArch



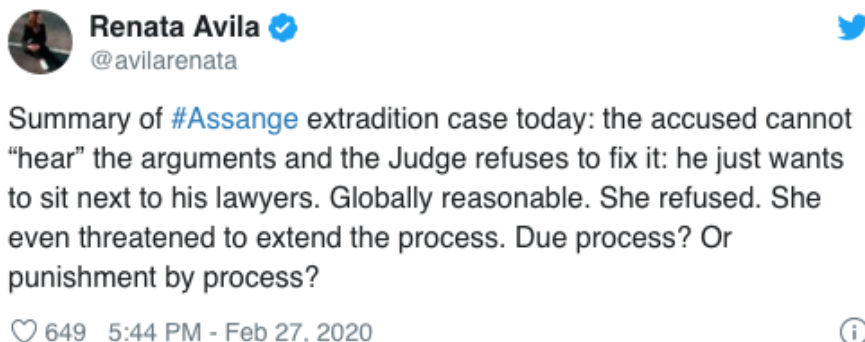
120 events being held this week for @DEAcampaign
with 35+ ONGOING weekly or fortnightly events worldwide
(25 cities in Germany!) @Candles4Assange

 (=Catalonia)

24 FEB 2020 (37 cities in 22 countries)

Catalan separatists, Assemblea Nacional Catalana, posted the photo at the top of the story on Flickr. It depicts a protest in Barcelona on February 24. Part of the caption reads: “L’Assange va donar suport a l’autodeterminació de Catalunya: ara som nosaltres qui li’n donem!” (“Assange supported the self-determination of Catalonia: now we give it to you!”).

Guatemalan lawyer Renata Avila (a member of the Global Voices community) reported from the fourth day of the hearing about the latest issue involving Assange’s treatment in the judicial system:

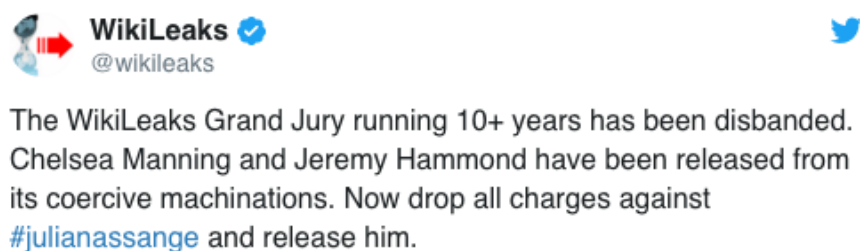


This follows earlier claims by the UN Special Rapporteur on Torture, Nils Melzer, that Assange “has been tortured & continues to be tortured” in Belmarsh Prison.

There are numerous Facebook pages such as Free Julian Assange and tens of thousands of Instagram posts petitioning for his release.

Meanwhile, Chelsea Manning was reported to have attempted suicide in the US prison where she is being held, after refusing to answer questions before a grand jury about Assange....

In a later development, a court has ordered her release as the grand jury has been disbanded. Wikileaks has responded:



Online petition

Phillip Adams from Brisbane **started an online petition in 2018 which has over 365,000 signatures**. It calls on Australia’s Foreign Minister Marise Payne and Prime Minister Scott Morrison to defend Assange: ‘Julian Assange is an Australian Citizen and as such it is the fundamental responsibility of the Australian Government to protect and ensure his human rights are not violated and to this end the Australian Government has failed.’

The radio broadcaster and media personality of the same name is also in Assange’s corner urging everyone to do more:



People For Assange
@people4assange



In The Weekend Australian Magazine today by @PhillipAdams_1

"It is we who are guilty of treason, treason against our principles.
Not Julian Assange" [#FreeAssangeNOW](#) [#DontExtraditeAssange](#)



The extradition hearing resumes in May.

<https://globalvoices.org/2020/03/13/groundswell-of-support-to-free-julian-assange-around-february-extradition-hearing/>

Julian in the Dock

Israel Shamir
The Unz Review
March 13, 2020

Julian Assange's extradition hearing has had very little media coverage. Even *The Guardian* and *The New York Times* barely mentioned it, though these newspapers made a fortune publishing Assange-provided cables. Unless you had been looking for it, you wouldn't even know that on February 24 to 27, the first stage of Assange's extradition hearing was being adjudicated in the secretive Woolwich Crown Court embedded within the huge Belmarsh Prison nicknamed "British Gitmo".

Luckily for us, Ambassador Craig Murray, the indomitable truth fighter, went there, waited in line for hours in the rain, underwent searches and discomfort, and wrote an extensive report (12,000 words) on this travesty of justice that went under the name of a 'trial'. His reports leave nothing out, from the threatening atmosphere to the sinister legal arguments. He captured the menace and the abuse bordering with public

torture, and delivered it to the world, something that none of the journalists on the payroll of the mass media had been allowed to do. Here are some insights from his report in my free rendering augmented with other sources.

The Court is designed with no other purpose than to exclude the public, on an island accessible only through navigating a maze of dual carriageways, the entire location and architecture of the building is predicated on preventing public access. It is in truth just the sentencing wing of Belmarsh prison.

The judge, the Magistrate (or District Judge) Vanessa Baraitser is a modern version of the Hanging Judge George Jeffreys, a female Judge Dredd. She is the chief villain by all descriptions of the trial, not just tolerating but exceeding the demands of the prosecution. The lawyers acting for the prosecution did request some niceties if only for the trial to appear fair. Baraitser had no such pretensions. She went straight for the jugular. If she could, she would hang Assange right away.

This Jewish lady is surrounded by mystery: she has left no trace upon the Internet. A newly born child has more Internet presence than this middle-aged woman. I doubt such a blank slate could be achieved nowadays without the active assistance of the Secret Services.

Ambassador Murray writes: “Ms Baraitser is not fond of photography — she appears to be the only public figure in Western Europe with no photo on the internet. Indeed the average proprietor of a rural car wash has left more evidence of their existence and life history on the Internet than Vanessa Baraitser. Which is no crime on her part, but I suspect the expunging is not achieved without considerable effort. Somebody suggested to me she might be a hologram, but I think not. Holograms have more empathy.”

John Pilger saw Baraitser in action during the previous round of Assange hearings in October 2019. He wrote: “I have sat in many courtrooms and seen judges abuse their positions. This judge, Vanessa Baraitser shocked all of us who were there. Her face was a progression of sneers and imperious indifference; she addressed Julian with cruel arrogance. When Assange spoke, Baraitser contrived boredom; when the prosecuting barrister spoke, she was attentive. When Julian’s barrister described the CIA spying on him, she didn’t yawn, but her disinterest was as expressive. Her knee in the groin was to announce that the next court hearing would be at remote Woolwich, which adjoins Belmarsh Prison and has few seats for the public. This will ensure isolation and be as close to a secret trial as it’s possible to get.”

It turned out to be practically a secret trial. There were MSM journalists, but “not a single one of the most important facts and arguments today has been reported anywhere in the mainstream media.”

On the first day, James Lewis QC for the prosecution tried to drive a wedge between Assange and the media. He claimed that in no way are mainstream outlets like *The Guardian* and *The New York Times* threatened by this trial, because Assange was not charged with publishing the cables but only with publishing the names of informants, cultivating Manning and assisting him to attempt computer hacking. The mainstream outlets are not guilty of any crimes, having only published sanitised cables.

But Judge Baraitser didn’t accept this vegetarian approach. She thirsted for blood. She referred to the Official Secrets Act 1989, which declares that merely obtaining and publishing any government secret is an offence. Surely, Baraitser suggested, that meant that newspapers publishing the Manning leaks would be guilty of a serious offence?

Lewis agreed with the judge and admitted that indeed, the mainstream journalists also are guilty, fully denying what he said in his opening statement. In the end, none of this role-play mattered since none of the media reported on this exchange, as it wasn't inserted into the daily press release. The MSM journalists used only these prepared texts, so convenient for copying and pasting into their own reports.

The main argument of the defence was that the motive for the prosecution was entirely political, and that political offences were specifically excluded under the UK/US extradition treaty. For a normal human judge, that would suffice to dismiss the case. But Baraitser had a trick up her sleeve. Although the US/UK Extradition Treaty forbade political extraditions, this was only the Treaty, and this is not an international court, she said. That exemption does not appear in the UK Extradition Act. Therefore political extradition is not illegal in the UK, as the Treaty has no legal force on her Court. With such a judge, who needs the prosecution?

The defence quickly demolished the judge's devious rationalisations by pointing out that every extradition must satisfy two standards: (1) that of the UK Extradition Act, and (2) the specific Extradition Treaty with the country in question. Both are necessary; no man can be extradited to a specific country without consulting the specific treaty. The UK Extradition Act sets the ground rules. It is the relevant extradition treaty that sets out the conditions by which a prisoner might be extradited to a specific country. The Act allowed for a political extradition, and if the specific extradition treaty allowed it, the prisoner could be extradited. But this specific, namely US/UK extradition treaty does not permit political extraditions. Ergo, Assange could not be extradited by law.

Indeed a sixth-grade student could follow this simple logic. However, the dastardly Ms Baraitser kept repeating her claim that the Act does not forbid political extradition. We do not know what black spots hidden in the murky past of Judge Baraitser required that her history be blotted out by MI5's dark adepts, but I harbour a suspicion that this Jewish lady has had some field practice in the Jewish state, where judges invariably find the accused goy liable and guilty, and every torture is tolerated or even encouraged.

Her main preoccupation seemed to be in arranging Julian's suicide -- or at least dishearten him to the point where his death by throttling might be explained away as suicide. He certainly seemed to be dispirited. The distinguished psychiatrist Professor Michael Kopelman provided a psychiatric assessment of Assange to the court:

"Mr Assange shows virtually all the risk factors which researchers from Oxford have described in prisoners who either suicide or make lethal attempts. ... I am as confident as a psychiatrist can ever be that, if extradition to the United States were to become imminent, Mr Assange would find a way of suiciding."

These words are especially poignant today, as it was reported that Manning attempted to commit suicide being locked up since last May at a detention centre in Alexandria, Va for steadfast refusal to bring evidence against Assange. The US/UK Deep State is a vengeful vicious beast that wants to punish Assange and Manning for revealing its nasty secrets. It is only the "whistle-blowers" who accused Trump and exonerated the Thief of Ukraine Biden that are protected.

In order to push Assange deeper into black despair, Baraitser enforced the regime of strict isolation on the prisoner. Assange had been kept in a bulletproof glass cage, unable to hear or to exchange notes with his lawyers. "I believe," wrote Craig Murray,

"that the Hannibal Lecter style confinement of Assange, this intellectual computer geek, is a deliberate attempt to drive Julian to suicide."

Julian is cruelly mistreated. When his Spanish lawyer left court to return home, on the way out he naturally stopped to shake hands with his client, proffering his fingers through the narrow slit in the glass cage. Assange half stood to take his lawyer's hand. The two security guards in the cage with Assange immediately sprang up, putting hands on Julian and forcing him to sit down, preventing the handshake.

On the first day of trial, Julian had twice been stripped naked and searched, eleven times been handcuffed, and five times been locked up in different holding cells. The lawyer for the defence, Fitzgerald, asked the judge to interfere and save Julian from this rough mistreatment.

The Baraitser stared down Fitzgerald and stated, in a voice laced with disdain, that he had raised such matters before and she had always replied that she had no jurisdiction over the prison estate. You might make a recommendation, suggested Fitzgerald, they usually listen to judge's remarks. Even the prosecution counsel James Lewis stood up to say the prosecution would also like Assange to have a fair hearing, and that he could confirm that what the defence were suggesting was normal practice. But bloodthirsty Baraitser flatly refused.

Edward Fitzgerald made a formal application for Julian to be allowed to sit beside his lawyers in the court. Julian was "a gentle, intellectual man" and not a terrorist. Baraitser replied that releasing Assange from the dock into the body of the court would mean he was released from custody. That is obviously nonsense. Again, the prosecution counsel James Lewis intervened on the side of the defence, for Baraitser's notion of law would not work anywhere outside Israeli courts in the occupied West Bank. Lewis said that prisoners, even the most dangerous of terrorists, gave evidence from the witness box in the body of the court next to the lawyers and magistrate. In the High Court prisoners frequently sat with their lawyers in extradition hearings, in extreme cases of violent criminals handcuffed to a security officer.

Baraitser replied that Assange might pose a danger to the public. It was a question of health and safety. Health and safety, forsooth! Such cynicism may be unprecedented in British justice, and it should reserve a special place in hell for Ms Baraitser.

Why should she keep Assange in that box, unable to hear proceedings or instruct his lawyers, when even counsel for the US Government does not object to Assange openly sitting in the court? He is brought handcuffed and under heavy escort to and from his solitary cell to the armoured dock via an underground tunnel. In these circumstances, what possible need is there for him to be repeatedly strip- and cavity-searched? Why is he not permitted to shake hands or touch his lawyers through the slit in the armoured glass box?

It is a torture session, not a hearing. And the hearing, or rather the torture will continue in May -- if Julian is still alive.

Israel Shamir can be reached at adam@israelshamir.net

<https://www.unz.com/ishamir/julian-in-the-dock/>

Australia: Melbourne teachers vote to defend Assange and Manning

Committee to Defend Public Education (CFPE)

World Socialist Web Site

14 March 2020

On March 11, teachers representing their colleagues at the Maribyrnong regional meeting of the Australian Education Union (AEU) in Melbourne passed resolutions demanding that the Australian government immediately act to secure the freedom of WikiLeaks publisher Julian Assange and voicing their solidarity with whistle-blower Chelsea Manning. The important stand taken by the teachers should be followed by workers in every workplace and industry around the world.

A mass movement of the working class must be built to defend Assange. In a historic attack on freedom of speech, the Trump administration has charged him with multiple counts of espionage because WikiLeaks published the information that was courageously leaked by Manning exposing war crimes committed by American imperialism in the Iraq and Afghanistan and the extent of US diplomatic intrigues around the world.

The US is attempting to extradite Assange from the United Kingdom. Extradition hearings began last month and will resume in May, in what is likely to be a protracted legal case. Assange has been denied bail and is being incarcerated in the maximum security Belmarsh Prison under harsh conditions. The Australian citizen has been subjected to constant psychological and physical torment for close to a decade and his life is in danger.

The first resolution passed at the meeting insisted that the Australian government of Prime Minister Scott Morrison end its complicit collaboration with the persecution of Assange and intervene, using the full scope of its diplomatic and legal powers, to secure his safe passage to Australia. A second motion aimed at widening the campaign in defence of Assange was also adopted. It requires the Australian Education Union (AEU) to publish the resolution in “the next issue of the AEU News and AEU e-bulletin.”

The Maribyrnong regional meeting was attended by some 20 teachers representing at least 10 schools in Melbourne’s inner-western suburbs. It began with a discussion over the shocking conditions under which teachers must now work, such as unmanageable class sizes, excessive workloads and poverty-level wages for Education Support Staff. These conditions are a direct result of the agreements which the AEU has signed up for with state Liberal and Labor governments.

Teachers then voted to extend the duration of the meeting to allow for discussion on Assange.

The convenor of the Committee for Public Education (CFPE), Sue Phillips, moved the first resolution. She told her colleagues: “Assange has stated that he wants people at their workplaces to voice their support. The lead that teachers are taking in his defence must be advanced here by supporting this resolution.”

Phillips, a primary teacher at Moonee Ponds West Primary School, drew attention to the reason for Assange’s incarceration: “Why does Assange face this situation? Because in 2010–2011 he revealed US war crimes in Afghanistan and Iraq, along with diplomatic conspiracies. He did what every good investigative journalist should do.

“For exposing the criminal and secret operations of governments, information in the public interest, he is being punished in the most brutal and anti-democratic manner. The purpose of his extradition and the political show trial that is underway, is to intimidate and terrorise all journalists who uncover and expose the truth. Anyone who dares speak out against war crimes is under threat.”

She explained that the aims of the US, Britain and Australia are demonstrated in the barbaric treatment of Assange. “The manner in which Assange is being dealt with in the courts is an indication of the anti-democratic and cruel procedures that have been meted out against him over nearly a decade and what he would face in the US. Anyone who suggests he is or will face a fair trial in the US is telling lies.

“On the first day Assange was handcuffed 11 times and stripped naked twice. He sits behind a glass cage, treated as if he is the worse type of criminal and terrorist. He can’t hear properly and cannot pass notes or speak to his lawyers. On one of the days the judge began the trial without Assange present in the court and another day he had prepared notes from the previous day and they were taken from him.”

The resolution stated: “This meeting of teachers and education support staff opposes the ongoing persecution of journalist, publisher and founder of WikiLeaks, Julian Assange, and courageous whistle-blower, Chelsea Manning. The UN Special Rapporteur on Torture, Nils Melzer, warns that Assange’s continued exposure to arbitrariness and abuse may soon end up costing his life. We insist that the federal Morrison government uses its diplomatic powers to organise the safe return of Assange to Australia. We resolve to send this resolution to other schools and workplaces.”

In supporting the motion, Will Marshall, a member of the Committee for Public Education, stated: “Assange needs the support of workers, teachers and students. The courts are clearly not going to dispense justice. That is why we should be involved. Secondly, the major governments are preparing for war. The US has just announced the largest ever funding for the military. They are determined to stop Assange because they are preparing for new crimes and new wars.”

One teacher at the meeting pointed out, “Assange has done nothing illegal” and said that he should not be standing facing charges.

To this point, the Australian trade unions, including the AEU, have maintained a deafening silence on the question of Assange. This is above all due to their links with the Australian Labor Party, which held government in 2010 and, flowing from its support for the US-Australia military alliance, condemned WikiLeaks for exposing American war crimes. The unions’ collaboration with the persecution of Assange is one of the main reasons that the Labor and, since 2013, the Coalition government has been able to deny any assistance to the Australian journalist and publisher.

At the conclusion of the Maribyrnong meeting, Daniel Mulholland, an Education Support Staff worker, stated: “Educators should defend Assange as if they were defending their own students. What sort of democracy do we have when such arbitrary measures are taken to arrest and intimidate journalists?”

The CFPE has initiated resolutions at both school and regional union meetings calling for the defence of Assange and Manning. The regional meeting at Maribyrnong is the latest in a campaign that is building momentum to defend democratic rights and Julian Assange.

Teachers at Footscray High School, in Melbourne's western suburbs, voted in December to oppose the extradition of Assange and to form a committee to take forward his defence. In February, a meeting of the Hills Association of the New South Wales Teachers Federation in north-west Sydney unanimously passed a similar resolution moved by Erika Laslett, a secondary teacher and member of the CFPE. The same resolution was moved by a CFPE supporter and passed unanimously by more than 30 teachers at a meeting of the Illawarra Teachers Association in Wollongong.

All workers who defend Assange, Manning and freedom of speech should likewise organise meetings at unionised and non-union sites and move resolutions calling for the freedom of Assange and Manning.

Hold meetings in your workplace, college, university or school to discuss the imminent threat to Assange's life and the dangers this poses to the democratic rights of the entire working class. Pass resolutions demanding the blocking of his extradition to the US and his immediate and unconditional freedom.

Teachers and education workers who want to make contact with the CFPE can email cfpe.aus@gmail.com or via its Facebook page: www.facebook.com/commforpubliceducation

The CFPE Twitter account is @CFPE_Australia.

<https://www.wsws.org/en/articles/2020/03/14/cfpe-m14.html>

Doctors condemn Australian government's refusal to defend Assange

*Oscar Grenfell
World Socialist Web Site
19 March 2020*

In a letter publicly released today, almost 200 eminent doctors from around the world have condemned the Australian government's refusal to defend imprisoned journalist and WikiLeaks publisher Julian Assange, warning that he faces heightened medical risks due to the rapidly expanding coronavirus pandemic.

The Doctors4Assange group wrote to the Australian government on December 15 and February 1 to insist that it immediately fulfil its obligations to Assange as an Australian citizen. It outlined the assessment of United Nations Special Rapporteur on Torture Nils Melzer, that Assange is showing medically-verifiable symptoms of psychological torture and warned that his life was in danger if he was not urgently released from Belmarsh Prison to a university teaching hospital.

The correspondence, which was also sent to the Labor Party opposition, went unanswered for months.

On February 18, Mat Kimberley, the assistant secretary for consular operations at the Department of Foreign Affairs and Trade (DFAT), finally replied on behalf of the government. His letter is a tissue of lies and evasions.

Kimberley blithely stated that the "Australian government rejects any suggestion by the UN Rapporteur on Torture that it is complicit in psychological torture or has shown a lack of consular support for Mr. Assange." He made an offhand dismissal of the professional opinion of the doctors that Assange has not received adequate medical care.

Kimberley described the imprisonment of Assange in a maximum-security facility designed to hold terrorists and murderers as “appropriate.” He declared the government’s confidence that “Mr. Assange will receive due process in the legal proceedings he faces in the UK and we are likewise confident that he would receive due process should he face legal proceedings in the US.”

The DFAT bureaucrat’s declarations amount to a greenlight for the torture of an Australian citizen and journalist whose only “crime” has been to expose illegal wars, global diplomatic conspiracies and human rights violations. Given that Labor has ignored the doctors’ letters and has played a central role in the US-led pursuit of Assange, Kimberley’s statements can only be read as a bipartisan endorsement of the illegal persecution of an Australian citizen.

The Australian government’s response was issued after months of complaints by Assange’s lawyers that he was being denied the right to prepare his own defence. It was sent on the eve of the first week of British court hearing for Assange’s extradition to the US, which can only be described as a show trial. The WikiLeaks founder was repeatedly stripped naked and handcuffed, his legal documents were stolen by prison guards and he was isolated in a bullet-proof glass box at the back of the courtroom, preventing him from participating in the hearing.

In their latest letter, the doctors’ cite the assessment of the International Bar Association’s Human Rights Institute that Assange’s treatment was “shocking and disproportionate,” and may have constituted a breach of his right to a fair trial and a violation of international law.

Kimberley falsely claimed that the Australian government was powerless to intervene in the legal processes of another country. In reality, the government has a clear legal responsibility and considerable powers to intervene when an Australian citizen is facing political persecution abroad. It has done so on many occasions, especially when the countries involved are in the crosshairs of US imperialism, such as Iran and China.

The government’s “confidence” that Assange will receive “due process” in the US is absurd and reveals the political character of its refusal to defend the WikiLeaks founder.

Assange has been the subject of a secret US Grand Jury for the past decade. If he is extradited, he will be tried in Eastern District of Virginia. The location has been selected because it is home to the largest concentration of government agents in the US. Assange would be tried in a sealed court, with a jury stacked full of CIA operatives, that has a 100 percent conviction rate in national-security cases. He faces a sentence of up to 175 years imprisonment in conditions of total isolation.

The DFAT official asserted that the government could no longer provide Assange with “consular assistance” because he had withdrawn his consent. Such unspecified “consular assistance” is worthless, under conditions in which the government has already declared that it will take no action to protect Assange’s rights. Its only purpose would be to allow Australian officials to monitor him and pass over information to Assange’s persecutors in the US.

The doctors correctly noted that the issue of “consular assistance” was a “red herring.” They wrote: “In the case that an Australian citizen’s human rights are being abused, including his human right to health, his right to be free from torture and

arbitrary detention, his right to a fair trial, his right to lawyer-client confidentiality and his right to prepare a defence, we are reliably advised that, consular assistance aside, government ministers can advocate for due legal process, and raise concerns about gross violations of rights with their overseas counterparts.”

The doctors continued: “In Julian Assange’s case, all of the above human rights have been violated, in a manner that endangers his health and contributes to his prolonged psychological torture as assessed by the UN Rapporteur on Torture and two medical experts specialised in the assessment and documentation of torture. These surely are matters in which Government ministers have not only the ability but the obligation to raise concerns about gross violations of rights with their UK counterparts.”

They noted, moreover, that according to the “Australian government’s own Human Rights Commission, the federal government has the overall legal responsibility for ensuring that Australian citizens’ human rights are protected.” It is the assessment not only of the UN rapporteur and the doctors, but of rights and civil liberties organisations internationally, that Assange’s legal and human rights are being trampled on.

The exchange is a damning indictment of the entire Australian political establishment. In their commitment to the US-Australia military alliance and Washington’s predatory wars and military preparations, the Australian parliamentary parties have signalled their support for political persecution and lawlessness.

The lies contained in Kimberley’s letter are the latest in a string of fabrications and evasions used by successive Australian governments to justify their refusal to defend Assange. This began with the Greens-backed Labor government of Julia Gillard, which in 2010 branded WikiLeaks as an organisation conducting “illegal activity,” falsely asserted that Assange had broken Australian laws and pledged to assist the US campaign against him.

The doctors’ letter makes clear that the Australian government, and all of the states participating in the persecution of Assange, have placed his life at risk.

The doctors stated that “with the president of the Prison Governors’ Association warning that prisons provide ‘fertile breeding grounds’ for coronavirus, Julian Assange’s life and health are at heightened risk due to his arbitrary detention during this global pandemic.”

They concluded by insisting that the Australian government “heed not only the doctors’ warnings, but those of respected legal and human rights bodies and authorities, many of which are calling for the US extradition request to be denied and Julian Assange’s incarceration and extradition trial to be ceased, in the name not only of medical ethics, but human rights and rule of law.”

<https://www.wsws.org/en/articles/2020/03/19/assa-m19.html>

Assange Denied Bail, Further Visits, Despite Virus Risk

Despite fears by his lawyers and doctors that Julian Assange is at high risk of being infected in prison, his judge on Wednesday denied him bail, reports Joe Lauria.

Joe Lauria
Consortium News
March 25, 2020

Imprisoned WikiLeaks publisher Julian Assange has been denied bail after his lawyers argued he was at risk of a coronavirus infection.

District Judge Vanessa Baraister ruled on Wednesday that Assange was a flight risk and couldn't be trusted to be released. She repeated hearsay that Assange would prefer suicide to extradition and appeared to tip her hand by saying there was a "high risk of extradition."

She told Westminster Magistrate's Court: "I have heard evidence that Assange would consider suicide before being allowed to be extradited to the United States. There is a high risk of extradition.

"No court wishes to keep a defendant in custody, even less so during the emergency we are now experiencing," Baraister said. "But Mr Assange's past conduct shows the lengths he is willing to go to escape proceedings."

Assange was given political asylum in Ecuador's London embassy in 2012 as he feared that extradition to Sweden would lead to extradition to the United States, a fear much maligned, but proven true as the U.S. wants Britain to send him to a court in Alexandria, VA to stand trial on 17 counts of espionage and one of computer intrusion.

"Conditions imposed on him last time did nothing to prevent him taking the steps that he did," Baraister said. "At the time he made the decision to enter the Ecuadorian Embassy he was subject to a European arrest warrant. He now faces serious allegations in the US."

Dismisses Health Concerns

Baraister dismissed concerns by Assange's lawyers, that given previous health issues, including a lung problem, a prison was a breeding ground for infection. There have been so far no reported cases of coronavirus at Belmarsh Prison. But neither have there been reports of testing at the prison.

A 2018 British government report on prison health, which cited the Care Quality Commission in England, said UK prisons suffer from "overcrowding and lack of personal space" that raises the danger of "communicable diseases." The report said that in a cell with three beds in Belmarsh, "there was little room to move; if all three men were standing up there was not enough space for them to pass each other without touching."

"As matters stand today this global pandemic does not of itself yet provide grounds for Mr Assange's release," Baraister said. "This is a rapidly changing environment."

She said: "It is the government's responsibility to protect all prisoners and I have no reason not to rely on Public Health England to help the government do exactly that. No cases of COVID 19 having been confirmed in HMS Belmarsh."

Doctors for Assange had warned this week of the potential danger to Assange in prison.

Assange lawyer Edward Fitzgerald argued in court that Assange would be unlikely to flee Britain given travel restrictions over the pandemic. Fitzgerald's request that Assange be kept under house arrest with an ankle monitor — as he was detained during his Swedish extradition process — was also denied by Baraister.

"There is a real risk he will contract coronavirus and suffer a fatality or a serious illness," Fitzgerald said.

"For 23 hours a day he is in solitary. The opportunity for infection of corona are still there because he is exercising with 40 other people in a confined space. All the fears we have have become compounded," he said.

Fitzgerald then told the court that Assange would be allowed no visitors.

"He may himself die due to increased risk of exposure. All past lifelines of support for him have been shut down. I was told the weekly visits will be cut down and now I'm told they will not take place at all," Fitzgerald said.

It was not immediately clear how this would affect visits by his attorneys.

'Barbaric'

Kristinn Hrafnsson, editor-in-chief of WikiLeaks, blasted Baraister's decision to deny bail as "barbaric."

"To expose another human being to serious illness, and to the threat of losing their life, is grotesque and quite unnecessary. This is not justice, it is a barbaric decision," Hrafnsson said.

WikiLeaks Ambassador Joseph Farrell said: "This is a dangerous and cruel decision. Coronavirus will spread in Belmarsh. With 100 Belmarsh staff off ill Julian is already at risk. Visits have been cancelled. He will have no access to friends and family and his time with his legal team will be reduced further. How is anyone supposed to prepare a defense in such conditions."

Nils Melzer, the UN special rapporteur on torture, said the denial of bail came as "no surprise."



Nils Melzer
@NilsMelzer



No surprise.

If #UK cared for #Assange's health, #justice or #RuleOfLaw, he would not be persecuted, imprisoned & tortured for the purpose of suppressing #PressFreedom & facing extradition to a country claiming total impunity for #Torture & #WarCrimes.

On the final day of Assange's extradition hearing in February Baraister had invited Assange's lawyers to apply for bail after their requests that he be allowed to leave a bullet-proof box at the back of the courtroom to sit with his lawyers during the process.

<https://consortiumnews.com/2020/03/25/assange-extradition-assange-denied-bail-further-visits-despite-virus-risk/>

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Julian Assange: Judge refuses to grant Wikileaks founder's partner anonymity in extradition case

Court hears claim that US agencies tried to take DNA from nappies of Mr Assange's children

*Lizzie Dearden
The Independent
2020-04-07*

A judge has refused to grant legal anonymity to Julian Assange's partner after hearing claims the US had tried to obtain their children's DNA.

Representatives of the Wikileaks founder submitted evidence to Westminster Magistrates' Court claiming that American agencies had expressed interest in testing nappies discarded when Mr Assange's partner and children visited him at the Ecuadorian embassy.

District Judge Vanessa Baraitser found that, even if the allegation were true, there was no reason to believe US agencies meant to harm his young family.

She referred to the claim while rejecting the bid to anonymise Mr Assange's partner, who the court heard wishes to live "quietly" with her young children away from publicity.

Following a submission by the Press Association news agency to the court, Judge Baraitser ruled that the woman's right to a private family life was outweighed by the need for open justice.

But the judge delayed making the woman's identity public until 4pm on 14 April, pending a possible judicial review at the High Court.

Mr Assange was previously denied bail amid concerns over the spread of coronavirus in British jails, and the application had been supported by the unnamed woman.

The 48-year-old is being held on remand at HMP Belmarsh, in south-east London, ahead of an extradition hearing on 18 May.

During the virtual hearing, the judge also rejected a bid to delay the hearing because of the coronavirus crisis.

Mr Assange's barrister, Edward Fitzgerald QC, said there were "insuperable" difficulties preparing his case because of the pandemic, and requested an adjournment until September.

He told the court that he had not been able to see Mr Assange in jail and could see "no viable" way his client could be present in court to hear witnesses.

On Mr Assange's mental state, he told the judge: "There are difficulties of the pandemic with the defendant himself. You are aware ... he has well documented problems of clinical depression."

Mr Assange's treatment was on hold during the lockdown and he had been unable to see his family.

Mr Fitzgerald said: “In those circumstances, in his vulnerable condition, to force him to enter a full evidential hearing in May, we respectfully submit it would be unjust. We respectfully submit it would be oppressive.”

He stressed it was an “exceptional circumstance”, adding: “This is not a case where second best will do, where we should just try to muddle through. The difficulties are insuperable in the current crisis.”

Ruling against him, Judge Baraitser said the extradition hearing was still five weeks away and it was expected courts would resume in a fortnight despite the continuing lockdown.

She added: “I cannot assume the courts will not be operating normally by then. Mr Assange is in custody and there is some urgency of this case being heard to its conclusion.”

If there was a need for a third and final hearing after the hearing on 18 May, it will be held in July.

Mr Assange is fighting extradition to the US, where he would face 17 charges under the Espionage Act and conspiracy to commit computer intrusion, over the publication of hundreds of thousands of classified documents in 2010 and 2011.

He has been held in custody since being arrested at the Ecuadorian embassy in London almost exactly a year ago.

He sought asylum there in 2012 while wanted under a European Arrest Warrant for interview in a Swedish rape investigation which has since been dropped.

<https://www.independent.co.uk/news/uk/crime/julian-assange-wikileaks-latest-news-extradition-partner-children-a9452856.html>

Beyond Words

Craig Murray
8 April 2020

Yesterday Mark Sommers QC, the extremely erudite and bookish second counsel for Julian Assange in his extradition hearing, trembled with anger in court. Magistrate Vanessa Baraitser had just made a ruling that the names of Julian Assange’s partner and young children could be published, which she stated was in the interests of “open justice”. His partner had submitted a letter in support of his Covid 19 related bail application (which Baraitser had summarily dismissed) to state he had a family to live with in London. Baraitser said that it was therefore in the interests of open justice that the family’s names be made public, and said that the defence had not convincingly shown this would cause any threat to their security or well-being.

It was at this point Sommers barely kept control. He leapt to his feet and gave notice of an appeal to the High Court, asking for a 14 day stay. Baraitser granted four days, until 4pm on Friday.

I am in lockdown in Edinburgh, but received three separate eye witness reports. They are unanimous that yet again Baraitser entered the court carrying pre-written judgements before hearing oral argument; pre-written judgements she gave no appearance of amending.

There have been two Covid-19 deaths in Belmarsh prison so far. For obvious reasons the disease is ripping through the jail like wildfire. The Department of Justice is admitting to one death, and refuses to give statistics for the number of cases. As even very sick prisoners are not being tested, the figures would arguably not mean much anyway. As the court heard at the bail application, over 150 Belmarsh prison staff are off work self-isolating and the prison is scarcely functioning. It is the most complete definition of lockdown.

The Prison Governors' Association submitted to the House of Commons Justice Committee (which yesterday morning considered prisoner releases in closed session) that 15,000 non-violent prisoners need to be released to give the jails any chance of managing COVID-19. The Department of Justice has suggested releasing 4,000 of whom just 2,000 have been identified. As of a couple of days ago, only about 100 had actually been released.

The prisons are now practising "cohorting" across the estate, although decisions currently lie with individual governors. Prisoners who have a cough — any cough — are being put together in segregated blocks. The consequences of this are of course potentially unthinkable. Julian has a cough and chronic lung condition for which he has been treated for years — a fact which is not in dispute.

Yesterday Baraitser again followed her usual path of refusing every single defence motion, following pre-written rulings (whether written or merely copied out by herself I know not), even when the prosecution did not object. You will recall that at the first week of extradition hearing proper, she insisted that Julian be kept in a glass cage, although counsel for the US government made no objection to his sitting in the body of the court, and she refused to intervene to stop his strip searching, handcuffing and the removal of his court papers, even though the US government joined the defence in querying her claim she had no power to do this (for which she was later roundly rebuked by the International Bar Association).

Yesterday the US government did not object to a defence motion to postpone the resumption of the extradition hearing. The defence put forward four grounds:

- 1) Julian is currently too ill to prepare his defence.
- 2) Due to Covid-19 lockdown, access to his lawyers is virtually impossible.
- 3) Vital defence witnesses, including from abroad, would not be able to be present to testify.
- 4) Treatment for Julian's mental health conditions had been stopped due to the Covid-19 situation.

Baraitser airily dismissed all these grounds — despite James Lewis QC saying the prosecution was neutral on the postponement — and insisted that the May 18 date remains. She stated that he could be brought to the cells in Westminster Magistrates Court for consultations with his lawyers. (Firstly, in practice that is not the case, and secondly these holding cells have a constant throughput of prisoners which is very obviously undesirable with Covid19).

It is worth noting that the prosecution stated that the US government's own psychiatrist, appointed to do an assessment of Julian, had been unable to access him in Belmarsh due to Covid 19 restrictions.

This is getting beyond me as it is getting beyond Mark Sommers and the defence team. Even before Covid 19 became such a threat, I stated that I had been forced to the conclusion the British Government is seeking Assange's death in jail. The evidence for that is now overwhelming.

Here are three measures of hypocrisy.

Firstly, the UK insists on keeping this political prisoner — accused of nothing but publishing — in a Covid 19 infested maximum security jail while the much-derided Iranian government lets Nazanin Zaghari-Ratcliffe out and hopefully will release her altogether. Which is the inhumane regime?

Secondly, "open justice" allegedly justifies the release of the identities of Julian's partner and kids, while the state enforces the secrecy of Alex Salmond's busted accusers, even though the court heard evidence that they specifically colluded to destroy him using, as a deliberate tool, the anonymity afforded to people making sexual accusations.

Thirdly, nobody cultivates her own anonymity more than Vanessa Baraitser who has her existence carefully removed from the internet almost entirely. Yet she seeks to destroy the peace and young lives of Julian's family.

Keep fighting for Julian's life and for freedom.

<https://www.craigmurray.org.uk/archives/2020/04/beyond-words/>

Australian parliamentarians ask U.K. to release Julian Assange from prison amid coronavirus outbreak

*Andrew Blake
Washington Times
April 9, 2020*

British officials were pressed Thursday to release WikiLeaks publisher Julian Assange from a London prison where fellow inmates have recently contracted the novel coronavirus.

A pair of politicians from Mr. Assange's native Australia raised grave concerns about keeping him jailed during the coronavirus pandemic and proposed placing him in home detention.

Rather than remaining at Belmarsh Prison, he should be freed and fitted with an ankle monitor, the co-chairs of the Australian Bring Julian Assange Home Parliamentary Group said.

Andrew Wilkie and George Christensen, the Australian parliamentarians who made the request, reasoned that Mr. Assange meets all of the criteria that should qualify for his release per the guidance of groups including the World Health Organization and U.K. Prison Officers Association.

"Mr. Assange is a non-violent remand prisoner with no history of harm to the community. He is not convicted and is thus entitled to the presumption of innocence," they wrote in letters sent to Bob Neill, the chair of the U.K. Commons Justice Committee, and Robert Buckland, the British lord chancellor and secretary of state for justice.

They also said that Mr. Assange's doctors have warned that he has a pre-existing chronic lung condition that makes him particularly susceptible to COVID-19, the infectious respiratory disease caused by the new coronavirus, adding that he is at "high risk from dying" if he becomes infected.

Multiple cases of COVID-10 have been confirmed within Belmarsh Prison and normal activities inside at the facility have accordingly been suspended, the Australians noted.

"Mr. Assange is in poor mental health due to spending much time in solitary confinement over recent years, and prison COVID-19 lockdown measures are further exacerbating his mental health," the Aussies added.

Mr. Neill and Mr. Buckland did not immediately respond to requests for comment.

Mr. Assange, 48, has been charged in the U.S. with crimes related to soliciting, receiving and publishing classified military and diplomatic documents released online by WikiLeaks.

He has been jailed at Belmarsh for nearly a year while fighting a U.S. extradition request and the possibility of being convicted and sentenced to 175 years in prison.

More than 1.5 million people around the world have contracted COVID-19 since the disease was discovered in late December, according to data maintained by Johns Hopkins University.

Defense lawyers for Mr. Assange previously requested that he be released from Belmarsh because of the coronavirus outbreak, but their application for bail was ultimately denied.

"As matters stand today, this global pandemic does not of itself yet provide grounds for Mr. Assange's release," District Judge Vanessa Baraitser ruled from Westminster Magistrates Court last month.

Mr. Assange's extradition trial began is currently scheduled to resume May 18.

<https://www.washingtontimes.com/news/2020/apr/9/australian-parliamentarians-ask-uk-to-release-juli/>

Release Julian Assange, says woman who had two children with him while in embassy

Stella Moris, who had two sons with WikiLeaks founder while he was in Ecuadorian embassy, says he is in danger from coronavirus while in prison

Jedidajah Otte
The Guardian
12 April 2020

The partner of WikiLeaks founder Julian Assange has revealed that she had two children with him while he was living inside the Ecuadorian embassy in London. Stella Moris, 37, a South African-born lawyer, issued a plea for the father of her two young sons, Gabriel, three, and Max, one, to be released from prison and said there were genuine fears for Assange's health.

Assange was forcibly dragged out of the embassy and arrested in April last year, after Ecuador revoked his political asylum and invited Metropolitan police officers inside their Knightsbridge premises. He had been living at the embassy for nearly seven years.

Assange has since been held in Belmarsh prison in London, where he is serving a 50-week jail term for violating his bail conditions. He is awaiting an extradition hearing on 18 May on behalf of the US, where he is wanted for questioning over the activities of WikiLeaks and likely facing espionage charges.

In a statement to the courts supporting an application for bail, Moris revealed that she met Assange in 2011 when she was a legal researcher and looking into ways to halt Assange's extradition.

"Over time Julian and I developed a strong intellectual and emotional bond. He became my best friend and I became his," she wrote.

In 2015, Moris and Assange began a relationship despite the "extraordinary circumstances", she said, and became engaged in 2017.

She said she had gone to great lengths to protect the couple's children from the climate that surrounds Assange, adding that she was making the statement now because their lives were "on the brink" and she feared Assange could die.

According to Moris, Assange is in isolation for 23 hours a day and all visits have stopped.

"My close relationship with Julian has been the opposite of how he is viewed — of reserve, respect for each other and attempts to shield each other from some of the nightmares that have surrounded our lives together," Moris said.

In an interview with the *Mail on Sunday*, Moris said Assange had watched the births of both children in London hospitals via live video link and met Gabriel after he was smuggled into the embassy.

She further revealed that both boys had visited their father in prison, and that the couple were planning to marry, whether Assange is released or not.

Friends and supporters of Assange, among them celebrities including Pamela Anderson, have said he has been in poor health for many months and have expressed growing concern for his wellbeing since the coronavirus outbreak.

HMP Belmarsh has repeatedly come under scrutiny in recent years, lastly after a remand prisoner was found dead in his cell in January, triggering an investigation by the prisons and probation ombudsman.

The man was the third prisoner to have died in Belmarsh within the past year. Another inmate was found dead there in November.

A judge at Westminster magistrates court rejected the request for an adjournment of Assange's extradition hearing in May until September over what his legal team said were "insuperable" difficulties preparing his case because of the Covid-19 pandemic.

<https://www.theguardian.com/media/2020/apr/12/release-julian-assange-says-woman-who-had-two-children-with-him-while-in-embassy>

UK authorities provided with a convenient way of ridding the world of Julian Assange

*Tom Coburg
The Canary
14th April 2020*

The UK (and US) legal authorities are now presented with a very convenient way of permanently ridding the world of WikiLeaks founder, Julian Assange. Meanwhile his partner and mother of their two children has issued a video in which she says how she believes his life may indeed be coming to an end.

Authorities are seeking the extradition of Assange to the US on charges, all of which can be disputed, relating to espionage and computer crime.

At a pre-extradition hearing at Westminster Magistrates' Court, a request was made that Assange be released on bail from Belmarsh prison. This was because he could contract the coronavirus (Covid-19). The request was refused by the magistrate,

At a follow-up hearing a request was made to preserve anonymity for Assange's partner, given it's known that US authorities had sought discarded nappies of Assange's children. The nappies were retrieved from the embassy by security firm Undercover Global, which conducted comprehensive surveillance operations at the Ecuadorian embassy in London. It's reported that the US authorities intended to take DNA samples. But Baraitser refused that request too.

Consequently Assange's partner was given no choice but to go public and in a video Stella Morris describes how they first met at the Frontline Club in London and some years later formed a relationship. She explains that two children were conceived while Assange was in the embassy. Near the end of the video a tearful Morris expresses her fear for her partner's safety, saying "I feel like Julian's life might be coming to an end":

Underlying health conditions

Under any normal circumstances Assange would be designated as being at high risk from coronavirus, given he has a known chronic lung condition. The advice given by the British Lung Foundation to sufferers of that condition in relation to the virus is "to take social shielding measures for 12 weeks".

But Assange recently told Vaughan Smith, who stood bail for the WikiLeaks founder, that "he spends 30 minutes a day in a crowded prison yard". Hardly social shielding.

Smith ominously added: "We know of two Covid-19 deaths in Belmarsh so far, though the Department of Justice have admitted to only one death. Julian told me that there have been more and that the virus is ripping through the prison."

Meanwhile journalist Matt Kennard discovered that Belmarsh prison has a long record of failings when it comes to infection control.

As *The Canary* has previously reported, over 200 medical doctors from the UK, the US, Australia and elsewhere have appealed to Australia's foreign minister Marise Payne to intervene on behalf of Assange:

"We therefore stand by our previous calls for the Australian Government to urgently intervene to protect the life, health and human rights of its citizen Julian Assange, before it is too late, whether due to coronavirus or any number of catastrophic health outcomes."

Should Assange contract the virus and lack of care leads to loss of life, that might well be a relief to the authorities on both sides of the Atlantic. But given Assange's medical condition and the recorded infection problems in Belmarsh, should there be such a tragedy then those same authorities would be guilty of failing not only a duty of care, but far worse.

Avoiding such a tragedy is simple: Assange must be freed, says fellow Australian journalist John Pilger. And now we know that as well as family members in Australia, Assange also has a loving partner and children in Britain, waiting for him to join them.

<https://www.thecanary.co/global/world-analysis/2020/04/14/uk-authorities-provided-with-a-convenient-way-of-ridding-the-world-of-julian-assange/>

ASSANGE EXTRADITION: Hearing to Resume in September

The judge in Julian Assange's extradition case said that because of the pandemic his hearing would resume in September, possibly in a court outside London.

*Consortium News
May 4, 2020*

Judge Vanessa Baraitser ruled on Monday that the extradition hearing for WikiLeaks publisher Julian Assange would likely resume for three weeks on Sept. 7 if a courtroom could be found, possibly outside London.

Assange's lawyers had submitted a petition to delay the hearing, originally scheduled to resume on May 18, because of the difficulties of consulting with Assange and of having him appear either in the courtroom, or by video-link because of unsafe conditions in Belmarsh Prison's video room.

Baraitser agreed to the postponement because she wants Assange to be physically present in the courtroom. He was unable to attend the brief hearing on Monday because he was "unwell," Baraitser told the court.

Assange's defense is expected to call 21 witnesses to the hearing, many who must travel from abroad. The prosecution also agreed to the postponement, saying it might be difficult for prosecutors to travel to London while lockdown conditions in both the U.S. and Britain persist.

Journalists who phoned into a conference call to listen to Monday's hearing could not get through, hearing music instead. During April 27's hearing, at which Baraitser decided to postpone the process, journalists could hear only about 30 percent of what was going on.

Kristinn Hrafnsson, editor-in-chief of WikiLeaks, said the inability of journalists to listen in to Monday's proceedings made a mockery of the concept of "open justice."

Outside Westminster Magistrate's Court in central London a small group of protesters, including Assange's father John Shipton, gathered during the hearing. Police soon showed up to break up the gathering as a violation of lockdown orders, though the Assange supporters were standing separate from each other.

<https://consortiumnews.com/2020/05/04/assange-extradition-hearing-to-resume-in-september/>

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Assange Archive

Consortium News

<https://consortiumnews.com/tag/julian-assange/>

Images from inside British court expose Assange's un-democratic treatment, physical deterioration

Photographs surreptitiously taken inside a British courtroom and provided to The Grayzone show a visibly disoriented Julian Assange confined to a glass cage and unable to communicate with his lawyers.

Max Blumenthal
The Grayzone
May 29, 2020

Photographs taken inside London's Woolwich Crown Court and provided exclusively to *The Grayzone* highlight the un-democratic measures the British security state has imposed on jailed Wikileaks publisher Julian Assange.

Captured during Assange's extradition hearing, which took place between February 24 and 28, the images highlight the confinement Assange has been subjected to, as well as the physical deterioration he has experienced since he was arrested in April 2019 and jailed in a maximum security prison.

On February 26, Judge Vanessa Baraitser vowed to hold anyone in contempt of court for taking photographs. However, an observer had taken several photos a day before the judge's warning.

Anonymous Scandinavia, a Sweden-based group of Wikileaks supporters, provided the photos to *The Grayzone* in order to expose what they considered to be the state repression of an investigative journalist.

The images show Assange confined to a glass cage, physically sequestered from his legal team, and unable to follow his own trial.

Throughout the hearing, Assange protested his isolation, complaining to Judge Baraitser, "I am as much a participant in these proceedings as I am at Wimbledon. I cannot communicate with my lawyers or ask them for clarifications." He told members of his legal team he was unable to hear from inside the glass cage.

Below, a seemingly dejected Assange can be seen gazing through the bulletproof glass panes at two of his lawyers, Stella Morris and Baltazar Garzon.



In a heartfelt video testimonial released this April, Morris disclosed that she was the mother of two infant sons with Assange.

Throughout 2017, Morris was spied on by a Spanish security firm apparently hired by the CIA through Republican mega-donor Sheldon Adelson's Las Vegas Sands. At one point, the director of the firm ordered an employee to steal a diaper from one of Morris's sons in an attempt to match his DNA to that of Assange.

"I understood that the powers that were against Julian were ruthless and there were no bounds to it," Morris commented after learning of the surveillance campaign. "And that's why I feel that I have to [reveal myself as the mother of Assange's children]. Because I've taken so many steps for so many years and I feel that Julian's life might be coming to an end."

"Prolonged exposure to psychological torture" continues in court

Since its foundation in 2010, Wikileaks has published troves of documents exposing American war crimes, meddling, and corruption around the globe. Following the release of thousands of classified State Department cables provided by military whistleblower Chelsea Manning, Vice President Joseph Biden denounced Assange as a "high-tech terrorist."

In April 2017, then-CIA director Mike Pompeo labeled Wikileaks a "hostile foreign intelligence agency," denigrating Assange as a "fraud" in a speech telegraphing Washington's malicious campaign against the publisher.

That December, US federal prosecutors filed a secret indictment charging Assange with 17 counts of violating the Espionage Act. He now faces 175 years in a US prison.

Nils Melzer, the United Nations special rapporteur on torture, warned that, if extradited, “Assange would be exposed to a real risk of serious violations of his human rights, including his freedom of expression, his right to a fair trial and the prohibition of torture and other cruel, inhuman or degrading treatment or punishment.”

Melzer was disturbed by the traits he observed after meeting Assange in May 2019. In a report published by the Office of the UN High Commissioner for Human Rights, the expert noted, “in addition to physical ailments, Mr. Assange showed all symptoms typical for prolonged exposure to psychological torture, including extreme stress, chronic anxiety and intense psychological trauma.”

The photo below reveals a visibly disoriented Assange with a grim pallor and expressionless gaze.



Courtroom cages through history

Though Assange has never been convicted of a crime and has no record of violent behavior, his cage was more restrictive than the enclosure reserved for Adolph Eichmann when the top-level Nazi bureaucrat was placed on trial in Jerusalem in 1961. Unlike Assange, Eichmann was able to communicate freely with his lawyer and listen to a live translation of his trial.

During his corruption trial in Moscow in 2005, the Russian oligarch Mikhail Khodorkovsky was similarly held in a cage. Following a formal protest of the confinement by his business partner and co-defendant, Platon Lebedev, who claimed that the cage represented a breach of the right to a presumption of innocence, the European Court of Human Rights ruled that the two were subjected to “inhuman and degrading conditions in the courtroom.”

When Egypt's first democratically elected leader, Mohamed Morsi, collapsed and died in a soundproof cage in a courtroom, six years after he was deposed in a 2013 military coup, Western media and human rights organizations including Human Rights Watch and Amnesty International erupted in a chorus of condemnation.

These same rights groups have said little about the draconian restrictions imposed by the British security state on Assange throughout his extradition hearing. But their reticence might be excused on the grounds that clear images of his unwarranted courtroom isolation were not publicly available until now.

Assange's hearing postponed, his isolation extended

The Belmarsh supermax prison where Assange has been held is regarded as the UK's version of the US facility at Guantanamo. Aside from Assange, the jail is home to mafia henchmen, al-Qaeda members, and neo-fascist enforcers like Tommy Robinson. Around 20 percent of prisoners in Belmarsh are murderers, and two-thirds have committed a violent crime.

117 licensed medical professionals from around the world have written to the British and Australian governments to condemn "the torture of Assange," "the denial of his fundamental right to appropriate health care," "the climate of fear surrounding the provision of health care to him" and "the violations of his right to doctor-patient confidentiality."

Since the doctors' open letter, Belmarsh has become a site of Covid-19 infection. As journalist Matt Kennard reported, a 2007 report by the UK's Chief Inspector of Prisons found that "infection control was inadequate" in the detention facility.

Rather than allow a temporary medical furlough for Assange, however, Judge Baraitser has postponed his extradition trial for four months, disappearing him again from public view.

"In 20 years of work with victims of war, violence and political persecution," the UN's Melzer said of the Wikileaks founder's treatment, "I have never seen a group of democratic states ganging up to deliberately isolate, demonize and abuse a single individual for such a long time and with so little regard for human dignity and the rule of law."

When Assange returns to court this September, the glass cage awaits.

Max Blumenthal is an award-winning journalist and the author of several books, including best-selling Republican Gomorrah, Goliath, The Fifty One Day War, and The Management of Savagery. He has produced print articles for an array of publications, many video reports, and several documentaries, including Killing Gaza. Blumenthal founded The Grayzone in 2015 to shine a journalistic light on America's state of perpetual war and its dangerous domestic repercussions.

<https://thegrayzone.com/2020/05/29/british-court-assanges-physical-deterioration/#more-24990>

Assange misses court hearing amid calls in Australia for his release

WikiLeaks founder 'too ill' to attend extradition hearing in London via videolink

*Ben Quinn
The Guardian
1 June 2020*

A coalition of Australian MPs, human rights advocates and journalists have called on their country's government to intervene in the case of Julian Assange, who was said to be too ill to attend the latest court hearing of his extradition case.

The imprisoned WikiLeaks founder was unable to attend via video link because of ill-health and advice from his doctors, according to his partner Stella Moris.

Assange, 48, is wanted in the US to face 17 charges under the Espionage Act and conspiracy to commit computer intrusion after the publication of hundreds of thousands of classified documents in 2010 and 2011.

He is being held at Belmarsh prison in south London while the court system tries to reschedule his extradition hearing, which was postponed owing to the coronavirus pandemic.

Eight Australian MPs, four senators and a number of members of Australia's legislature are among those who wrote to their foreign minister before Monday's hearing and urged that a diplomatic representation be made to the UK government to ask that Assange be released on bail.

Citing the impact of Covid-19 in British prisons, they wrote: "The extradition hearings have been disrupted and delayed, leaving Mr Assange unable to have his case heard until September 2020 at the earliest, while deaths within the UK prison populations and illness amongst judicial and penal staff cohorts continue to rise."

Assange's full extradition hearing is set to take place on 7 September, having originally been scheduled for 18 May, although a crown court has not yet been found to take the case. A further administrative hearing is due to take place on 29 June. It was agreed at Monday's hearing that psychiatric reports on Assange from the prosecution and defence are due to be presented to the court before the end of July.

Assange's lawyers have complained that they have not had adequate access to their client, who was said to be at a heightened risk of contracting coronavirus because of an underlying lung condition. Journalists have also struggled to cover the case owing to barely audible phone links to administrative hearings, such as Monday's.

Joseph Farrell of WikiLeaks criticised the fact that a time and place for the remainder of the hearing was yet to be announced by the judge after evidence was initially submitted over a number of days in February.

"The delay has been a punishment in itself," Farrell said. "Whether Julian can get proper access to his legal team remains unlikely, as Belmarsh prison remains in full lockdown."

<https://www.theguardian.com/media/2020/jun/01/julian-assange-misses-court-hearing-amid-calls-in-australia-for-his-release>

Campaign launched across labour movement in solidarity with jailed journalist Julian Assange

Morning Star
June 5, 2020

A new campaign is being launched across the labour movement to show solidarity with imprisoned Wikileaks founder Julian Assange and demand an end to extradition proceedings.

Mr Assange, whose extradition hearing is due to resume in September, has been denied bail and campaigners are increasingly concerned at his declining health.

Birmingham Trades Union Council is the latest trade-union body to demand his release, and Don't Extradite Assange is now asking unions, labour party bodies and campaigns across the movement to do the same.

The National Union of Journalists (NUJ) has already adopted a comprehensive and hard-hitting position which points out that Mr Assange faces up to 175 years in a US prison for making important information available to the public.

His extradition would set a dangerous precedent for the persecution of journalists, the union says.

"This is the defining free-speech case of the 21st century," Don't Extradite Assange's John Rees said.

"Freedom of information, free from government censorship, is the lifeblood of an effective labour movement.

"The NUJ have made a stand. Follow their example"

The NUJ's resolution is available at dontextraditeassange.com

<https://morningstaronline.co.uk/article/campaign-launched-across-labour-movement-solidarity-jailed-journalist-julian-assange>

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ASSANGE EXTRADITION: Politicians Call on UK to Release Assange

Consortium News
June 12, 2020

A group of members of the European Parliaments, and former members of Congress and local legislatures have written to Britain's secretary of state for justice urging that Julian Assange be released from Belmarsh prison on compassionate grounds.

The text of the letter signed by former British MP Chris Williamson, former U.S. Mike Gravel and former Congressman Ron Paul among other political leaders:

June 1, 2020

FAO The Rt Hon Robert Buckland QC MP
Lord Chancellor & Secretary of State for Justice

CC The Hon Bob Neill MP
UK Commons Justice Committee Chair

Dear Sir,

REQUEST FOR COMPASSIONATE RELEASE OF JULIAN ASSANGE

As current and former elected representatives in democracies committed to human rights, the presumption of innocence and the rule of law, we wish to support the urgent appeal sent to you by Australian MPs Andrew Wilkie and George Christensen, who wrote:

“We ask that you urgently reconsider providing Mr Assange with release from Belmarsh Prison to monitored home detention, as he fits all of the grounds noted for such early release by leading organisations as the World Health Organisation, the United Nations and the UK Prison Officers Association. These organisations have been unanimous in calling for the release of all non-violent COVID-19 prisoners, and we ask that you give compassionate consideration to the following:

- Mr Assange is a non-violent remand prisoner with no history of harm to the community. He is not convicted and is thus entitled to the presumption of innocence.
- Doctors of Mr Assange warn he is at high risk from dying if he contracts COVID-19 as he has a pre-existing chronic lung condition.
- We are advised that COVID-19 is rapidly spreading throughout UK prisons, and that there are infections [and at least one death] at Belmarsh Prison.
- We understand that the prison is short staffed and normal activity regimes are suspended.
- Mr Assange is in poor mental health due to spending so much time in solitary confinement over recent years, and prison COVID-19 lockdown measures are further undermining his mental health.

We ask that you give further consideration to the very reasonable request by Mr Assange’s lawyers that this non-violent Australian prisoner be released into home detention with a 24-hour ankle monitor.”

With the director of the Centre for Disease Control and Prevention warning of a second wave of coronavirus during influenza season, we stress that even those vulnerable prisoners, such as Julian Assange, who survive the current crisis remain at risk.

Yours sincerely,

Dr Arthur Chesterfield-Evans, former Member of the Legislative Council of NSW, Australia

Clare Daly, Member of the European Parliament, Republic of Ireland

Andrew Feinstein, former Member of the African National Congress, South Africa

Mike Gravel, former US Senator, United States

Heike Hänsel, Member of the German Bundestag, Germany

Eva Joly, former Member of the European Parliament, France

Ogmundur Jonasson, former Member of the Icelandic Parliament, Iceland

Ron Paul, former US Congressman, United States

Yanis Varoufakis, Member of the Greek Parliament, Greece

Mick Wallace, Member of the European Parliament, Republic of Ireland

Chris Williamson, former Member of Parliament, United Kingdom

Signatories from the European Parliament:

Stelios Kouloglou– Group of the European United Left – Nordic Green Left – Greece

Dimitrios Papadimoulis– European United Left – Nordic Green Left – Greece

Marketa Gregorova– Czech Pirate Party – Czech Republic

Yana Toom– Alliance of Liberals and Democrats for Europe – Estonia

Marisa Matias– Group of the European United Left – Nordic Green Left – Portugal

Maria Arena– Group of the Progressive Alliance of Socialists & Democrats – Belgium

Carles Puigdemont– Non Attached – Spain

Antoni Comin– Non attached – Spain

Clara Ponsati– Non attached – Spain

Dietmar Koster– Group of the Progressive Alliance of Socialists & Democrats – Germany

Kostantinos Arvanitis– Group of the European United Left – Nordic Green Left – Greece

Eleonora Evi– Non attached member – Italy

Martin Sonnenborn– Non attached member – Germany

Helmut Scholz– Group of the European United Left – Nordic Green Left – Germany

Clare Daly– Group of the European United Left – Nordic Green Left – Ireland

Mick Wallace– Group of the European United Left – Nordic Green Left – Ireland

Katerina Konecna– Group of the European United Left – Czechia

Jose Gusmao– Group of the European United Left – Nordic Green Left – Portugal

Eugenia Rodriguez Palop– group of the European United left – Spain

Klaus Buchner– Greens – Germany

Idoia Ruiz Villanueva– European United Left – Spain

Manuel Bompard– Group of the European United Left – Nordic Green Left – France

Damien Careme– Greens – France

Marc Johan Botenga– Group of the European United Left – Nordic Green Left – Belgium

Cornelia Ernst– Group of the European United Left – Nordic Green Left – Germany

Diana Riba Greens– Spain

Derk Jan Eppink– European Conservatives and Reformists Group – Netherlands

Rob Roos– European Conservatives and Reformists Group – Netherlands

Rob Rooken-European Conservatives and Reformists Group – Netherlands

Petros Kokkalis-Group of the European United Left – Nordic Green Left – Greece

Patrick Breyer– Greens – Germany

Alviina Alametsä– Greens -Finland

Martin Buschmann– Non attached – German

Sira Rego– Group of the European United Left – Nordic Green Left- Spain

Manu Pineda– Group of the European United Left – Nordic Green Left – Spain

Ismail Ertug– Group of the Progressive Alliance of Socialists & Democrats – Germany

<https://consortiumnews.com/2020/06/13/watch-spying-on-assange-with-max-blumenthal-stefania-maurizi-fidel-narvaez-live-at-1pm-edt-today/>

Julian Assange indictment fails to mention WikiLeaks video that exposed US 'war crimes' in Iraq

'Shameful' Collateral Murder footage shows Apache helicopter mowing down 11 civilians — including two Reuters journalists — in Baghdad

*Paul Daley
The Guardian
14 June 2020*

US prosecutors have failed to include one of WikiLeaks' most shocking video revelations in the indictment against Julian Assange, a move that has brought accusations the US doesn't want its "war crimes" exposed in public.

Assange, an Australian citizen, is remanded and in ill health in London's Belmarsh prison while the US tries to extradite him to face 18 charges — 17 under its Espionage Act — for conspiracy to receive, obtain and disclose classified information.

The charges relate largely to the US conduct of wars in Iraq and Afghanistan, including Assange's publication of the US rules of engagement in Iraq.

The prosecution case alleges Assange risked American lives by releasing hundreds of thousands of US intelligence documents.

One of the most famous of the WikiLeaks releases was a video — filmed from a US Apache helicopter, Crazy Horse 1-8, as it mowed down 11 people on 12 July 2007 in Iraq. The video starkly highlights the lax rules of engagement that allowed the killing of men who were neither engaged with nor threatening US forces.

Two of those Crazy Horse 1-8 killed in east Baghdad that day were the Reuters photographer Namir Noor-Eldeen, 22, and a driver / fixer, Saeed Chmagh, 40.

Their Baghdad bureau chief at the time, Dean Yates, said the US military had repeatedly lied to him — and the world — about what happened, and it was only when Assange released the video (which WikiLeaks posted with the title *Collateral Murder*) in April 2010 that the full brutal truth of the killings was exposed.

“What he did was 100% an act of truth-telling, exposing to the world what the war in Iraq looks like and how the US military lied ... The US knows how embarrassing *Collateral Murder* is, how shameful it is to the military — they know that there’s potential war crimes on that tape,” Yates said.

The Australian barrister Greg Barns is legal adviser to the Australian Assange Campaign, which works closely with Assange’s UK representatives, including his legal team. The campaign lobbies Australia’s federal government to both press its closest ally, the US, to withdraw the charges and to push Britain to ensure Assange’s safety.

He said while the US indictment against Assange did not “explicitly mention *Collateral Murder* ... it is very much part of the broader prosecution case [because of what it illustrates about the US rules of engagement] and it is one of the many reasons to oppose what is happening to Assange”.

“*Collateral Murder* shows unlawful killing by Australia’s closest ally,” Barns said. “It is something we deserve to know about. Its publication was, and remains, clearly in the public interest.”

The Tasmanian Greens senator Peter Whish Wilson, a founding member of the multi-party Parliamentary Friends of the Bring Julian Assange Home Group, said: “The omission of the leaked *Collateral Murder* footage from the indictment surprised me, but on reflection of course it’s not in the US Government’s interests to highlight their own injustices, deceit and war crimes.

“The US prosecution’s case is focused on indicting and extraditing Julian for putting US or Coalition lives at risk, but what about the many lives they put at risk through their supposed rules of engagement?

“*Collateral Murder* exposed the loss of innocent lives at the hands of the US military, and the coverups, lies and deceit that refused to acknowledge this fact.”

<https://www.theguardian.com/media/2020/jun/15/julian-assange-indictment-fails-to-mention-wikileaks-video-that-exposed-us-war-crimes-in-iraq>

Press Freedom Advocates Say New US Indictment Against Julian Assange 'Could Not Be More Dangerous'

"We know Trump has been privately musing about how to jail journalists. We know an Assange conviction under the Espionage Act — whether you like him or not — could be used against the New York Times and many other outlets."

Jake Johnson
Common Dreams
June 25, 2020

In a move free press advocates decried as an escalation of the Trump administration's dangerous assault on journalism, the U.S. Department of Justice late Wednesday filed a superseding indictment against Julian Assange accusing the jailed WikiLeaks founder and publisher of attempting to recruit hackers to provide the outlet with classified information.

Though the Justice Department's filing does not contain any new charges against Assange — currently imprisoned in the U.K. as he fights an extradition attempt by the U.S., which has charged him with violating the Espionage Act — the Freedom of the Press Foundation said Thursday that the indictment "has all the same problems as the old one."

"Source communication and publishing are not crimes. They didn't add any new charges. They didn't really change any old ones. And using the Espionage Act is beyond the pale," the group wrote in a series of tweets. "We know Trump has been privately musing about how to jail journalists. We know an Assange conviction under the Espionage Act — whether you like him or not — could be used against the *New York Times* and many other outlets. This indictment could not be more dangerous."

The Associated Press reported that the DOJ indictment accuses Assange of seeking "to recruit hackers at conferences in Europe and Asia who could provide his anti-secrecy website with classified information, and conspired with members of hacking organizations."

"Beyond recruiting hackers at conferences, the indictment accuses Assange of conspiring with members of hacking groups known as LulzSec and Anonymous," according to AP. "He also worked with a 17-year-old hacker who gave him information stolen from a bank and directed the teenager to steal additional material, including audio recordings of high-ranking government officials, prosecutors say."

Last May, a federal grand jury charged Assange with 17 counts of violating the 1917 Espionage Act for obtaining and publishing classified information — including evidence of U.S. war crimes. At the time, press freedom defenders condemned the charges as a profound threat to journalism and the First Amendment. If extradicted to the U.S., Assange could face decades in prison.

Barry Pollack, Assange's attorney, said in a statement Wednesday that the Trump administration's "relentless pursuit of Julian Assange poses a grave threat to journalists everywhere and to the public's right to know."

"While today's superseding indictment is yet another chapter in the U.S. government's effort to persuade the public that its pursuit of Julian Assange is based on something other than his publication of newsworthy truthful information," said Pollack, "the indictment continues to charge him with violating the Espionage Act based on WikiLeaks publications exposing war crimes committed by the U.S. government."



Glenn Greenwald ✓
@ggreenwald



The Trump DOJ's attempt to imprison Julian Assange for working with his source to publish classified documents that exposed US war crimes is the most severe US threat to press freedom since 2016. It's sickening to watch so many journalists ignore it, & so many liberals cheer it: twitter.com/TheJusticeDept...

Justice Department ✓ @TheJusticeDept
WikiLeaks Founder Charged in Superseding Indictment [justice.gov/opa/pr/wikilea...](https://www.justice.gov/opa/pr/wikilea...)

♥ 4,784 12:10 AM - Jun 25, 2020



<https://www.commondreams.org/news/2020/06/25/press-freedom-advocates-say-new-us-indictment-against-julian-assange-could-not-be>

UK judge warns Assange on US extradition hearing attendance

Associated Press
June 29, 2020

LONDON — A British judge said Monday that WikiLeaks founder Julian Assange must attend his next court hearing unless he can provide medical evidence to support his absence.

Lawyers for Assange said he could not attend the latest hearing on his U.S. extradition case by video link from prison for medical reasons.

District Judge Vanessa Baraitser set another hearing date of July 27 and said Assange must appear “unless there is medical evidence” to explain his non-attendance.

The 48-year-old Australian has been indicted in the U.S. on 18 charges over the publication of classified documents. Prosecutors say he conspired with U.S. army intelligence analyst Chelsea Manning to crack a password, hack into a Pentagon computer and release secret diplomatic cables and military files on the wars in Iraq and Afghanistan.

Last week the U.S. Justice Department added a new, superseding, indictment that alleges Assange conspired with members of hacking organizations and sought to recruit hackers to provide WikiLeaks with classified information. The indictment does not add any new charges, but broadens the allegations against Assange.

Assange was arrested last year after being evicted from the Ecuadorian Embassy in London, where he had sought refuge to avoid being sent to Sweden over allegations of rape and sexual assault.

He is in London's Belmarsh Prison awaiting a full extradition hearing, which has been postponed because of the coronavirus pandemic. Originally due to begin in May, it is now scheduled to start on Sept. 7.

<https://www.yahoo.com/news/uk-judge-warns-assange-us-115007131.html>

Julian Assange case: 10 major developments since WikiLeaks publisher's arrest

*Andrew Blake
Washington Times
June 25, 2020*

The superseding indictment unsealed against WikiLeaks publisher Julian Assange Wednesday is the latest in a growing list of developments to emerge since he was arrested last April. Here is a list of 10 key moments in the Australian's case that have transpired in the 14 months that followed as he remains jailed in London fighting a U.S. extradition request.

1) April 11, 2019

The U.S. Department of Justice unseals a criminal indictment charging Assange shortly after he is arrested at the Ecuadorian Embassy in London, where he had lived since 2012. Filed under seal by the U.S. Attorney's Office in Alexandria, Va., the indictment charges him with a single count of conspiracy to commit computer intrusion for allegedly having offered to help former WikiLeaks source Chelsea Manning try to hack into a protected military network eight years earlier. The Justice Department says the U.S. will accordingly seek Assange's extradition from the U.K.

2) May 23, 2019

A superseding indictment is filed charging Assange with 17 additional counts, all violations of the U.S. Espionage Act, related to receiving, obtaining and publishing classified material that Manning admittedly gave to WikiLeaks in 2010 to be published. Manning, a former Army analyst, previously served roughly seven years in military prison for her part.

3) May 31, 2019

Nils Melzer, the United Nation's special rapporteur on torture, strongly condemned the Justice Department's prosecution of Assange after visiting him at Belmarsh Prison in London. In a statement, the UN expert said that he believed that the time Assange spent confined within the embassy and then imprisoned behind bars amounted to "psychological torture."

4) September 20, 2019

President Trump, who had praised WikiLeaks during his 2016 campaign for publishing material damaging to his Democratic opponent in the race, declined to comment when asked about his government's case against Assange. "Well, you know, that's a question I haven't heard in a long time. I'll leave that to you to determine," Mr. Trump said while fielding questions from reporters following a bilateral meeting with Australian Prime Minister Scott Morrison.

5) October 9, 2019

Spain's National Court announces it is investigating a Spanish security firm accused of spying on Assange at the Ecuadorian Embassy. Assange alleges the firm,

Undercover Global SL, installed covert microphones and cameras throughout the compound that recorded his private conversation and meetings with visitors including doctors and lawyers, as seen in hidden video footage that has subsequently leaked. Undercover Global has called the allegations “totally false.”

6) November 26, 2019

Australia media reports that Mr. Morrison, the nation’s prime minister, said he is “unable to intervene” in efforts to have Assange extradited to the U.S., dismissing calls to get involved in the Aussie’s case.

7) February 19, 2020

A lawyer for Assange claims that former Rep. Dana Rohrabacher, a California Republican who holds the distinction of being the only sitting U.S. Congressman to have visited Assange at the embassy, said during their 2017 meeting that Mr. Trump was prepared to offer a pardon if the WikiLeaks publisher cleared Russia of involvement in his website’s acquisition of internal Democratic National Committee that it later published leading up to the 2016 U.S. presidential election. Spokespeople for the White House and Mr. Rohrabacher have denied the allegation.

8) Feb. 24, 2020

Extradition proceedings begin in London with a round of hearings held over the course of four days at Woolwich Crown Court in London. Another round had been scheduled to commence in May but has been postponed due to the ongoing novel coronavirus pandemic and has yet to take place.

9) April 11, 2020

Stella Moris-Smith Robertson, a lawyer close to Assange, reveals they conceived two children together while he lived at the embassy and that she and Assange are engaged to be married.

10) June 24, 2020

The Justice Department unseals a second superseding indictment against Assange. It does not charge Assange with any additional counts, but rather it broadens the scope of the conspiracy to commit computer intrusions charge to allege that he also recruited individuals involved with the Anonymous hacktivist movement to steal data for WikiLeaks. Reacting on Twitter the next day, WikiLeaks dismissed the latest filing as a “desperate PR move.”

Assange, 48, remains imprisoned at Belmarsh pending the outcome of his extradition trial, which is currently set to resume in London in September but could be postponed further. He faces a maximum sentence of 175 years imprisonment if sent to the U.S. and convicted of all counts.

Assange maintains he acted as a journalist by releasing the classified material he is charged with making public, which includes hundreds of thousands of U.S. State Department diplomatic cables, previously unpublished information about the wars in Afghanistan and Iraq and details about the foreign detainees held by the U.S. at Guantanamo Bay, among other documents leaked by Manning.

<https://www.washingtontimes.com/news/2020/jun/25/julian-assange-case-10-major-developments-since-wi/>

IADL calls on UK Court to grant bail to Julian Assange, ill and vulnerable to COVID-19

International Association of Democratic Lawyers
28 June 2020

The following resolution of the International Association of Democratic Lawyers was adopted by the IADL's Council meeting on 28 June 2020:

IADL CALLS ON UK COURT TO GRANT BAIL TO JULIAN ASSANGE WHO IS ILL AND PARTICULARLY VULNERABLE TO COVID-19

The International Association of Democratic Lawyers (IADL) is a non-governmental organization with consultative status in ECOSOC and UNESCO. Founded in 1946 to promote the goals of the United Nations Charter, IADL and its affiliated organizations throughout the world have consistently fought to uphold international law, promote human rights and address threats to international peace and security. From its inception, IADL members have protested racism, colonialism, and economic and political injustice wherever they occur.

IADL is extremely alarmed at the psychological torture of Julian Assange and the serious threats to his health as a result of his continued incarceration.

After WikiLeaks published damning evidence of the United States' commission of war crimes in Iraq, Afghanistan and Guantanamo prison, the U.S. government mounted a campaign to discredit and vilify Julian Assange. It worked with the Swedish and UK governments to detain Assange on trumped-up charges of sexual assault with the likely goal of extraditing him to the United States. Assange was granted asylum in the Ecuadoran embassy in London where he remained for 7 years until a US-friendly government came to power in Ecuador, withdrew his asylum and turned him over to the UK.

While Assange was living in the London embassy, he developed health conditions that required medical treatment. The UK government refused to allow him to go to a hospital without being arrested. Assange's health severely deteriorated. Moreover, on May 31, 2019, UN Special Rapporteur Nils Melzer declared that Assange exhibited signs of prolonged exposure to psychological torture.

After Assange was arrested by the UK, he was convicted of a bail offense and sentenced to one year in jail. That charge was a minor offense but his unconscionable sentence gave the United States time to go after him. The U.S. government indicted him under the Espionage Act and asked the UK to extradite him to the U.S. for trial on the indictment. He faces 175 years in prison if convicted.

Assange's extradition hearing in the UK will continue on September 7. Meanwhile, he remains confined at Belmarsh Prison in London. Assange spends 23 hours a day in solitary confinement, which amounts torture. During the other hour, Assange is confined in a small area with 40 inmates. The proximity to so many people, combined with his fragile health conditions, make Assange particularly vulnerable to contracting COVID-19.

Several Australian MPs, journalists and human rights advocates called on the government of Australia, of which Assange is a national, to intervene and request that Assange be granted bail, citing COVID-19. They wrote, "The extradition hearings

have been disrupted and delayed, leaving Mr. Assange unable to have his case heard until September 2020 at the earliest, while deaths within the UK prison populations and illness amongst judicial and penal staff cohorts continue to rise.”

Assange was too ill to attend his May 4 hearing, even by videoconference. In an open letter to *The Lancet*, 216 physicians and psychologists from 33 countries accused the UK and U.S. governments of exacerbating the psychological torture of Assange. Citing the Convention Against Torture, the signatories warned that UK officials could be held complicit and liable for their perpetration of, or silent acquiescence and consent to, Assange’s torture.

IADL strongly opposes the continued life-threatening incarceration of Julian Assange who only remains convicted of a bail offense. IADL calls on the UK court to grant bail forthwith to Julian Assange.

<https://iadllaw.org/2020/06/iadl-calls-on-uk-court-to-grant-bail-to-julian-assange-ill-and-vulnerable-to-covid-19/>

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Julian Assange told to attend next court hearing or provide medical evidence explaining absence

Australian wanted in US to face 17 charges under Espionage Act and conspiracy to commit computer intrusion

*Samuel Lovett
The Independent
2020-06-29*

Julian Assange has been told by a judge that he must appear at his next court hearing or provide up-to-date medical evidence to explain why he can not.

District judge Vanessa Baraitser made the ruling after being told the Wikileaks founder was said to be too ill to attend Westminster Magistrates’ Court on Monday for the latest administrative hearing in his extradition case.

Mr Assange is wanted in the US to face 17 charges under the Espionage Act and conspiracy to commit computer intrusion after the publication of hundreds of thousands of classified documents in 2010 and 2011.

His full extradition hearing began in February but was interrupted by the coronavirus lockdown. The 48-year-old Australian is currently being held in London’s maximum-security Belmarsh prison while the court system tries to reschedule his extradition hearing.

Mr Assange’s barrister Mark Summers QC told the court his client did not appear by video link because he was unwell.

Mr Summers said the medical issues related to Mr Assange attending the court via an unventilated video booth. His lawyers say he has had past respiratory illnesses making him susceptible to Covid-19.

He added that he was surprised US authorities issued a new and wider indictment last week against Mr Assange. “We are to say the least surprised by the timing of this development,” he said.

Mr Assange's legal team had heard about the latest indictment through the press and is waiting to be served with it, he said.

In adjourning the case to July 27 at 10am, Judge Baraister said Mr Assange must appear via video link "unless there is medical evidence" to explain his non-attendance.

His full extradition hearing is currently set to take place on 7 September, having originally been scheduled for 18 May. Judge Baraister said the case would "almost certainly" be now held at London's Old Bailey criminal court.

Mr Assange, who is facing the prospect of in prison if convicted in the US, has called the case against him a threat to free speech. Washington says he put the lives of informants in danger by publishing secret diplomatic cables.

<https://www.independent.co.uk/news/uk/home-news/julian-assange-court-hearing-health-medical-evidence-judge-wikileaks-belmarsh-prison-a9592421.html>

RSF reiterates call for charges against Julian Assange to be dropped as US issues new superseding indictment

June 30, 2020

Reporters Without Borders (RSF) condemns the US Department of Justice's issuing of a new superseding indictment against Wikileaks founder Julian Assange -- the latest in a long series of US government attempts to manipulate legal loopholes and undermine Assange's defence. RSF calls again for all charges against Assange to be dropped and for him to be immediately released.

On 24 June, the US Department of Justice filed a new superseding indictment against Assange, broadening the "scope of the conspiracy" claimed in the hacking allegations against him. Assange had previously been indicted on 17 counts under the Espionage Act and one charge under the Computer Fraud and Abuse Act (CFAA); the new superseding indictment did not add new charges, but expands the scope of the CFAA charge and changes the evidential basis of some of the other charges against him.

Such a move is highly unusual at this late stage in an extradition case, which had proceeded on the basis of the 18-count indictment issued by the US Department of Justice in May 2019. Assange's US extradition hearing began in February 2020 at the Woolwich Crown Court in London; RSF monitored the first week of proceedings and expressed concern regarding the US government's lack of evidence for its charges against Assange. RSF believes Assange has been targeted for his contributions to public interest reporting and that his prosecution has serious implications for journalism and press freedom internationally.

"The superseding indictment is the latest in a long series of moves by the US government to manipulate legal loopholes in their targeting of Julian Assange, to undermine his defence, and to divert public attention from the extremely serious press freedom implications of his case. This never-ending persecution simply has to stop. We call again for all charges against Mr Assange to be dropped and for him to be immediately released," said RSF Director of International Campaigns Rebecca Vincent.

In an administrative hearing at the Westminster Magistrates' Court on 29 June, Assange's lawyer Mark Summers expressed surprise over the timing of the

superseding indictment, as well as the fact that the defence team had learned about it through the press. The indictment had not yet been sent to Assange's lawyers or the court, and had not been formally entered into the UK proceedings.

The defence stated that they wanted the US extradition hearing to continue as planned; the full hearing is scheduled to resume from 7 September, when three weeks of evidence are expected to be heard. Assange's next callover hearing is scheduled for 27 July.

Assange continues to be held at the high security Belmarsh prison, where he remains at risk of exposure to Covid-19 — a risk exacerbated by his underlying health concerns, adding urgency to the need for his immediate release. He has been unable to participate remotely in administrative court proceedings for several months, reportedly feeling unwell and having been advised by his doctors that it was unsafe for him to access the prison's video conferencing facilities.

The UK and US are respectively ranked 33rd and 45th out of 180 countries in RSF's 2020 World Press Freedom Index.

<https://rsf.org/en/news/rsf-reiterates-call-charges-against-julian-assange-be-dropped-us-issues-new-superseding-indictment>

Assange prosecution demonstrates blatant contempt for UK court. Time to call it a day.

*Tom Coburg
The Canary
30 June 2020*

On 24 June 2020, the US department of justice (DoJ) published what it calls a 'superseding indictment' against WikiLeaks founder Julian Assange as part of its extradition case. Three days later, *The Canary* published information accusing the DoJ of withholding key information in that indictment.

It has now transpired that the DoJ, contrary to standard legal practice, failed to lodge that indictment with the UK court and provide a copy to Assange's lawyers. This failure could lead to serious consequences for the prosecution.

In a tweeted video, WikiLeaks' editor-in-chief Kristinn Hrafnsson expressed his astonishment that the superseding indictment had not been lodged with the UK court and, moreover, that a copy had not been provided to Assange's lawyers:

"Sept 7 Julian #Assange a political prisoner will fight for his life, for the rights of all journalists around the world to receive & publish information exposing war crimes & dirty secrets, he'll be fighting for your right to know"

Barrister Greg Barns SC, an adviser to the Australian Assange campaign, told *The Canary*:

"The failure to file the superseding indictment with the court before the hearing yesterday was extraordinary. It was given to the media it seems before giving it to the parties that matter. This was either an act of real incompetence or designed to further delay this case where you have Julian Assange languishing in circumstances that are damaging his health."

WikiLeaks went on to describe the indictment as nothing more than a “glorified press release”:

“The US have no new charges to bring, and they can’t even be bothered to send the court or the defence team the document — that just shows this is a glorified press release.” — *WikiLeaks (@wikileaks)* June 29, 2020

Indeed, the document begins by referring to “general allegations”. Published along with an accompanying press release, at this stage in the proceedings the release of these documents could be described as an abuse of process. This is because they raise detailed arguments more suitable for the actual extradition hearing, where they can be subject to challenge by the defence.

And in its press release, WikiLeaks unequivocally states: “The US government is showing contempt both for the court and the defence lawyers by trying to run a prosecution in the press rather than in front of the judge.”

In a video interview with *The Hill*, co-founder of *The Intercept* Glenn Greenwald provides an overview of the DoJ’s latest allegations:

Non-disclosure of crucial information is a serious allegation to be levied against a prosecution — yet *The Canary* has shown this to be the case. That crucial information concerns the identity of two key witnesses listed in the superseding indictment: Sigurdur Thordarson (‘Siggi’) and Hector Xavier Monsegur (‘Sabu’). Not only did the DoJ fail to disclose the identities of those individuals, but also their criminal background, and their role as FBI informants in entrapment ops.

By not revealing that information, the DoJ has contravened UK legal practice in that both the court and the defence are fully entitled to its disclosure.

Contempt

Assange’s legal team has every right to demand that the UK court orders the superseding indictment and its press release to be withdrawn from circulation and that both be regarded as inadmissible. And now that it’s apparent that the DoJ has failed to lodge that document with the UK court and defence lawyers, the prosecution should be subject to sanctions.

Moreover, the non-disclosure of crucial information is itself such a serious violation of court procedure that if justice is to prevail then the entire case against Assange should be immediately dismissed. Indeed, there are already numerous alleged flaws and errors identified in the US case, as well as possible UK procedural irregularities, that such an outcome would be entirely justified.

<https://www.thecanary.co/opinion/2020/06/30/assange-prosecution-demonstrates-blatant-contempt-for-uk-court-time-to-call-it-a-day/>

Over 40 Rights Groups Call on UK to Free Julian Assange

International Federation of Journalists
2020-07-03

The International Federation of Journalists (IFJ) and dozens of press freedom, human rights, and privacy rights organizations across five continents have co-signed an open letter to the U.K. government, calling for the immediate release of imprisoned WikiLeaks founder Julian Assange.

The publisher, who turns 49 years old today in HMP Belmarsh, is facing extradition to the United States where he has been indicted under the Espionage Act for WikiLeaks' 2010-11 publications of the Iraq War Logs, the Afghan War Diaries, and State Department cables. If convicted, Mr Assange would face up to 175 years in prison, "tantamount to a death sentence."

The co-signers write, "This [indictment] is an unprecedented escalation of an already disturbing assault on journalism in the US, where President Donald Trump has referred to the news media as the 'enemy of the people'. Whereas previous presidents have prosecuted whistleblowers and other journalistic sources under the Espionage Act for leaking classified information, the Trump Administration has taken the further step of going after the publisher."

Seventeen of the 18 charges against Mr Assange are under the 1917 Espionage Act, marking the U.S.'s first-ever attempt to prosecute the publication of truthful information in a fundamental test of the First Amendment's protection of press freedoms. Mr Assange has also been charged with conspiring to violate the Computer Fraud and Abuse Act, which uses language similar to the Espionage Act.

Reporters without Borders, PEN International, ARTICLE19, the International Federation of Journalists, and the National Union of Journalists are among the 40 rights groups who have signed on to the letter, initiated by the Courage Foundation, a whistleblower support network which campaigns for Mr Assange's freedom and the public's right to know.

On 24 June 2020, the U.S. Department of Justice issued a second superseding indictment against Mr Assange, adding no new charges but expanding on the charge for conspiracy to commit computer intrusion.

"The government's relentless pursuit of Julian Assange poses a grave threat to journalists everywhere and to the public's right to know", said Barry Pollack, an attorney for Mr Assange in the United States, calling the new indictment "yet another chapter in the U.S. Government's effort to persuade the public that its pursuit of Julian Assange is based on something other than his publication of newsworthy truthful information."

Press freedom groups have warned since his arrest and initial indictment in April 2019 that a U.S. conviction for Mr Assange — an Australian citizen who operated in Europe and was granted asylum and citizenship by Ecuador — would criminalise publishing around the world, allowing the United States to dictate what journalists can publish beyond its borders. The United Kingdom, which is detaining Mr Assange on the U.S.'s behalf, has the power to stop the extradition process and let him walk free immediately.

The letter concludes, "We call on the UK government to release Mr Assange without further delay and block his extradition to the US — a measure that could save Mr Assange's life and preserve the press freedom that the UK has committed to championing globally."

Mr Assange's extradition proceedings, which commenced for one week in February 2020 in London, are scheduled to continue for three weeks beginning 7 September....

[Read here the full open letter](#)

<https://www.ifj.org/media-centre/news/detail/category/press-releases/article/over-40-rights-groups-call-on-uk-to-free-julian-assange.html>

Damage to the Soul

Craig Murray
July 14, 2020

The imprisonment of Julian Assange has been a catalogue of gross injustice heaped upon gross injustice, while a complicit media and indoctrinated population looks the other way. In a truly extraordinary twist, Assange is now being extradited on the basis of an indictment served in the UK, which is substantially different to the actual indictment he now faces in Virginia if extradited.

The Assange hearing was adjourned after its first full week, and its resumption has since been delayed by coronavirus. In that first full week, both the prosecution and the defence outlined their legal arguments over the indictment. As I reported in detail to an audience of millions, Assange's legal team fairly well demolished the key arguments of the prosecution during that hearing.

This extract from my report of the Defence case is of particular relevance to what has since happened:

For the defence, Mark Summers QC stated that the USA charges were entirely dependent on three factual accusations of Assange behaviour:

- 1) Assange helped Manning to decode a hash key to access classified material. Summers stated this was a provably false allegation from the evidence of the Manning court-martial.
- 2) Assange solicited the material from Manning. Summers stated this was provably wrong from information available to the public
- 3) Assange knowingly put lives at risk. Summers stated this was provably wrong both from publicly available information and from specific involvement of the US government.

In summary, Summers stated the US government knew that the allegations being made were false as to fact, and they were demonstrably made in bad faith. This was therefore an **abuse of process** which should lead to dismissal of the extradition request. He described the above three counts as "rubbish, rubbish and rubbish".

Summers then walked through the facts of the case. He said the charges from the USA divide the materials leaked by Manning to Wikileaks into three categories:

- a) Diplomatic cables
- b) Guantanamo detainee assessment briefs
- c) Iraq War rules of engagement
- d) Afghan and Iraqi war logs.

Summers then methodically went through a), b), c) and d) relating each in turn to alleged behaviours 1), 2) and 3), making twelve counts of explanation and exposition in all. This comprehensive account took some four hours and I shall not attempt to capture it here. I will rather give highlights, but will relate occasionally to the alleged behaviour number and/or the alleged materials letter. I hope you follow that — it took me some time to do so!

On 1) Summers at great length demonstrated conclusively that Manning had access to each material a) b) c) d) provided to Wikileaks without needing any code from Assange, and had that access before ever contacting Assange. Nor had Manning

needed a code to conceal her identity as the prosecution alleged — the database for intelligence analysts Manning could access — as could thousands of others — did not require a username or password to access it from a work military computer. Summers quoted testimony of several officers from Manning's court-martial to confirm this. Nor would breaking the systems admin code on the system give Manning access to any additional classified databases. Summers quoted evidence from the Manning court-martial, where this had been accepted, that the reason Manning wanted to get in to systems admin was to allow soldiers to put their video games and movies on their government laptops, which in fact happened frequently.

Magistrate Baraitser twice made major interruptions. She observed that if Chelsea Manning did not know she could not be traced as the user who downloaded the databases, she might have sought Assange's assistance to crack a code to conceal her identity from ignorance she did not need to do that, and to assist would still be an offence by Assange.

Summers pointed out that Manning knew that she did not need a username and password, because she actually accessed all the materials without one. Baraitser replied that this did not constitute proof she knew she could not be traced. Summers said in logic it made no sense to argue that she was seeking a code to conceal her user ID and password, where there was no user ID and password. Baraitser replied again he could not prove that. At this point Summers became somewhat testy and short with Baraitser, and took her through the court martial evidence again. Of which more...

Baraitser also made the point that even if Assange were helping Manning to crack an admin code, even if it did not enable Manning to access any more databases, that still was unauthorised use and would constitute the crime of aiding and abetting computer misuse, even if for an innocent purpose.

Now while there is no evidence that judge Baraitser is giving any serious consideration to the defence case, what this has done is show the prosecutors the holes in their argument which would cause them serious problems should they get Julian to trial in the United States. In particular, they are wary of the strong freedom of speech protections in the US constitution and so are desperate to portray Julian as a hacker, and not a journalist. But, as you can see above, their case for this is not looking strong.

So the prosecution needed a different case. They have therefore entirely changed the indictment against Julian in Virginia, and brought in a superseding indictment.

<https://www.craigmurray.org.uk/archives/2020/07/damage-to-the-soul/>

CIA 'Obsessed' With Former UK Envoy Who Will Testify in Spying-on-Assange Case

Craig Murray says he's been asked to testify in the case of illegal spying against Julian Assange.

*Joe Lauria
Consortium News
July 22, 2020*

The former British ambassador to Uzbekistan and a close associate of imprisoned WikiLeaks publisher Julian Assange says he was the "top target" of the 24/7

surveillance of Assange at Ecuador's embassy in London by the Spanish security company UC Global, which, according to press reports and court documents, shared the surveillance with the CIA.

Craig Murray said he has been contacted by an attorney in the spying case on Assange and that he will be going to Madrid to testify. The founder of UC Global, David Morales, was arrested over the surveillance (including privileged Assange-lawyer conversations) and is on trial.

Murray told former CIA analyst Ray McGovern in an email, shared with *Consortium News* with Murray's permission, that the CIA was "obsessed" with him.

Murray told McGovern that he had offered to give evidence to Special Counsel Robert Mueller, who spent \$32 million and more than two years investigating an alleged conspiracy between the Russian government and the Trump campaign, including how WikiLeaks obtained emails from the Democratic National Committee and Hillary Clinton campaign chairman John Podesta.

Mueller concluded there was no evidence of a conspiracy between Moscow and Trump, but maintained Russian agents "hacked" the emails and delivered them to WikiLeaks for publication.

Murray has said that different persons with legal access to the DNC and Podesta emails were WikiLeaks' sources.

"I wrote to Mueller offering to give evidence, never received any reply," Murray wrote to McGovern on Wednesday. "Never had any request for an interview by any US authorities."

Murray then wrote, "BUT I received a message from the lawyer in the case in Madrid about the spying on Assange in the Embassy, contracted by the CIA, which said that I was the 'top target' for the contractors and the evidence shows they were 'obsessed with' me. I shall be going to Madrid to give evidence."

Murray added: "Just why the US security services declined my offer of free evidence yet were obsessed with spying on me is an interesting question..."

Video: <https://youtu.be/siigAameuGg>

Joe Lauria is editor-in-chief of *Consortium News* and a former UN correspondent for *The Wall Street Journal*, *Boston Globe*, and numerous other newspapers.

<https://consortiumnews.com/2020/07/22/cia-obsessed-with-former-uk-envoy-who-will-testify-in-spying-on-assange-case/>

UK government refuses to release information about Assange judge who has 96% extradition record

Matt Kennard & Mark Curtis
Declassified UK
31 July 2020

The United Kingdom's Ministry of Justice is blocking the release of basic information about the judge who is to rule on Julian Assange's extradition to the US in what appears to be an irregular application of the Freedom of Information Act, it can be revealed.

Declassified has also discovered that the judge, Vanessa Baraitser, has ordered extradition in 96% of the cases she has presided over for which information is publicly available.

Baraitser was appointed a district judge in October 2011 based at the Chief Magistrate's Office in London, after being admitted as a solicitor in 1994. Next to no other information is available about her in the public domain.

Baraitser has been criticised for a number of her judgments so far concerning Assange, who has been incarcerated in a maximum security prison, HMP Belmarsh in London, since April 2019. These decisions include refusing Assange's request for emergency bail during the Covid-19 pandemic and making him sit behind a glass screen during the hearing, rather than with his lawyers.

Declassified recently revealed that Assange is one of just two of the 797 inmates in Belmarsh being held for violating bail conditions. Over 20% of inmates are held for murder.

Declassified has also seen evidence that the UK Home Office is blocking the release of information about home secretary Priti Patel's role in the Assange extradition case.

A request under the Freedom of Information Act (FOIA) was sent by *Declassified* to the Ministry of Justice (MOJ) on 28 February 2020 requesting a list of all the cases on which Baraitser has ruled since she was appointed in 2011. The MOJ noted in response that it was obliged to send a reply within 20 working days.

Two months later, on 29 April 2020, an information officer at the HM Courts and Tribunals Service responded that it could "confirm" that it held "some of the information that you have requested".

But the request was rejected since the officer claimed it was not consistent with the Constitutional Reform Act. "The judiciary is not a public body for the purposes of FOIA... and requests asking to disclose all the cases a named judge ruled on are therefore outside the scope of the FOIA," the officer stated.

The officer added that the "information requested would in any event be exempt from disclosure... because it contains personal data about the cases ruled on by an individual judge", and that "personal data can only be released if to do so would not contravene any of the data protection principles" in the Data Protection Act.

A British barrister, who wished to remain anonymous, but who is not involved with the Assange case, told *Declassified*: "The resistance to disclosure here is curious. A court is a public authority for the purposes of the Human Rights Act and a judge is an officer of the court. It is therefore more than surprising that the first refusal argued that, for the purposes of the FOIA, there is no public body here subject to disclosure."

The barrister added: "The alternative argument on data doesn't stack up. A court acts in public. There is no default anonymity of the names of cases, unless children are involved or other certain limited circumstances, nor the judges who rule on them. Justice has to be seen to be done."

Despite the HM Courts and Tribunals Service invoking a data protection clause, *Declassified* was able to view a host of cases with full names and details in Westlaw, a paid-for legal database. The press has also reported on a number of extradition cases involving Baraitser.

An internal review into the rejection of *Declassified*'s freedom of information (FOI) request upheld the rejection.

Identical request

On 10 April 2020 *Declassified* sent an identical information request to the MOJ asking for a case list for a different district judge, Justin Barron, who was appointed on the same day as Baraitser in October 2011.

This request was answered by the MOJ swiftly, within 17 days, compared to two months with Baraitser. The information officer also noted that it “holds all the information you have requested” rather than “some” in the case of Baraitser. It is unclear why the HM Courts and Tribunals Service would hold only partial information on Baraitser, but not on Barron.

On this occasion, the request was not blocked. Instead, the information officer asked for further clarification about the information being sought, suggesting issues such as final hearing dates, the defendants' names and what the defendants were charged with.

Declassified clarified that it wanted the list to include “the date, the defendant, the charge and the judge's decision”.

The officer eventually declined the request, stating that it “would exceed the cost limit set out in the FOIA”, but adding: “Although we cannot answer your request at the moment, we may be able to answer a refined request within the cost limit.”

With Baraitser's identical records, the possibility of refining the search was never offered — two “absolute” exemptions being applied to the request from the start.

Baraitser's record

Despite the rejection by the MOJ, *Declassified* has found 24 extradition cases that Baraitser ruled on from November 2015 to May 2019, discovered using the media archive Factiva and Westlaw. Of these 24 cases, Baraitser ordered the extradition of 23 of the defendants, a 96% extradition record from publicly available evidence.

Baraitser has ordered the extradition of defendants to at least 11 countries in this period, including one person to the US. Six of the extraditions, or 26% of the rulings, were successfully appealed.

In one case, Baraitser's decision to extradite was overturned because the appeal judge “attached considerable weight to the likely impact of extradition upon the health and wellbeing of the defendant's wife”, who “will be left with very little support”.

Recently, Baraitser controversially refused to guarantee anonymity to Assange's partner, Stella Moris, which led her to publicly reveal her relationship with Assange and their two children.

The appointment of Baraitser to preside over the Assange case remains controversial and the decision untransparent. It is likely that Chief Magistrate Lady Emma Arbuthnot was involved in the decision to appoint Baraitser to the case.

The chief magistrate has a “leadership responsibility” for the roughly 300 district and deputy judges across England and Wales. Arbuthnot hears “many of the most sensitive or complex cases in the magistrates’ courts and in particular extradition and special jurisdiction cases”.

Arbuthnot’s role also includes “supporting and guiding” district judges such as Baraitser and “liaising with the senior judiciary and presiding judges” on the cases they are ruling on.

But Arbuthnot’s role in the Assange case is mired in controversy and conflicts of interest due to her family’s connections to the British military and intelligence establishment, as *Declassified* has previously revealed. Arbuthnot has personally received financial benefits from partner organisations of the UK Foreign Office, which in 2018 called Assange a “miserable little worm”.

Arbuthnot directly ruled on the Assange case in 2018-19 and has never formally recused herself from it. According to a statement given to *Private Eye*, she stepped aside because of a “perception of bias”, but it was not elucidated what this related to.

Since Arbuthnot has not formally recused herself, Assange’s defence team cannot revisit her rulings while it also could have left open the possibility of her choosing which of her junior judges was to preside over the Assange case.

In a key judgment in February 2018, Arbuthnot rejected the findings of the United Nations Working Group on Arbitrary Detention — a body composed of international legal experts — that Assange was being “arbitrarily detained”, characterised Assange’s stay in the embassy as “voluntary” and concluded Assange’s health and mental state was of minor importance.

In a second ruling a week later, Arbuthnot dismissed Assange’s fears of US extradition. “I accept that Mr Assange had expressed fears of being returned to the United States from a very early stage in the Swedish extradition proceedings but... I do not find that Mr Assange’s fears were reasonable,” she said.

In May 2019, soon after Assange was seized from his asylum in the Ecuadorian embassy by British police, the US government requested his extradition on charges that could see him imprisoned for 175 years.

Lady Arbuthnot attends the Queen’s garden party at Buckingham Palace in May 2017 with her husband Lord Arbuthnot, a former Conservative defence minister with links to the British military and intelligence establishment. Anonymisation by Declassified. (Photo: Instagram)

More silence

Declassified also made a request under the Freedom of Information Act for a list of all the cases heard at Woolwich Crown Court, near Belmarsh, for 2019. Baraitser had controversially moved Assange’s hearing to Woolwich — which is often used for terrorism cases — before the Covid-19 pandemic hit. It has now been moved back to the Old Bailey, the central criminal court of England and Wales.

This request, sent on 31 March 2020, was again rejected. The MOJ officer stated: “I can confirm that the MOJ holds the information that you have requested. All of the information is exempt from disclosure under section 32 of the FOIA because it is held in a court record.”

It added that: “Section 32 is an absolute exemption and there is no duty to consider the public interest in disclosure.”

Despite daily lists of the cases heard at Woolwich being freely available online, including names of defendants, an internal review conducted at *Declassified*’s request reached the same conclusion.

On 15 May 2020, Declassified sent a further FOI request, this time to the Home Office, asking for information on any phone calls or emails made or received by the current Home Secretary Priti Patel concerning the Assange case.

The Home Office replied: “We neither confirm nor deny whether we hold any information, within the scope of your request.” It added that the reason was “to protect personal data”.

But, in January 2020, Declassified had requested the same information for the period when Sajid Javid was home secretary, April 2018 — July 2019. In this case, the Home Office responded: “We have carried out a thorough search and we have established that the Home Office does not hold the information that you have requested.”

The responses from the Home Office appear to indicate that Patel has had communications regarding Assange during her tenure as home secretary, but that the government is reluctant to disclose this information. The Assange case continues to set a legal precedent in being mired in opacity and conflicts of interest.

Patel — who is also linked to Arbuthnot’s husband, Lord Arbuthnot — will sign off Assange’s extradition to the US if it is ordered by Baraitser.

Matt Kennard is head of investigations, and Mark Curtis is editor, at Declassified UK. They tweet at @kennardmatt and @markcurtis30. Follow Declassified on Twitter, Facebook and YouTube.

<https://www.dailymaverick.co.za/article/2020-07-31-uk-government-refuses-to-release-information-about-assange-judge-who-has-96-extradition-record/#gsc.tab=0>

USA must drop charges against Julian Assange

Amnesty International

Authorities in the USA must drop the espionage and all other charges against Julian Assange that relate to his publishing activities as part of his work with Wikileaks. The US government’s unrelenting pursuit of Julian Assange for having published disclosed documents that included possible war crimes committed by the US military is nothing short of a full-scale assault on the right to freedom of expression.

Julian Assange is currently being held at Belmarsh, a high security prison in the UK, on the basis of a US extradition request on charges that stem directly from the publication of disclosed documents as part of his work with Wikileaks. Amnesty International strongly opposes any possibility of Julian Assange being extradited or sent in any other manner to the USA. There, he faces a real risk of serious human rights violations including possible detention conditions that would amount to torture and other ill-treatment (such as prolonged solitary confinement). The fact that he was the target of a negative public campaign by US officials at the highest levels undermines his right to be presumed innocent and puts him at risk of an unfair trial.

Julian Assange's publication of disclosed documents as part of his work with Wikileaks should not be punishable as this activity mirrors conduct that investigative journalists undertake regularly in their professional capacity. Prosecuting Julian Assange on these charges could have a chilling effect on the right to freedom of expression, leading journalists to self-censor from fear of prosecution.

Sign the petition now and protect the right to freedom of expression.

Urge the US authorities to drop the charges against Julian Assange that stem solely from his publishing activities with Wikileaks.

(Signed petition 2020-08-05)

<https://www.amnesty.org/en/get-involved/take-action/julian-assange-usa-justice/>

No Extradition: New Documentary On Julian Assange

Telesur

6 August 2020

On the eve of the premiere of his documentary about the founder of WikiLeaks, British-Chilean filmmaker Pablo Navarrete said Thursday in London: "I want people to have an idea of the injustice being done to Julian Assange."

The filmmaker and journalist followed John Shipton, Assange's father, over several months as he campaigned to prevent his son from being extradited to the United States (U.S.) and secure his release from Britain's Belmarsh maximum-security prison.

The result is the documentary "No Extradition," which will be presented online on August 13 from in United Kingdom's capital.

In statements to the *Prensa Latina* news agency, Navarrete explained that the objective of the documentary is to draw attention to the case because, in his opinion, many people in the U.K. and the world deny that the Australian journalist and cyber-activist is a political prisoner of the British government.

He added that the treatment Assange is receiving from British authorities and his possible extradition to the United States, where he could be sentenced to 175 years in prison for divulging information of public interest, is one of the greatest injustices of our time.

"No Extradition" will also have a Spanish-language subtitled version, according to Navarrete, whose first documentary "Inside the Revolution: A Journey into the Heart of Venezuela" dates from 2009.

Assange was a refugee at the Ecuadorian embassy in London from 2012 to 2019, when the Ecuadorean government of Lenin Moreno hands him over to Scotland Yard.

The founder of WikiLeaks has been held since April last year in the Belmarsh maximum-security prison in east London, where he is awaiting the second phase of the extradition process requested by the U.S. on September 6.

<https://www.telesurenglish.net/news/No-Extradition-New-Documentary-On-Julian-Assange-20200806-0024.html>

Chaos in Assange Case Management Hearing

U.S. Attorney General issued a replacement superseding indictment to Assange after deadline.

WikiLeaks Shop newsletter@wikileaks.shop
2020-08-14

Attorney General William Barr issued a replacement extradition request just two days after Julian Assange's defence team submitted their full and final evidence for the extradition hearing due in September, Westminster Magistrates court heard today (Friday 14th August).

The clear attempt to blindsides the defence by US Attorney General emerged as the court heard Julian Assange has not even seen the new extradition request, which contains no new charges but introduces new narrative content that the defence argued should be excluded from the proceedings.

The defence argued the replacement indictment introduced alleged conduct from 2010 and 2011 which the US had investigated almost a decade ago, and could therefore not plausibly be argued to be new information to the US investigation.

The replacement extradition request given at the eleventh hour is astonishing, given the case had been prepared over the course of one year and was well into substantive hearings which began in February.

And that was only part of the chaotic hearing in which Belmarsh prison did not initially bring Assange to the video room to join proceedings, the US prosecution failed to turn up (having got the time of the hearing wrong), and every journalist and NGO observer that tried to dial-in was directed to another trial entirely and never made it into the Assange hearing.

That left a mere handful of journalists that could gain access to the court to report proceedings.

'This was the worst hearing so far', said Kristinn Hrafnsson, WikiLeaks' Editor-in-chief. 'The US government seem to want to change the indictment every time the court meets, but without the defence or Julian himself seeing the relevant documents'.

Even now Julian Assange has not been re-arrested under the replacement extradition request. Instead the re-arrest will take place on the first day of the hearings.

The reissued request appears to serve a PR purpose since it contains no new charges though still threatens Assange with 175 years in jail.

Julian Assange's legal team have been denied in-person access to their client since March. Today was the first day Julian Assange was able to have a short video link meeting with his lawyers, prior to the hearing. Belmarsh prison denied Assange any facilities to talk to his lawyers after the hearing ended.

Julian Assange has not seen his family and young children since March.

Video with commentary by Kristinn Hrafnsson

https://www.youtube.com/watch?v=N5DYMmuglE0&feature=youtu.be&mc_cid=58472c3583&mc_eid=2616b3b229

Confusion Over Superseding Indictment May Delay Hearing

Julian Assange's defense team asked for a possible delay until next week in a procedural hearing after the United States introduced a superseding indictment to the court.

Joe Lauria
Consortium News
August 14, 2020

The defense for imprisoned WikiLeaks publisher Julian Assange has asked for a possible delay in a procedural hearing on Friday after the United States introduced a superseding indictment to the court, leaving Magistrate Vanessa Baraitser uncertain about whether Assange would still be under arrest if she accepted the new indictment.

The defense argued that there wasn't enough time before the scheduled resumption of the substantial hearing on Sept. 7 to deal with a new indictment and said it was too late to introduce new evidence to the court, according to tweets from WikiLeaks supporter Juan Passarelli. The U.S. had a June 2019 deadline to submit all evidence to the British extradition court.

The defense accused the prosecution of an "abuse of justice" and requested that the hearing resume in September as planned without inclusion of the new indictment, Passarelli said.



Juan Passarelli
@jlpasarelli



The defence says that they cannot deal with the expansion of the indictment in time, and that it is far too late to introduce evidence.

[#AssangeCase](#)

12:21 PM · Aug 14, 2020



The media was allowed onto a conference call and stood by for an hour for the hearing to begin on Friday. After it began the media could hear Baraitser ask Assange to state his name and date of birth. Nothing was said in court after that for about 20 minutes when Baraitser left the conference call.

When the hearing resumed she did not rejoin the call, leaving the media in the dark, dependent on tweets from observers, such as Passarelli. Conference calls to Assange's hearings have continually been marred by technical difficulties.



RSF
@RSF_inter



RSF has again been unable to observe an administrative hearing in the case of Julian Assange. We were turned away in person and the court again failed to connect the conference call line, barring remote access. This has become the - unacceptable - norm in this case. [#FreeAssange](#)

Passarelli reported on the prosecution's response to the defense: "The prosecution argue(d) that the US continued to investigate #Assange's alleged criminal activity

after the grand jury returned the indictment. There has been a continuing investigation, and that this is common in the American system. ... Prosecution agreed) that the indictment is similar to the previous indictment but with some added alleged conduct by #Assange. ... Prosecution argues that this is a new prosecution case and that the court does not [have] the power to dismiss anything in the indictment.”

The defense, in turn, said rather than the new evidence being part of a “continuing investigation,” it was actually known to U.S. investigators in 2011.

The superseding indictment, made public by the U.S. Justice Department in June, merely adds details to the previous indictment of Assange for alleged conspiracy to commit computer intrusion and includes no new charges.

“Defence argues that this material was available in 2011, there is no reason that this is the fruit of new investigation,” Passarelli tweeted.

Stella Moris, an Assange attorney and his partner, tweeted that the new U.S. extradition request was filed after the defense had submitted its legal argument on the initial request.



The case management hearing has ended. US did not appear in court.

US Attorney General Barr issued the replacement extradition request on 29 July, 2 days after the defence had submitted its entire legal arguments and evidence for the original superseding indictment. #assange

According to Passarelli, Baraitser then said it wasn’t even clear if Assange would still be under arrest if the U.S. wanted to start the extradition process over again by introducing new evidence past the June 2019 deadline.

“Judge says that Assange has not been even arrested by this replacement indictment. She says she has to consider if the hearing can be just. She does not have the power to exclude new allegations. The defence may decide if they require more time,” Passarelli tweeted.

The defense then asked for the procedural hearing to be postponed until next Friday to give it time to decide whether to ask for an extension of the September date, he tweeted. Baraitser asked for it be pushed back to Wednesday. With this scheduling issue apparently unresolved, Baraitser adjourned the hearing until Sept. 7 “pending any applications for delay,” Passarelli said.

John Shipton, Assange’s father, said after the hearing that submissions have to be made by the defense “as to whether the court date [of Sept.7] will be vacated. I hope it is not. We work towards the hearing being on the 7th of September.”

The U.S., Shipton said, is “making every effort to ensure that the [substantive] hearing is not the 7th of September, but in fact after the American election.”
(<https://youtu.be/ApB716IdnbE>)

<https://consortiumnews.com/2020/08/14/assange-extradition-confusion-over-superseding-indictment-may-delay-hearing/>

ASSANGE EXTRADITION: International Lawyers Make Urgent Appeal to British Government

An array of international lawyers have written to the British prime minister, foreign secretary, secretary of state for justice and home secretary outlining his illegal treatment and demanding Julian Assange's release.

*Consortium News
August 16, 2020*

LAWYERS FOR ASSANGE
Independent international legal observers
of the proceedings in the case of Julian Assange

Open Letter to the UK Prime Minister Mr Boris Johnson, the Lord Chancellor and Secretary of State for Justice Robert Buckland QC, the Secretary of State for Foreign Affairs Dominic Raab and UK Home Secretary Priti Patel.

Dear Prime Minister,
Dear Lord Chancellor and Secretary of State for Justice,
Dear Secretary of State for Foreign Affairs,
Dear Home Secretary,

We write to you as legal practitioners and legal academics to express our collective concerns about the violations of Mr. Julian Assange's fundamental human, civil and political rights and the precedent his persecution is setting. We call on you to act in accordance with national and international law, human rights and the rule of law by bringing an end to the ongoing extradition proceedings and granting Mr. Assange his long overdue freedom — freedom from torture, arbitrary detention and deprivation of liberty, and political persecution.

A) ILLEGALITY OF POTENTIAL EXTRADITION TO THE UNITED STATES

Extradition of Mr. Assange from the UK to the U.S. would be illegal on the following grounds:

1. Risk of being subjected to an unfair trial in the U.S.

Extradition would be unlawful owing to failure to ensure the protection of Mr. Assange's fundamental trial rights in the U.S. Mr. Assange faces show trial at the infamous "Espionage court" of the Eastern District of Virginia, before which no national security defendant has ever succeeded. Here, he faces secret proceedings before a jury picked from a population in which most of the individuals eligible for jury selection work for, or are connected to, the CIA, NSA, DoD or DoS.[i] Furthermore, Mr. Assange's legal privilege, a right enshrined in Art. 8 European Convention on Human Rights (ECHR) and long recognised under English common law, was grossly violated through constant and criminal video and audio surveillance at the Ecuadorian embassy carried out by the Spanish security firm, UC Global. This surveillance was, according to witness testimony, ordered by the CIA and has triggered an investigation into the owner of UC Global, David Morales, by Spain's High Court, the Audiencia Nacional.[ii] The surveillance resulted in all of Mr. Assange's meetings and conversations being recorded, including those with his lawyers. The Council of Bar and Law Societies of Europe, which represents more than a million European lawyers, has expressed its concerns that these illegal recordings may be used — openly or secretly — in proceedings against Mr. Assange in the event

of successful extradition to the U.S. The Council states that if the information merely became known to the prosecutors, this would present an irremediable breach of Mr. Assange's fundamental rights to a fair trial under Art. 6 of the ECHR and due process under the U.S. Constitution.[iii] Furthermore, the prosecuting state obtained the totality of Mr. Assange's legal papers after their unlawful seizure in the Embassy. Upon hearing that the Government of Ecuador was planning to seize and hand over personal belongings of Mr. Assange, including documents, telephones, electronic devices, memory drives, etc. to the U.S., the UN Special Rapporteur on Privacy, Joseph Cannataci, expressed his serious concern to the Ecuadorian government and twice formally requested it to return Mr. Assange's personal effects to his lawyers, to no avail.[iv].

The UN Model Treaty on Extradition prohibits extradition if the person has not received, or would not receive, the minimum guarantees in criminal proceedings, as enshrined in Art. 14 of the International Covenant on Civil and Political Rights (ICCPR).[v]

2. The political nature of the offence prohibits extradition.

The U.S. superseding indictment issued against Mr. Assange on the 24 June 2020 charges him with 18 counts all related solely to the 2010 publications of U.S. government documents. The publications, comprising information about the wars in Iraq and Afghanistan, U.S. diplomatic cables and Guantanamo Bay, revealed evidence of war crimes, corruption and governmental malfeasance.[vi] Charges 1-17 are brought under the Espionage Act 1917, which, in name alone, reveals the political and antiquated nature of the charges.[vii] Furthermore, the essence of the 18 charges concerns Mr. Assange's alleged intention to obtain or disclose U.S. state "secrets" in a manner that was damaging to the strategic and national security interests of the U.S. state, to the capability of its armed forces, the work of the security and intelligence services of the U.S., and to the interests of the U.S. abroad. Thus, the conduct, motivation and purpose attributed to Mr. Assange confirm the political character of the 17 charges brought under the Espionage Act ('pure political' offences) and of the hacking charge (a 'relative political' offence). In addition, several U.S. government officials have at various times ascribed motives "hostile" to the U.S. to Mr. Assange, an Australian citizen.[viii].

The UK-U.S. Extradition Treaty, which provides the very basis of the extradition request, specifically prohibits extradition for political offences in Art. 4(1).

Yet the presiding judge and prosecution wish to simply disregard this article by referring to the Extradition Act 2003 ("EA") instead, which does not include the political offence exception. This blatantly ignores the fact that the EA is merely an enabling act that creates the minimum statutory safeguards but it does not preclude stronger protections from extradition as expressly provided in subsequently ratified treaties such as the UK-U.S. Extradition Treaty.

Furthermore, there is broad international consensus that political offences should not be the basis of extradition.[ix] This is reflected in Art. 3 of the 1957 European Convention on Extradition, Art. 3 ECHR, Art. 3(a) of the UN Model Treaty on Extradition, the Interpol Constitution and every bilateral treaty ratified by the U.S. for over a century.

3. Risk of torture or other cruel, inhuman or degrading treatment or punishment in the U.S.

The United Nations Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (“the UN Rapporteur on Torture”), Professor Nils Melzer, has expressed with certainty that, if extradited to the U.S., Mr. Assange will be exposed to torture or other cruel, inhuman or degrading treatment or punishment. Similar concerns have also been raised by the UN Working Group on Arbitrary Detention, and Amnesty International has recently restated its concerns in relation to the unacceptable risk of mistreatment.[x] The detention conditions, and the draconian punishment of 175 years, in a maximum security prison, which Mr. Assange faces under the U.S. indictment, would constitute torture or other cruel, inhuman or degrading treatment or punishment, according to the current UN Rapporteur on Torture and according to the consistently expressed opinion of his predecessor, as well as of NGOs and legal authorities.[xi] If extradited, Mr. Assange would, by the U.S. government’s own admission, likely be placed under Special Administrative Measures. These measures prohibit prisoners from contact or communication with all but a few approved individuals, and any approved individuals would not be permitted to report information concerning the prisoner’s treatment to the public, thereby shielding potential torture from public scrutiny and government from accountability.[xii].

Under the principle of non-refoulement, it is not permissible to extradite a person to a country in which there are substantial grounds for believing that they would be subjected to torture. This principle is enshrined in the 1951 UN Convention Relating to the Status of Refugees, specifically Art. 33(1) from which no derogations are permitted. Also relevant are Art. 3(1) UN Declaration on Territorial Asylum 1967, Art. 3 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), and Art. 2 of the Resolution on Asylum to Persons in Danger of Persecution, adopted by the Committee of Ministers of the Council of Europe in 1967. As an obligation arising from the prohibition of torture, the principle of non-refoulement in this area is absolute and also takes on the character of a peremptory norm of customary international law, i.e. *jus cogens*.^[xiii]

Mr. Assange, who was accepted as a political asylee by the Ecuadorian government owing to what have proved to have been wholly legitimate fears of political persecution and torture in the U.S., should clearly have been accorded protection of this principle, firstly by Ecuador and secondly by the UK. Ecuador violated its human rights obligations by summarily rescinding Mr. Assange’s asylum in direct contradiction of the ‘Latin American tradition of asylum’^[xiv] and the Advisory Opinion OC-25/18 of 30 May 2018 of the Inter-American Court of Human Rights affirming the principle of non-refoulement in cases of persons who have entered an embassy for protection.^[xv] The entry of the Ecuadorian Embassy by UK police and the arrest of Mr. Assange were thus based on an illegal revocation of his nationality and asylum, which can only be rectified by the UK upholding its own duty to protect the principle of non-refoulement by denying extradition to the U.S.

B) VIOLATIONS OF THE FREEDOM OF THE PRESS AND THE RIGHT TO KNOW

Counts 1-17 of the indictment under the Espionage Act violate the right to freedom of expression, the right to freedom of the press and the right to know. These counts present standard and necessary investigative journalistic practices as criminal.^[xvi] Such practices include indicating availability to receive information, indicating what

information is of interest, encouraging the provision of information, receipt of information for the purpose of publication, and publication of information in the public interest.

Under the charge of conspiracy to commit computer intrusion, the initial indictment criminalised also Mr. Assange's alleged attempt at helping his source to maintain their anonymity while providing the documents in question, which falls squarely under the standard journalistic practice and duty of protecting the source. In a bid to detract from this fact and re-paint Mr. Assange as a malicious hacker, the U.S. DoJ has published a new "superseding indictment" on 24 June 2020, without even lodging it with the UK court first, alleging the recruitment of, and agreement with, hackers to commit computer intrusion. The new indictment has emerged unjustifiably late in the day, is based on no new information and the testimony of two highly compromised sources.

We agree with the assessment of the Commissioner for Human Rights of the Council of Europe that "The broad and vague nature of the allegations against Julian Assange, and of the offences listed in the indictment, are troubling as many of them concern activities at the core of investigative journalism in Europe and beyond." [xvii]

Extradition on the basis of the indictment would gravely endanger freedom of the press, a cornerstone of European democracies enshrined in Art. 10 ECHR. [xviii]

The U.S. furthermore seemingly concedes the unconstitutionality of the charges, having stated in one of its submissions to the Court that Mr. Assange will be denied the protections of freedom of speech and the press guaranteed under the First Amendment due to his being a foreign national. [xix] Furthermore, extraditing Mr. Assange to the U.S. with the knowledge of their intended discrimination against him would make the UK an accessory in a flagrant denial of his right to non-discrimination.

The extradition to the U.S. of a publisher and journalist, for engaging in journalistic activities while in Europe, would set a very dangerous precedent for the extra-territorialisation of state secrecy laws and "would post an invitation to other states to follow suit, severely threatening the ability of journalists, publishers and human rights organisations to safely reveal information about serious international issues." [xx] Such concerns for journalistic freedom are echoed by the journalistic profession — over a thousand journalists signed an open letter opposing Mr. Assange's extradition. [xxi] Massimo Moratti, Amnesty International's Deputy Europe Director has branded the U.S. government's unrelenting pursuit of Mr. Assange as "nothing short of a full-scale assault on the right to freedom of expression" which "could have a profound impact on the public's right to know what their government is up to." [xxii]

Furthermore the Parliamentary Assembly of the Council of Europe has stated that member States should "consider that the detention and criminal prosecution of Mr Julian Assange sets a dangerous precedent for journalists, and join the recommendation of the UN Special Rapporteur on Torture" in his call to bar the extradition and for the release from custody of Mr. Assange. [xxiii]

C) VIOLATIONS OF THE RIGHT TO BE FREE FROM TORTURE, THE RIGHT TO HEALTH, AND THE RIGHT TO LIFE

The UN Rapporteur on Torture has reported, and continues to report, on the treatment of Mr. Assange as part of his United Nations mandate. On 9 and 10 May 2019, Prof. Melzer and two medical experts specialised in examining potential victims of torture and other ill-treatment visited Mr. Assange in Her Majesty's Prison Belmarsh ("HMP Belmarsh"). The group's visit and assessment revealed that Mr. Assange

showed “all symptoms typical for prolonged exposure to psychological torture, including extreme stress, chronic anxiety and intense psychological trauma.”[xxiv] The UN Rapporteur on Torture concluded “Mr. Assange has been deliberately exposed, for a period of several years, to persistent and progressively severe forms of cruel, inhuman or degrading treatment or punishment, the cumulative effects of which can only be described as psychological torture”.

The UN Rapporteur on Torture condemned “in the strongest terms, the deliberate, concerted and sustained nature of the abuse inflicted”, and characterised the failure of the UK government and the involved governments to take measures for the protection of Mr. Assange’s human rights and dignity as “complacency at best and complicity at worst”.[xxv]

The abuse includes systematic judicial persecution and violations of due process rights in all jurisdictions involved and in all related legal proceedings.[xxvi] It has most recently been demonstrated in the treatment of Mr. Assange during the extradition proceedings heard at Woolwich Crown Court, proceedings destined to be infamously remembered for the “glass box” to which Mr. Assange was confined as if he, an award winning journalist and a publisher, was a dangerous and violent criminal.

Mr. Assange was subjected to arbitrary detention and oppressive isolation, harassment and surveillance, while confined in the Ecuadorian embassy[xxvii] and continues to be so subjected as a prisoner in HMP Belmarsh. In Belmarsh, Mr. Assange has served the irregular and disproportionate sentence of 50 weeks [xxviii] for an alleged bail infringement. Perversely, the allegation, charge and conviction resulted from Mr. Assange legitimately seeking and being granted diplomatic asylum by the Ecuadorian government, which accepted Mr. Assange’s fear of politicised extradition to, and inhuman treatment in, the U.S., as well founded.[xxix] Although Mr. Assange has now served the sentence, he remains imprisoned without conviction or legal basis for the purpose of a political, and thereby illegal, extradition to the U.S. Further, he is imprisoned amid the Coronavirus pandemic, despite the above and despite his vulnerability to the virus owing to an underlying lung condition exacerbated by years of confinement and a history of psychological torture. It is particularly worrisome that, as a result of his health and the medical circumstances, he has even been unable to participate by video-link at recent hearings, yet he has been refused bail.[xxx]

UK authorities violated Mr. Assange’s right to health while deprived of his liberty in the Ecuadorian Embassy by denying him access to urgent medical diagnosis and care.[xxxi] The two medical experts who accompanied the UN Special Rapporteur on Torture on his May 2019 visit to HMP Belmarsh warned that unless pressure on Mr. Assange was alleviated quickly, his state of health would enter a downward spiral potentially resulting in his death.[xxxii] Mr. Assange’s father, Mr. John Shipton, has reported that his son was subjected to physical torture by his being placed in a “hot box.”[xxxiii] On 1 November 2019 the UN Rapporteur on Torture stated: “[u]nless the UK urgently changes course and alleviates his inhumane situation, Mr. Assange’s continued exposure to arbitrariness and abuse may soon end up costing his life.”[xxxiv] Soon after, on 22 November 2019, over 60 doctors from around the world raised concerns about the precarious state of Mr. Assange’s physical and mental health which included fears for his life, and requested his transfer to a hospital properly equipped and staffed for his diagnosis and treatment.[xxxv]

Furthermore, it has been revealed by the employees of UC Global, who worked at the Ecuadorian embassy, that the CIA actively discussed and considered kidnapping or poisoning Mr. Assange.[xxxvi] This shows a shocking disregard for his right to life and the due process of law of the very government seeking his extradition.

We would like to remind the UK government:

- of its duty to protect Mr. Assange’s right to life, which is the most fundamental human right enshrined in Art. 6 of the ICCPR, Art. 2 of the ECHR and Art. 2 of the Human Rights Act (HRA);
- that the prohibition of torture is a norm of international customary law and constitutes jus cogens. The prohibition is absolute and so there may be no derogation under any circumstances, including war, public emergency or terrorist threat. It is also enshrined in Art. 5 of the Universal Declaration of Human Rights (UDHR), Arts. 7 and 10 ICCPR, CAT, and Art. 3 ECHR;
- of its unconditional obligation, under Art. 12 CAT, to ensure that its competent authorities proceed to a prompt and impartial investigation of reported torture, which it has thus far failed to undertake; and
- that it is a member State of the World Health Organization, whose Constitution states: “The enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being without distinction of [...] political belief [...] everyone should have access to the health services they need, when and where they need them.

We call on the UK government to take immediate action to cease the torture being inflicted upon Mr. Assange, to end his arbitrary and unlawful detention, and to permit his access to independent medical diagnosis and treatment in an appropriate hospital setting. That doctors, their previous concerns having been ignored, should have to call on governments to ‘End torture and medical neglect of Julian Assange’ in *The Lancet* is extremely worrying.[xxxvii]

D) VIOLATIONS OF THE RIGHT TO A FAIR TRIAL

We condemn the denial of Mr. Assange’s right to a fair trial before the UK courts. This right has been denied as follows.

1. Judicial Conflicts of Interest

Senior District Judge (Magistrates’ Courts) Emma Arbuthnot, who as Chief Magistrate oversees Mr. Assange’s extradition proceedings, has been shown to have financial links to institutions and individuals whose wrongdoings have been exposed by WikiLeaks, the organisation which Mr. Assange founded.[xxxviii] This seemingly clear conflict of interest was, however, not disclosed by the District Judge. District Judge Arbuthnot did not recuse herself and was permitted to make rulings to Mr. Assange’s detriment, despite the perceived lack of judicial impartiality and independence. District Judge (Magistrates’ Courts) Michael Snow has further exhibited bias and unprofessionalism by participating in the defamation of Mr. Assange’s character, labelling the multi-award-winning public interest publisher and Nobel Peace Prize Nominee a “narcissist who cannot get beyond his own selfish interests” in response, ironically, to Mr. Assange’s legal team raising what were patently legitimate concerns regarding bias in the proceedings.[xxxix]

2. Inequality of Arms

Mr. Assange has been denied time and facilities to prepare his defence in violation of the principle of equality of arms which is inherent to the presumption of innocence and the rule of law. After his arrest, the British police did not allow Mr. Assange to collect and take his belongings with him.[xl] Subsequently, Mr. Assange was deprived

of his reading glasses for several weeks.[xli] Until end of June 2020 he was also denied access to a computer. While a computer has now been provided it is without internet access and read only, preventing the possibility of Mr. Assange typing any notes thus being entirely unsuitable for the preparation of his defence. Mr. Assange was furthermore denied access to the indictment itself for several weeks after it had been presented, while his access to other legal documents remains limited to this day due to the bureaucracy and lack of confidentiality involved in prison correspondence. Furthermore, despite the complexity of the case and the severity of the sentence that Mr. Assange would face if extradited to be tried in the U.S., prison authorities are failing to ensure that Mr. Assange can properly consult with his legal team and prepare for his defence, by severely restricting both the frequency and duration of his legal visits. Since mid-March 2020, Mr. Assange has altogether not been able to meet in person with his lawyers. The effects of the torture to which Mr. Assange has been subjected have further limited his ability to prepare his defence and, at times during proceedings, even to answer basic questions, such as questions about his name and date of birth.[xlii] While further hearings have been delayed until September, it is unclear whether this will enable Mr. Assange the necessary time and resources to prepare his defence, since he is unable to communicate with his lawyers (due to his imprisonment during the pandemic) apart from being given limited concessions for a limited period of time, i.e. phone calls restricted to 10 minutes.

3. Denial of the defendant's ability to properly follow proceedings and direct his legal team

Mr. Assange and his lawyers have repeatedly informed the Court of his inability to properly follow proceedings, to consult with his lawyers confidentially and to properly instruct them in the presentation of his defence due to his being prevented from sitting with them and being confined to a bulletproof glass box. The arrangement has forced Mr. Assange to resort to waving to get the attention of the judge or the people sitting in the public gallery, in order to alert **his lawyers who are** seated in the courtroom with their backs to him. Although District Judge Vanessa Baraitser accepted that the decision as to whether Mr. Assange should be allowed to sit with his lawyers was within her powers, yet she refused to exercise her power in Mr. Assange's favour, despite the prosecution having made no objection to the application. Amnesty International has expressed concerns that if adequate measures are not in place at further hearings to ensure Mr. Assange's effective participation in, and thereby the fairness of, the proceedings would be impaired.[xliii]

4. Refusal to address mistreatment of the defendant

Mr. Assange's lawyers informed the Court that during a single day, on 22 February, prison authorities handcuffed him 11 times, placed him in 5 different cells, strip-searched him twice, and confiscated his privileged legal documents. Overseeing the proceedings, District Judge Vanessa Baraitser explicitly refused to intervene with prison authorities claiming that she has no jurisdiction over his prison conditions. This oppressive treatment has rightly been condemned by The International Bar Association's Human Rights Institute.[xliv] Co-Chair, Anne Ramberg Dr jur hc, branded it a "serious undermining of due process and the rule of law." [xlv] Further, international psychiatrists and psychologists have cited this as further evidence of psychological torture.[xlvi]

We remind the UK government that the right to a fair trial is a cornerstone of democracy and the rule of law. It is a basic human right enshrined in Art. 10 UDHR, Art. 14 ICCPR, Art. 6 ECHR and Art. 6 HRA. These provisions, along with long-

standing common law principles, demand a fair and public hearing before an independent and impartial tribunal, the presumption of innocence until proven guilty, the right to be informed promptly and in detail of the nature and cause of the charges, the right to be provided with adequate time and facilities for the preparation of one's defence, and the right to have the ability to communicate with one's counsel.

For all these reasons we respectfully request that the UK government bring an end to the U.S. extradition proceedings against Mr. Assange and ensure his immediate release from custody.

Yours sincerely,

Lawyers for Assange

Signatories

Collective Signatories

African Bar Association

Arab Lawyers Association, UK

American Association of Jurists — AAJ, consultative status with the United Nations Economic and Social Council

Asociación Nacional de Abogados Democráticos — ANAD, Mexico

Asociación Venezolana de Juristas, Venezuela

Brazilian Association of Jurists for Democracy — ABJD, Brazil

Center for Constitutional Rights — CCR, USA

European Association of Lawyers for Democracy and World Human Rights — ELDH

Giuristi Democratici, Italy

Group of International Legal Intervention — GIGI, Italy

Indian Association of Lawyers, India

International Association of Democratic Lawyers — IADL, one of the original NGOs accredited in Consultative II Status with the U.N. Economic and Social Council

National Association of Democratic Lawyers — NADEL, South Africa

Ukrainian Association of Democratic Lawyers, Ukraine

Unión Nacional de Juristas de Cuba — UNJC, Cuba

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[iii] Council of Bar and Law Societies of Europe (CCBE), CCBE Letter regarding the interception of communications between Julian Assange and his lawyers addressed to Ms. Priti Patel, 24 February 2020.

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[v] United Nations Model Extradition Treaty, Art. 3(f); International Covenant on Civil and Political Rights, Art. 14.

[vi] In the United States District Court for the Eastern District of Virginia, Alexandria Division, United States v. Julian Paul Assange, 24 June 2020, available at: <https://www.justice.gov/opa/pr/wikileaks-founder-charged-superseding-indictment-supersedes-the-indictment> In the United States District Court for the Eastern District of Virginia, Alexandria Division, United States v. Julian Paul Assange, 23 May 2019, available at: <https://www.justice.gov/opa/press-release/file/1165556/download>.

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[xii] Allard K. Lowenstein, *The Darkest Corner: Special Administrative Measures and Extreme Isolation in the Federal Bureau of Prisons* (International Human Rights Clinic; The Centre for Constitutional Rights, 2017).

[xiii] Report submitted by the Special Rapporteur on Torture, Mr. Theo van Boven, Civil and Political Rights in Particular Issues Related to Torture and Detention, UN Doc. E/CN.4/2002/137, 26 February 2002, para. 14, and Committee against Torture (CAT), General Comment No. 4: On the implementation of Article 3 of the Convention in the context of Article 20, advanced unedited version, 9 February 2018, para. 9. This paragraph states that “The principle of “non-refoulement” of persons to another State where there are substantial grounds for believing that they would be in danger of being subjected to torture is similarly absolute”.

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[xvi] David Greene, at conference organised by GUE/NLG, European Union Left — Nordic Green Left, *Journalism Is Not A Crime — The Assange Extradition Case*, (14 November 2019), available at: <https://web-guengl.streamovations.be/index.php/event/stream/journalism-is-not-a-crime-the-assange-extradition-case>

[xvii] Julian Assange should not be extradited due to potential impact on press freedom and concerns about ill-treatment, Commissioner for Human Rights for the Council of Europe (20 February 2020), available at: <https://www.coe.int/en/web/commissioner/-/julian-assange-should-not-be-extradited-due-to-potential-impact-on-press-freedom-and-concerns-about-ill-treatment>

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[xxi] Speak Up for Julian Assange: International journalist statement in defence of Julian Assange, available at: <https://speak-up-for-assange.org/journalists-speak-up-for-julian-assange/>.

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For years, journalists cheered Assange's abuse. Now they've paved his path to a US gulag.

Jonathan Cook
2 September 2020

Court hearings in Britain over the US administration's extradition case against Julian Assange begin in earnest next week. The decade-long saga that brought us to this point should appall anyone who cares about our increasingly fragile freedoms.

A journalist and publisher has been deprived of his liberty for 10 years. According to UN experts, he has been arbitrarily detained and tortured for much of that time through intense physical confinement and endless psychological pressure. He has been bugged and spied on by the CIA during his time in political asylum, in Ecuador's London embassy, in ways that violated his most fundamental legal rights. The judge overseeing his hearings has a serious conflict of interest — with her family embedded in the UK security services — that she did not declare and which should have required her to recuse herself from the case.

All indications are that Assange will be extradited to the US to face a rigged grand jury trial meant to ensure he sees out his days in a maximum-security prison, serving a sentence of up to 175 years.

None of this happened in some Third-World, tinpot dictatorship. It happened right under our noses, in a major western capital, and in a state that claims to protect the rights of a free press. It happened not in the blink of an eye but in slow motion — day after day, week after week, month after month, year after year.

Severed head on a pike

And once we strip out a sophisticated campaign of character assassination against Assange by western governments and a compliant media, the sole justification for this relentless attack on press freedom is that a 49-year-old man published documents exposing US war crimes. That is the reason — and the only reason — that the US is seeking his extradition and why he has been languishing in what amounts to solitary confinement in Belmarsh high-security prison during the Covid-19 pandemic. His lawyers' appeals for bail have been refused.

While the press corps abandoned Assange a decade ago, echoing official talking points that pilloried him over toilet hygiene and his treatment of his cat, Assange

is today exactly where he originally predicted he would be if western governments got their way. What awaits him is rendition to the US so he can be locked out of sight for the rest of his life.

There were two goals the US and UK set out to achieve through the visible persecution, confinement and torture of Assange.

First, he and Wikileaks, the transparency organisation he co-founded, needed to be disabled. Engaging with Wikileaks had to be made too risky to contemplate for potential whistleblowers. That is why Chelsea Manning — the US soldier who passed on documents relating to US war crimes in Iraq and Afghanistan for which Assange now faces extradition — was similarly subjected to harsh imprisonment. She later faced punitive daily fines while in jail to pressure her into testifying against Assange.

The aim has been to discredit Wikileaks and similar organisations and stop them from publishing additional revelatory documents — of the kind that show western governments are not the “good guys” managing world affairs for the benefit of mankind, but are in fact highly militarised, global bullies advancing the same ruthless colonial policies of war, destruction and pillage they always pursued.

And second, Assange had to be made to suffer horribly and in public — to be made an example of — to deter other journalists from ever following in his footsteps. He is the modern equivalent of a severed head on a pike displayed at the city gates.

The very obvious fact — confirmed by the media coverage of his case — is that this strategy, advanced chiefly by the US and UK (with Sweden playing a lesser role), has been wildly successful. Most corporate media journalists are still enthusiastically colluding in the vilification of Assange — mainly at this stage by ignoring his awful plight.

Story hiding in plain sight

When he hurried into Ecuador’s embassy back in 2012, seeking political asylum, journalists from every corporate media outlet ridiculed his claim — now, of course, fully vindicated — that he was evading US efforts to extradite him and lock him away for good. The media continued with their mockery even as evidence mounted that a grand jury had been secretly convened to draw up espionage charges against him and that it was located in the eastern district of Virginia, where the major US security and intelligence services are headquartered. Any jury there is dominated by US security personnel and their families. His hope of a fair trial was non-existent.

Instead we have endured eight years of misdirection by the corporate media and its willing complicity in his character assassination, which has laid the ground for the current public indifference to Assange’s extradition and widespread ignorance of its horrendous implications.

Corporate journalists have accepted, entirely at face value, a series of rationalisations for why the interests of justice have been served by locking Assange away indefinitely — even before his extradition — and trampling his most basic legal rights. The other side of the story — Assange’s, the story hiding in plain sight — has invariably been missing from the coverage, whether it has been *CNN*, *the New York Times*, *the BBC* or *the Guardian*.

First, it was claimed that Assange had fled questioning over sexual assault allegations in Sweden, even though it was the Swedish authorities who allowed him to leave; even though the original Swedish prosecutor, Eva Finne, dismissed the investigation

against him, saying “There is no suspicion of any crime whatsoever”, before it was picked up by a different prosecutor for barely concealed, politicised reasons; and even though Assange later invited Swedish prosecutors to question him where he was (in the embassy), an option they regularly agreed to in other cases but resolutely refused in his.

It was not just that none of these points was ever provided as context for the Sweden story by the corporate media. Or that much else in Assange’s favour was simply ignored, such as tampered evidence in the case of one of the two women who alleged sexual assault and the refusal of the other to sign the rape statement drawn up for her by police.

The story was also grossly and continuously misreported as relating to “rape charges” when Assange was wanted simply for questioning. No charges were ever laid against him because the second Swedish prosecutor, Marianne Ny — and her British counterparts, including Sir Keir Starmer, then head of the prosecution service and now leader of the Labour party — seemingly wished to avoid testing the credibility of their allegations by actually questioning Assange. Leaving him to rot in a small room in the embassy served their purposes much better.

When the Sweden case fizzled out — when it became clear that the original prosecutor had been right to conclude that there was no evidence to justify further questioning, let alone charges — the political and media class shifted tack.

Suddenly Assange’s confinement was implicitly justified for entirely different, political reasons — because he had supposedly aided Donald Trump’s presidential election campaign in 2016 by publishing emails, allegedly “hacked” by Russia, from the Democratic party’s servers. The content of those emails, obscured in the coverage at the time and largely forgotten now, revealed corruption by Hillary Clinton’s camp and efforts to sabotage the party’s primaries to undermine her rival for the presidential nomination, Bernie Sanders.

Guardian fabricates a smear

Those on the authoritarian right have shown little concern over Assange’s lengthy confinement in the embassy, and later jailing in Belmarsh, for his exposure of US war crimes, which is why little effort has been expended on winning them over. The demonisation campaign against Assange has focused instead on issues that are likely to trigger liberals and the left, who might otherwise have qualms about jettisoning the First Amendment and locking people up for doing journalism.

Just as the Swedish allegations, despite their non-investigation, tapped into the worst kind of kneejerk identity politics on the left, the “hacked” emails story was designed to alienate the Democratic party base. Extraordinarily, the claim of Russian hacking persists even though years later — and after a major “Russiagate” inquiry by Robert Mueller — it still cannot be stood up with any actual evidence. In fact, some of those closest to the matter, such as former UK ambassador Craig Murray, have insisted all along that the emails were not hacked by Russia but were leaked by a disenchanted Democratic party insider.

An even more important point, however, is that a transparency organisation like Wikileaks had no choice, after it was handed those documents, but to expose abuses by the Democratic party — whoever was the source.

The reason that Assange and Wikileaks became entwined in the Russiagate fiasco — which wasted the energies of Democratic party supporters on a campaign against Trump that actually strengthened rather than weakened him — was because of the

credulous coverage, once again, of the issue by almost the entire corporate media. Liberal outlets like *the Guardian* newspaper even went so far as to openly fabricate a story — in which it falsely reported that a Trump aide, Paul Manafort, and unnamed “Russians” secretly visited Assange in the embassy — without repercussion or retraction.

Manafort held secret talks with Assange in Ecuadorian embassy, sources say

Trump ally met WikiLeaks founder months before emails hacked by Russia were published

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Luke Harding and Dan Collyns in Quito

Tue 27 Nov 2018 14.23 GMT

Assange's torture ignored

All of this made possible what has happened since. After the Swedish case evaporated and there were no reasonable grounds left for not letting Assange walk free from the embassy, the media suddenly decided in chorus that a technical bail violation was grounds enough for his continuing confinement in the embassy — or, better still, his arrest and jailing. That breach of bail, of course, related to Assange's decision to seek asylum in the embassy, based on a correct assessment that the US planned to demand his extradition and imprisonment.

None of these well-paid journalists seemed to remember that, in British law, failure to meet bail conditions is permitted if there is “reasonable cause” — and fleeing political persecution is very obviously just such a reasonable cause.

Similarly, the media wilfully ignored the conclusions of a report by Nils Melzer, a Swiss scholar of international law and the United Nations' expert on torture, that the UK, US and Sweden had not only denied Assange his basic legal rights but had



JamieSW
@jsternweiner

In the past two years, in the entire mainstream UK press:

- Number of Editorials, Op-Eds mentioning “Nils Melzer”: 0.

- Number of Editorials, Op-Eds mentioning “Assange” and “torture”: 0.

(Factiva database search, 29 August 2020)

5:06 PM · Aug 29, 2020



colluded in subjecting him to years of psychological torture — a form of torture, Melzer has pointed out, that was refined by the Nazis because it was found to be crueller and more effective at breaking victims than physical torture.

Assange has been blighted by deteriorating health and cognitive decline as a result, and has lost significant weight. None of that has been deemed worthy by the corporate media of more than a passing mention — specifically when Assange's poor health made him incapable of attending a court hearing. Instead Melzer's repeated warnings about the abusive treatment of Assange and its effects on him have fallen on deaf ears. The media has simply ignored Melzer's findings, as though they were never published, that Assange has been, and is being, tortured. We need only pause and imagine how much coverage Melzer's report would have received had it concerned the treatment of a dissident in an official enemy state like Russia or China.

A power-worshipping media

Last year British police, in coordination with an Ecuador now led by a president, Lenin Moreno, who craved closer ties with Washington, stormed the embassy to drag Assange out and lock him up in Belmarsh prison. In their coverage of these events, journalists again played dumb.

They had spent years first professing the need to “believe women” in the Assange case, even if it meant ignoring evidence, and then proclaiming the sanctity of bail conditions, even if they were used simply as a pretext for political persecution. Now that was all swept aside in an instant. Suddenly Assange's nine years of confinement over a non-existent sexual assault investigation and a minor bail infraction were narratively replaced by an espionage case. And the media lined up against him once again.

A few years ago the idea that Assange could be extradited to the US and locked up for the rest of his life, his journalism recast as “espionage”, was mocked as so improbable, so outrageously unlawful that no “mainstream” journalist was prepared to countenance it as the genuine reason for his seeking asylum in the embassy. It was derided as a figment of the fevered, paranoid imaginations of Assange and his supporters, and as a self-serving cover for him to avoid facing the investigation in Sweden.



The Guardian

The only barrier to Julian Assange leaving Ecuador's embassy is pride

James Ball



The WikiLeaks founder is unlikely to face prosecution in the US, charges in Sweden have been dropped - and for the embassy, he's lost his value as an icon

Wed 10 Jan 2018 15:14 GMT

The Guardian

But when British police invaded the embassy in April last year and arrested him for extradition to the US on precisely the espionage charges Assange had always warned were going to be used against him, journalists reported these developments as though they were oblivious to this backstory. The media erased this context not least because it would have made them look like willing dupes of US propaganda, like apologists for US exceptionalism and lawlessness, and because it would have proved Assange right once more. It would have demonstrated that he is the real journalist, in contrast to their pacified, complacent, power-worshipping corporate journalism.

The death of journalism

Right now every journalist in the world ought to be up in arms, protesting at the abuses Assange is suffering, and has suffered, and the fate he will endure if extradition is approved. They should be protesting on front pages and in TV news shows against the endless and blatant abuses of legal process at Assange's hearings in the British courts, including the gross conflict of interest of Lady Emma Arbuthnot, the judge overseeing his case.

They should be in uproar at the surveillance the CIA illegally arranged inside the Ecuadorian embassy while Assange was confined there, nullifying the already dishonest US case against him by violating his client-lawyer privilege. They should be expressing outrage at Washington's manoeuvres, accorded a thin veneer of due process by the British courts, designed to extradite him on espionage charges for doing work that lies at the very heart of what journalism claims to be — holding the powerful to account.

Journalists do not need to care about Assange or like him. They have to speak out in protest because approval of his extradition will mark the official death of journalism. It will mean that any journalist in the world who unearths embarrassing truths about the US, who discovers its darkest secrets, will need to keep quiet or risk being jailed for the rest of their lives.

That ought to terrify every journalist. But it has had no such effect.

The vast majority of western journalists, of course, never uncover one significant secret from the centres of power in their entire professional careers — even those ostensibly monitoring those power centres. These journalists repackage press releases

and lobby briefings, they tap sources inside government who use them as a conduit to the large audiences they command, and they relay gossip and sniping from inside the corridors of power.

That is the reality of access journalism that constitutes 99 per cent of what we call political news.

Careers and status, not truth

Nonetheless, Assange's abandonment by journalists — the complete lack of solidarity as one of their number is persecuted as flagrantly as dissidents once sent to the gulags — should depress us. It means not only that journalists have abandoned any pretence that they do real journalism, but that they have also renounced the aspiration that it be done by anyone at all.

It means that corporate journalists are ready to be viewed with even greater disdain by their audiences than is already the case. Because through their complicity and silence, they have sided with governments to ensure that anyone who truly holds power to account, like Assange, will end up behind bars. Their own freedom brands them as a captured elite — irrefutable evidence that they serve power, they do not confront it.

The only conclusion to be drawn is that corporate journalists care less about the truth than they do about their careers, their salaries, their status, and their access to the rich and powerful. As Ed Herman and Noam Chomsky explained long ago in their book *Manufacturing Consent*, journalists join a media class after lengthy education and training processes designed to weed out those not reliably in sympathy with the ideological interests of their corporate employers.

A sacrificial offering

Briefly, Assange raised the stakes for all journalists by renouncing their god — “access” — and their modus operandi of revealing occasional glimpses of very partial truths offered up by “friendly”, and invariably anonymous, sources who use the media to settle scores with rivals in the centres of power.

Instead, through whistleblowers, Assange rooted out the unguarded, unvarnished, full-spectrum truth whose exposure helped no one in power — only us, the public, as we tried to understand what was being done, and had been done, in our names. For the first time, we could see just how ugly, and often criminal, the behaviour of our leaders was.

Assange did not just expose the political class, he exposed the media class too — for their feebleness, for their hypocrisy, for their dependence on the centres of power, for their inability to criticise a corporate system in which they were embedded.

Few of them can forgive Assange that crime. Which is why they will be there cheering on his extradition, if only through their silence. A few liberal writers will wait till it is too late for Assange, till he has been packaged up for rendition, to voice half-hearted, mealy-mouthed or agonised columns arguing that, unpleasant as Assange supposedly is, he did not deserve the treatment the US has in store for him.

But that will be far too little, far too late. Assange needed solidarity from journalists and their media organisations long ago, as well as full-throated denunciations of his

oppressors. He and Wikileaks were on the front line of a war to remake journalism, to rebuild it as a true check on the runaway power of our governments. Journalists had a chance to join him in that struggle. Instead they fled the battlefield, leaving him as a sacrificial offering to their corporate masters.

<https://www.jonathan-cook.net/blog/2020-09-02/media-assange-persecution/>



Julian Assange's partner, Stella Moris, left, and his lawyer Jennifer Robinson arrive at the Old Bailey. Photograph: Frank Augstein/AP

Assange due in court in latest stage of fight against US extradition

Old Bailey to hear allegations Assange tried to recruit people to hack classified information

*Owen Bowcott
The Guardian
7 Sept. 2020*

The WikiLeaks founder, Julian Assange, is due to appear at the Old Bailey in the latest stage of his legal battle against extradition to the US, where he faces a prison sentence of up to 175 years.

The hearing, which is scheduled to last four weeks, will hear allegations from the US Department of Justice that Assange tried to recruit hackers to find classified government information.

A US grand jury previously indicted Assange on 18 charges, 17 of which fall under the US Espionage Act. They cover conspiracy to receive, obtaining and disclosing classified diplomatic and military documents.

His lawyers say they have been given insufficient time to examine a new US indictment. They argue that the prosecution is politically motivated and that Assange

is being pursued because WikiLeaks published US government documents that revealed evidence of war crimes and human rights abuses.

It will be the first time Assange, 49, has been in court for many months. He missed several recent appearances because of illness.

For the past 16 months, since being arrested in the Ecuadorian embassy in April 2019, he has been held on remand at Belmarsh prison. The extradition hearing was delayed because of the Covid-19 crisis. His supporters are expected to stage a protest outside the court as he arrives from the prison. Assange's partner, Stella Moris, a South African-born lawyer, is expected to be among those in court.

Moris told *PA Media* Assange had lost a lot of weight in prison, his health was deteriorating and she feared her children would grow up without seeing their father.

She said: "Julian's case has huge repercussions for freedom of expression and freedom of the press. This is an attack on journalism. If he is extradited to the US for publishing inconvenient truths about the wars in Iraq and Afghanistan, then it will set a precedent, and any British journalist or publisher could also be extradited in the future."

Because of physical distancing requirements, only a few seats have been made available to the media and other observers, including NGOs and MEPs, in a separate courtroom in the Old Bailey. They will watch proceedings on a screen.

The case is being heard by the district judge Vanessa Baraitser, who normally sits at Westminster magistrates court and regularly hears extradition cases.

Among the lawyers representing Assange are Edward Fitzgerald QC and Jennifer Robinson of Doughty Street Chambers as well as Gareth Peirce of the law firm Birnberg Peirce.

Fitzgerald raised concerns at a preliminary hearing about problems communicating with his client. At one hearing, he said: "We've had great difficulties in getting into Belmarsh to take instructions from Mr Assange and to discuss the evidence with him ... We simply cannot get in as we require to see Mr Assange and to take his instruction."

Numerous human rights organisations and freedom of speech groups have condemned the US extradition request. Amnesty International has said Assange is at risk of "serious human rights violations including possible detention conditions that would amount to torture and other ill-treatment" in the US. The espionage charges, it adds, "could have a chilling effect on the right to freedom of expression, leading journalists to self-censor from fear of prosecution".

The UN's special rapporteur on torture, Prof Nils Melzer, who has visited him in Belmarsh, has said Assange is showing all the symptoms associated with prolonged exposure to psychological torture and should not be extradited to the US.

Claims that Assange was illegally monitored while he stayed in the Ecuadorian embassy in London and that sensitive information was passed to the CIA are likely to feature at the hearing. A Spanish court has heard allegations that while Assange was in the embassy, his conversations were recorded and his computer data downloaded; the information was then allegedly sold to US intelligence agencies.

Any decision made by the district judge is likely to go to appeal at a higher court.

<https://www.theguardian.com/media/2020/sep/07/julian-assange-due-court-latest-stage-fight-against-us-extradition>

'This is Not Normal': Human Rights, Press Freedom Advocates Denied Remote Access to Assange Hearing

The WikiLeaks founder, who exposed U.S. war crimes, faces up to 175 years in prison if the U.K. agrees to extradite Assange.

Lisa Newcomb
Common Dreams
September 7, 2020

Human rights and press freedom advocates cried foul early Monday morning after they were denied remote access to WikiLeaks founder Julian Assange's extradition hearing taking place in the United Kingdom.

"This is not normal," said Marie Struthers, director of the Eastern Europe and Central Asia Regional Office of Amnesty Eastern Europe & Central Asia, in a video interview outside the court proceedings.

Struthers said the human rights group was "shocked to find out that our court observer has been denied access to the court online... we conduct trial monitoring all over the world, week in, week out."

"Amnesty is almost always granted access to monitor court cases around the world," Struthers added. "For our legal observer to find out this morning that he has not been granted even remote access to the Assange proceedings is an outrage."

Amnesty had previously been granted remote access but was notified Monday morning, Struthers said, that the access was revoked because the group did not submit a required letter to the judge presiding over the trial.

She said they submitted the letter Monday morning, and that she "fully expects" they will be granted access going forward.

Meanwhile, critics — including NSA whistleblower Edward Snowden—condemned the U.S. effort to extradite Assange as a clear and present attack on press freedoms.



Edward Snowden ✓
@Snowden



The extradition of Julian Assange is a malicious prosecution by any standard. Even critics of the man ought to condemn this as a show trial. The "crime" in question is the greatest public service @Wikileaks ever performed: exposing Iraq-era abuses.

Drop the charges. #FreeAssange



Stefan Simanowitz ✓ @StefSimanowitz

Replying to @StefSimanowitz

16/. "This is not normal. @amnesty is almost always granted access to monitor court cases around the world. For our legal observer to find out this morning that he has not been granted even REMOTE access to the #Assange proceedings is an outrage." @amnesty's @struthers_marie



Glenn Greenwald ✓
@ggreenwald



The greatest threat to press freedom since 2016 -- the ongoing attempt by DOJ to extradite Assange in connection with publishing documents -- is underway in the UK, and US journalists who spent 4 years flamboyantly depicting themselves as free press warriors are largely silent:

PEN Norway was also reportedly denied access to the Monday morning proceedings.

According to *Shadowproof's* Kevin Gosztola, who covered the trial from inside the courtroom:

"Assange is accused of 17 counts of violating the Espionage Act and one count of violating a computer crime law that, as alleged in the indictment, is also an Espionage Act offense.

"The trial portion of Assange's extradition hearing in London began on September 7 at the Old Bailey Courthouse. It is expected to unfold over the next three to four weeks."

As of this writing, Judge Vanessa Baraitser rejected a request by Assange's lawyers to delay his extradition hearing until next year to give his lawyers more time to respond to U.S. allegations that he conspired with hackers to obtain classified information.

Asked at one point by the prosecution if he was "prepared to consent to be extradited," Assange reportedly answered: "No."

<https://www.commondreams.org/news/2020/09/07/not-normal-human-rights-press-freedom-advocates-denied-remote-access-assange-hearing>

Court rejects request to exclude '11th hour' US evidence against WikiLeaks founder Julian Assange

Lawyers for Julian Assange say the US has introduced an 11th hour indictment against the WikiLeaks founder that provides additional grounds for his extradition

*Bill Goodwin
Computer Weekly
7 Sept. 2020*

The US government has left Julian Assange with insufficient time to prepare a legal defence after serving a new indictment "without warning" only weeks before his extradition hearing, lawyers for the WikiLeaks founder said today.

Edward Fitzgerald QC, acting for Assange, said it would be extraordinary for the court to hear the new allegations within weeks of the US announcing new allegations against his client.

The barrister said it had only become clear in the past two weeks that the US had effectively introduced new charges in a superseding indictment issued on 29 July.

He was speaking on the first day of a hearing at the Old Bailey in London, which is scheduled to run for at least three weeks.

Assange attended the hearing in person, wearing a navy-blue suit, shirt and tie, and sporting a smart haircut. The 49-year-old confirmed his name and age to the judge.

The court heard that Assange had been arrested and served with a superseding indictment by the US.

Fitzgerald said new material in the US's third indictment was not simply background material, but was being put forward to the court as the basis of standalone criminality.

"It is now being said that even if the court rejects the charges against him, [Assange can be extradited] on the basis of the new material alone," he said.

The court heard that it would be extraordinary in normal circumstances to consider the additional material in the indictment, but even more extraordinary when Assange has been in custody and had restricted access to his lawyers.

There are chapters of allegations that are not remotely criminal, and issues around many of the other allegations raised by the US, said Fitzgerald.

Hacking conspiracy

Evidence submitted by the US accuses Assange of conspiring with named computer hackers to obtain information for WikiLeaks.

The latest indictment raises questions around the role of an FBI informant, known as Hector Xavier Monsegur or "Sabu", and how he came to be cooperating with the FBI.

The indictment fails to disclose that members of the hacking group LulzSec, known as Topiary and Kalya, were tried for hacking offences in Southwark Crown Court a decade ago, said Fitzgerald.

Another alleged hacker referred to in the US evidence was given a maximum sentence, before being later summoned before a grand jury investigating Assange.

There are also questions around an individual known as Teenager, who was convicted in Iceland of fraud and theft, along with impersonation of Assange.

The US previously counselled caution in dealing with him. "Now apparently that caution has gone," said Fitzgerald. "It was thought they were using Teenager to frame Assange."

Many of the new claims against Assange relate to computer intrusion, which has a limitation of eight years. The majority of these are out of time.

"They are bolstered by what you might think of as 'make weight' allegations designed to bring all of this back within the limitation period," said Fitzgerald.

The barrister said it would be unfair on Assange, who has been in custody in a maximum security prison since April 2019, to delay the proceedings.

He said that the only fair way of dealing with the new material was to excise it from the court proceedings, adding that there had been no explanation from the US and no apology for the late introduction of new material.

Nuclear options

“We have an explanation. We think the US saw the weakness of their own case,” said Fitzgerald.

He said that if the US was right in saying, “Ha ha, we are doing it and there is nothing you can do about it”, the court had two nuclear options: “You can say, if you are going to smuggle that into charge two we are not going to consider charge two. The other would be to adjourn.”

Judge Vanessa Baraitser said she had previously offered the defence the opportunity to adjourn the case to address the inducement. “I appreciate that Mr Assange was in custody and that was not attractive,” she said.

But the defence had decided against it.

Baraitser declined to excise the new US material from the case. She said if it was to be argued that parts of the US extradition request be excluded, that should be done while considering the extradition request.

Defence requests adjournment

Mark Summers QC, also representing Assange, later told the court that the defence would have to apply for the proceedings to be adjourned to give time to gather evidence to deal with the fresh allegations.

“It is not an application we make lightly,” he said, given that Assange is already being held in prison. “We are not in a position to gather evidence and respond to a case that has only emerged in the last few weeks.”

Summers said it had been difficult for his lawyers to communicate with Assange, who is in HM Prison Belmarsh.

The only way Assange can receive documents is if they are posted to Belmarsh. He has still not seen the revised opening note and the documents that accompany it, which make the issues of the new indictment “pellucidly clear”.

Fitzgerald told the judge that Assange had been able to make short phone calls from a payphone at the prison. “Everyone strains to hear him,” he said. “He can’t hear us and we can’t hear him. He was having to take information from us on detailed and complex documents.”

James Lewis, representing the US government, said the defence had already had two months. He said it was difficult to see how the defence would be “affected one jot” by the expansion of point two of the indictment into computer hacking.

“We are here, we are ready to go. It is a matter of making sure the hearing is fair, but you are the arbitrator of that,” he told the judge. If the hearing was delayed, he said, “we will just be served with a slay of further material that has no bearing on point two”.

The judge refused the application. “The defence have had ample time to return to court and seek to apply to adjourn the case,” she said.

Long list of allegations

The WikiLeaks founder faces 17 charges under the 1917 Espionage Act after WikiLeaks published a series of leaks from Chelsea Manning, a former US Army soldier turned whistleblower, in 2010-11.

The 49-year-old faces a further charge of conspiracy to commit computer intrusion. The charges, filed in an indictment by the Eastern District of Virginia, carry a maximum sentence of 175 years.

Assange is wanted in the US for allegedly conspiring with army intelligence analyst Chelsea Manning to expose military secrets between January and May 2010.

A US grand jury has indicted him on 18 charges — 17 of which fall under the Espionage Act — including conspiracy to receive, obtain and disclose classified diplomatic and military documents.

He has been held on remand at the maximum security jail since April 2019 and has missed several recent hearings because of “respiratory problems”.

Assange was granted political asylum in the Ecuadorian Embassy in London in 2012 to avoid onward extradition to the US from Sweden for sexual offence allegations dating back to 2010, which he has always denied.

In November, Swedish authorities dropped the rape allegations, but he was jailed for 50 weeks last April after breaching his bail conditions when the asylum period granted to him expired.

<https://www.computerweekly.com/news/252488691/Court-rejects-request-to-exclude-11th-hour-US-evidence-against-WikiLeaks-founder-Julian-Assange>

'We Have Witnessed the Gradual Killing of Julian Assange', Says WikiLeaks Founder's Father

'The people who defend Julian and WikiLeaks include one hundred thousand people around the world who are constantly working to achieve Julian's freedom.'

Denis Rogatyuk
The Wire
7 Sept. 2020

John Shipton has been at the forefront of defending his son, Julian Assange, from political persecution, false charges, harassment and slander by political figures, the corporate media and the US government.

He shares with his thoughts and feelings about the struggle to bring his son home.

Denis Rogatyuk: The struggle to bring Julian home has been a monumental challenge since his unjust conviction, but it has certainly become much more difficult since his expulsion from the Ecuadorian Embassy in March 2019. What are the main actions you and the campaign have undertaken since then?

John Shipton: Julian is a historical artefact. Never has a journalist, editor or publication faced an onslaught of this intensity. He was hit by the United Kingdom, Sweden, the United States and Australia, with all the forces they could muster.

They violated every human rights law and due process by trying to send Julian to the United States and destroying him [as a human being]. We have witnessed the gradual killing of Julian through psychological torture, relentless disruption of proceedings, and due process right before our eyes. This is what we are fighting against.

During the last hearing, Judge Baraitser asked Julian to prove that he was unwell because he did not appear on the video. This demonstrates a process that we witnessed over and over again, which is blaming the victim. In the case of Australia, they say they have offered consular assistance, which consists of offering last week's newspaper and seeing if you are still alive and that is about the extent of it. DFAT maintains they have made 100 offers [in consular assistance]. Well, this is a profound testimony to failure.

It has now been eleven years. Julian has been arbitrarily detained for eleven years.

The UN Working Group on Arbitrary Detention stated that Julian was arbitrarily detained and that he should be compensated and released immediately. The last report was in February 2018. It is now 2020 and Julian remains in Belmarsh maximum security prison under 24-hour lockdown.

DR: How would you describe the relationship between the current campaign for his release and the Wikileaks organisation?

JS: WikiLeaks continues its work and maintains the most extraordinary library of American diplomacy since 1970. It is an extraordinary artefact for any journalist or historian, any one of us can search for the names of those who have been involved in U.S. diplomacy in their own countries or with the United States. This is a great resource which continues to be maintained.

WikiLeaks released another set of files, so WikiLeaks continues its work. The people who defend Julian and WikiLeaks include one hundred thousand people around the world who are constantly working to achieve Julian's freedom and stop this oppression of the free press, of publishing, of editors and journalists. We are constantly working to do that. There are about 80 websites around the world that publish and agitate for Julian's freedom and about 86 Facebook pages dedicated to Julian. So there are many of us and the increase in support will continue until the Australian and UK governments recognize that this is the crime, Julian's oppression is the great crime of the 21st century.

DR: The latest accusation against Julian is regarding the alleged conspiracy with unidentified "anonymous" hackers, which appears to be another attempt to expedite his extradition. Do you think this is a symptom of desperation on the part of the Justice Department?

JS: No, I don't (...) People who work at the Justice Department get paid whether they succeed or not, if Julian is extradited they get paid, if he is not extradited they still get paid. They still go home, have a glass of wine, take the kids to the movies and then come to work the next day and think of another instrument of torture for Julian. This is their job.

The Justice Department would like to see the trial delayed until after the US elections. So, the court's lawyers will appeal the fact that they have not had time and try to get the judge to change the hearing date. That is what I imagine. But I don't think it's an act of desperation at all.

If anything, they are giving those of us who defend Julian more to worry about, so that our energies are not singularly focused on getting Julian out, while the

conversation turns to this new charge and who is included in it. It is Siggie and Sabu who are not credible witnesses. Siggie is a famous sex offender or con man who stole \$50,000 from Wikileaks, etc. There are no credible witnesses [to these allegations]. I guess it's to delay the hearing or to make the conversation go away from what's important.

DR: A lot has been researched and published about Julian's life and early days as a hacker in the 1990s. I would like to discuss the aspects of his life that have given him the resilience and strength to resist the challenges he faces now. Julian is incredibly committed to telling the truth in his interviews, is very articulate and very careful to communicate and choose the exact words to describe things. Is this something your family taught him or is it something special about Julian?

JS: You know it's a gift that I would like to have myself. So I don't know where it came from. I guess you'd have to ask the gods.

Julian is his own man entirely and the path he has forged is different and clearly his own. I admire him and am proud of him for his ability to adapt and his ability to continue to fight despite eleven years of relentless psychological torture, which doesn't come without cost.

However, we believe that we will prevail and Julian will be able to come home to Australia, and maybe live in Mullumbimby for a little bit, or in Melbourne; he used to live here down the corner.

DR: Julian displayed incredible physical and mental resilience over the past 9 years, particularly in the nearly 8 years he spent in the Ecuadorian Embassy and last year in Belmarsh Prison. Where do you think this strength comes from: his moral and political convictions or something he developed in his early life in Australia?

JS: I think it's another gift he has. That he will continue to fight for what he believes in. And if there are elements of truth in what he is fighting for, well, then he never gives up. It's an aspect of character.

I don't mind a fight myself, but I am invigorated by fighting for Julian and each insult or offense against Julian increases my determination to prevail and the determination of Julian's supporters to prevail. Each insult increases our strength. As when the second lot of indictments were brought down the week before last, his supporters around the world raised their voices in disbelief and began to raise awareness of Julian's situation. So it's really interesting, the Department of Justice might think one thing causes us to fracture, but what actually happens is that the upwelling of support continues unabated.

DR: John, I wish to ask you a personal question. How does it feel to be the father of a man like Julian, to see his son go through all this hardship and slander, and continue to travel and fight for his liberation all over the world?

JS: Well, some of it is hard to believe, what people say about Julian. Like those American politicians saying they'll shoot him, the UC Global employees in Spain who were supposed to look after the security of the Ecuadorian embassy who speculated on how to poison Julian at the behest of the CIA, the Mossad or Sheldon Adelson.

You know, I ignore it, I don't take the slightest notice of it. I'm surprised that people put their energies into calling Julian names and they've never met him. They've never seen him and yet some people find the time and energy to write scurrilous things.

I am very surprised that people put their energies into that kind of thing but I don't count the cost even for a minute. I do what I'm doing here with you today, I do what comes before me and then I move on to the next thing, but I never count costs.

DR: Ever since the extradition hearings began, the US government, particularly Trump, Mike Pence, and Mike Pompeo, have been doubling down on their attacks against Julian and WikiLeaks. Pompeo even called it "a non-state hostile intelligence service often abetted by state actors like Russia." The US establishment appears to be dead set against them, and both major parties are playing along. So what do you think ought to be the strategy of activists and journalists in the US to challenge this?

JS: Well, first of all, Mike Pompeo is a failed Secretary of State, a failed CIA director, who declared war on WikiLeaks to get CIA support for his future ambitions to run for president.

The secretary of state is an important position. However, Mike Pompeo doesn't strike me as being a historically significant personality. The US establishment must fall in line with what the CIA wants and thinks.

In that address on April 23, 2017, Pompeo wanted to get to all his workers to support him in his bid for the presidency and also to intimidate journalists, editors and publications around the world. His sole aim is to ruin your capacity to bring ideas and information to the public, and our ability as members of the public to talk to each other and sort things out by talking to each other about what we should do and how we should live life. They just want to have it their way, declare war on anyone, kill another million people, destroy Yemen, destroy Libya, destroy Iraq, destroy Afghanistan, destroy Syria, the list goes on. Millions of refugees are flooding the world and moving to Europe.

The Maghreb in turmoil. The Levant in turmoil. Palestinians killed. This is their objective. So, for us, we depend on you to give us accurate information so that we can have fair opinions about how the world is moving around us. What Pompeo wants is for what he says to be believed.

You can see their story, they say there may be as many as five million people since 1991 who died as a result of the United States and its allies invading Iraq in an illegal war. You can watch *Collateral Murder* and you can see a good samaritan dragging a wounded man to his car to take him to the hospital, driving his children to school. Murdered before your eyes. The helicopter pilots asked for instructions so they could shoot a wounded man: two children and two good samaritans. However, we depend on you, journalists, publishers, publications, to bring us the crimes committed by the government, so that we have the energy to place our shoulders to preventing these murders with all the determination and energy we can muster to prevent the murder and destruction of an entire country.

If I may remind you, in Melbourne a million people marched against the war in Iraq. I think a total of 10 million people in the world. We don't want war. They lie to us to have wars, for whatever satisfaction. Who would want to see and hear the lamentation of the widows, the screams of the children. It is monstrous. And so we need the information to say no.

DR: The new Cold War between the United States (and the EU) on the one hand and China (and Russia) on the other threatens to pull the ordinary people of the world into another confrontation on behalf of the political and economic elites among these countries. From your experience of seeking international support for Julian, what are the best ways of forging solidarity across borders?

JS: I think the best way is to talk to your friends and discuss these things to become aware outside of what the mass media wants us to see and hear.

So, just face-to-face conversations and then conversations on social networks are sufficient. In the last two weeks Facebook, YouTube and Twitter as platforms removed certain discussion topics and certain channels. They are being removed because we are succeeding, not because nobody is watching them.

The Sochi World Cup was a great example of this, a fabulous success. Everybody who went to Russia came back full of admiration for Russia and Russian hospitality. Well, this is what is needed, just ordinary people getting to know each other and discussing important issues, without depending on CNN or anyone else talking about how they should feel about this or that topic. Just talk to friends, talk to groups of people, talk, exchange ideas, exchange where to get good information and things will change. I have an unwavering belief in the capacity and goodness of humanity in general, and I am proved right every time because ten million people marched against the war in Iraq, but a few hundred manipulated nations to destroy Iraq. Ordinary people don't want war. We want to be able to talk to our friends and take care of our families.

DR: The COVID-19 pandemic has not only revealed the inadequacies of the neoliberal economic order, but also its growing instability and desperation to sustain itself. This is also true of the prominent right-wing governments of the United States, Brazil and Bolivia that seek to silence journalists and reports regarding the mismanagement of the pandemic. We are seeing independent journalism under attack around the world, through censorship, intimidation, threats and assassinations. What should be the best way of fighting back against them?

JS: These governments can't even look after their own populations, let alone order the world in a decent way. And their ambitions are to order the world while they can't even look after the people of Seattle (...) Of course they oppress journalists. Of course they oppress publications. Of course they remove the warrants to allow you to broadcast on a certain spectrum. The platforms are eliminated because we continue to understand and expose their criminal shortcomings.

In fact, they actually consider the phrase herd immunity to be something scientific, they actually contemplate allowing hundreds of thousands of elderly people to die.

You don't get older and get better, you get older and you get a little sicker. The very contemplation of removing the steadying part of a society alters people's stability — the young are full of vigour and the old full of caution, this is a fair balance in society — allowing them to die, for whatever reason we cannot discern. It no longer costs money to care for one section of society. You don't lose anything from it, in fact you gain access to the experience and judgment of the older section of your society. So it's incomprehensible, like neoliberalism itself, nobody understands why we've got it, but it's there.

<https://thewire.in/rights/julian-assange-wikileaks-john-shipton-father-interview>

John Pilger: The Stalinist Trial of Julian Assange

Consortium News
September 7, 2020

The extradition hearing beginning this week is the final act of an Anglo-American campaign to bury Julian Assange. It is not due process. It is due revenge, said John Pilger in a speech Monday outside the court building.

Having reported the long, epic ordeal of Julian Assange, John Pilger gave this address outside the Central Criminal Court in London on Sept. 7 as the WikiLeaks Editor's extradition hearing entered its final stage.

* * *

When I first met Julian Assange more than ten years ago, I asked him why he had started WikiLeaks. He replied: “Transparency and accountability are moral issues that must be the essence of public life and journalism.”

I had never heard a publisher or an editor invoke morality in this way. Assange believes that journalists are the agents of people, not power: that we, the people, have a right to know about the darkest secrets of those who claim to act in our name.

If the powerful lie to us, we have the right to know. If they say one thing in private and the opposite in public, we have the right to know. If they conspire against us, as Bush and Blair did over Iraq, then pretend to be democrats, we have the right to know.

It is this morality of purpose that so threatens the collusion of powers that want to plunge much of the world into war and wants to bury Julian alive in Trump’s fascist America.

In 2008, a top secret U.S. State Department report described in detail how the United States would combat this new moral threat. A secretly-directed personal smear campaign against Julian Assange would lead to “exposure [and] criminal prosecution”.

The aim was to silence and criminalize WikiLeaks and its founder. Page after page revealed a coming war on a single human being and on the very principle of freedom of speech and freedom of thought, and democracy.

The imperial shock troops would be those who called themselves journalists: the big hitters of the so-called mainstream, especially the “liberals” who mark and patrol the perimeters of dissent.

‘Due Revenge’

And that is what happened. I have been a reporter for more than 50 years and I have never known a smear campaign like it: the fabricated character assassination of a man who refused to join the club: who believed journalism was a service to the public, never to those above.

Assange shamed his persecutors. He produced scoop after scoop. He exposed the fraudulence of wars promoted by the media and the homicidal nature of America’s wars, the corruption of dictators, the evils of Guantanamo.

He forced us in the West to look in the mirror. He exposed the official truth-tellers in the media as collaborators: those I would call Vichy journalists. None of these imposters believed Assange when he warned that his life was in danger: that the “sex scandal” in Sweden was a set up and an American hellhole was the ultimate destination. And he was right, and repeatedly right.

The extradition hearing in London beginning this week is the final act of an Anglo-American campaign to bury Julian Assange. It is not due process. It is due revenge. The American indictment is clearly rigged, a demonstrable sham. So far, the hearings have been reminiscent of their Stalinist equivalents during the Cold War.

Today, the land that gave us Magna Carta, Great Britain, is distinguished by the abandonment of its own sovereignty in allowing a malign foreign power to manipulate justice and by the vicious psychological torture of Julian — a form of torture, as Nils Melzer, the UN expert has pointed out, that was refined by the Nazis because it was most effective in breaking its victims.

Cowardice in Canberra

Every time I have visited Assange in Belmarsh prison, I have seen the effects of this torture. When I last saw him, he had lost more than 10 kilos in weight; his arms had no muscle. Incredibly, his wicked sense of humor was intact.

As for Assange's homeland, Australia has displayed only a cringing cowardice as its government has secretly conspired against its own citizen who ought to be celebrated as a national hero. Not for nothing did George W. Bush anoint the Australian prime minister his "deputy sheriff."

It is said that whatever happens to Julian Assange in the next three weeks will diminish if not destroy freedom of the press in the West. But which press? The Guardian? The BBC, The New York Times, the Jeff Bezos Washington Post?

No, the journalists in these organizations can breathe freely. The Judases on The Guardian who flirted with Julian, exploited his landmark work, made their pile then betrayed him, have nothing to fear. They are safe because they are needed.

Freedom of the press now rests with the honorable few: the exceptions, the dissidents on the internet who belong to no club, who are neither rich nor laden with Pulitzers, but produce fine, disobedient, moral journalism — those like Julian Assange.

Meanwhile, it is our responsibility to stand by a true journalist whose sheer courage ought to be inspiration to all of us who still believe that freedom is possible. I salute him.

John Pilger is an Australian-British journalist and filmmaker based in London. Pilger's Web site is: www.johnpilger.com. In 2017, the British Library announced a John Pilger Archive of all his written and filmed work. The British Film Institute includes his 1979 film, "Year Zero: the Silent Death of Cambodia," among the 10 most important documentaries of the 20th century.

<https://consortiumnews.com/2020/09/07/john-pilger-the-stalinist-trial-of-julian-assange/>

Your Man in the Public Gallery: Assange Hearing, Day 6

Craig Murray
September 8, 2020

I went to the Old Bailey today (Monday) expecting to be awed by the majesty of the law, and left revolted by the sordid administration of injustice.

There is a romance which attaches to the Old Bailey. The name of course means fortified enclosure and it occupies a millennia-old footprint on the edge of London's ancient city wall. It is the site of the medieval Newgate Prison, and formal trials have taken place at the Old Bailey for at least 500 years, numbering in the hundreds of thousands. For the majority of that time, those convicted even of minor offences of theft were taken out and executed in the alleyway outside. It is believed that hundreds, perhaps thousands, lie buried under the pavements.

The hefty Gothic architecture of the current grand building dates back no further than 1905, and round the back and sides of that is wrapped some horrible cheap utility building from the 1930s. It was through a tunnelled entrance into this portion that five of us, Julian's nominated family and friends, made our nervous way this morning.

We were shown to Court 10 up many stairs that seemed like the back entrance to a particularly unloved works canteen. Tiles were chipped, walls were filthy and flakes of paint hung down from crumbling ceilings. Only the security cameras watching us were new — so new, in fact, that little piles of plaster and brick dust lay under each.

Court 10

Court 10 appeared to be a fairly bright and open modern box, with pleasant light woodwork, jammed as a mezzanine inside a great vault of the old building. A massive arch intruded incongruously into the space and was obviously damp, sheets of delaminating white paint drooping down from it like flags of forlorn surrender.

The dock in which Julian would be held still had a bulletproof glass screen in front, like Belmarsh, but it was not boxed in. There was no top to the screen, no low ceiling, so sound could flow freely over and Julian seemed much more in the court. It also had many more and wider slits than the notorious Belmarsh Box, and Julian was able to communicate quite readily and freely through them with his lawyers, which this time he was not prevented from doing.

Rather to our surprise, nobody else was allowed into the public gallery of Court 10 but us five. Others like John Pilger and Kristin Hrafnsson, editor in chief of Wikileaks, were shunted into the adjacent Court 9 where a very small number were permitted to squint at a tiny screen, on which the sound was so inaudible that John Pilger simply left.

Many others who had expected to attend, such as Amnesty International and Reporters Without Borders, were simply excluded, as were MPs from the German federal parliament (both the German MPs and Reporters Without Borders at least later got access to the inadequate video following strong representations from the German embassy).

The reason given that only five of us were allowed in the public gallery of some 40 seats was social distancing; except we were allowed to all sit together in consecutive seats in the front row. The two rows behind us remained completely empty.

To finish scene setting, Julian himself looked tidy and well groomed and dressed, and appeared to have regained a little lost weight, but with a definite unhealthy puffiness about his features. In the morning he appeared disengaged and disoriented rather as he had at Belmarsh, but in the afternoon he perked up and was very much engaged with his defence team, interacting as normally as could be expected in these circumstances.

Proceedings started with formalities related to Julian's release on the old extradition warrant and re-arrest under the new warrant, which had taken place this morning. Defence and prosecution both agreed that the points they had already argued on the ban on extradition for political offences were not affected by the superseding indictment.

Magistrate Baraitser then made a statement about access to the court by remote hearing, by which she meant online. She stated that a number of access details had been sent out by mistake by the court without her agreement. She had therefore revoked their access permissions.

As she spoke, we in the court had no idea what had happened, but outside some commotion was underway in that the online access of Amnesty International, of Reporters without Borders, and of 40 others had been shut down. As these people were neither permitted to attend the court nor observe online, this was causing some consternation.

Baraitser went on to say that it was important that the hearing was public, but she should only agree to remote access where it was “in the interests of justice,” and having considered it she had decided it was not. She explained this by stating that the public could normally observe from within the courtroom, where she could control their behaviour. But if they had remote access, she could not control their behaviour and this was not in the “interests of justice.”

Baraitser did not expand on what uncontrolled behaviour she anticipated from those viewing via the internet. It is certainly true that an observer from Amnesty sitting at home might be in their underwear, might be humming the complete soundtrack to *Mamma Mia*, or might fart loudly. Precisely why this would damage “the interests of justice” we are still left to ponder, with no further help from the magistrate. But evidently the interests of justice were, in her view, best served if almost nobody could examine the “justice” too closely.

The next “housekeeping issue” to be addressed was how witnesses should be heard. The defence had called numerous witnesses, and each had lodged a written statement. The prosecution and Baraitser both suggested that, having given their evidence in writing, there was no need for defence witnesses to give that evidence orally in open court. It would be much quicker to go straight to cross-examination by the prosecution.

For the defence, Edward Fitzgerald QC countered that justice should be seen to be done by the public. The public should be able to hear the defence evidence before hearing the cross-examination. It would also enable Julian Assange to hear the evidence summarised, which was important for him to follow the case given his lack of extended access to legal papers while in Belmarsh prison.

No Need for Oral

Baraitser stated there could not be any need for evidence submitted to her in writing to be repeated orally. For the defence, Mark Summers QC was not prepared to drop it and tension notably rose in the court. Summers stated it was normal practice for there to be “an orderly and rational exposition of the evidence.” For the prosecution, James Lewis QC denied this, saying it was not normal procedure.

Baraitser stated she could not see why witnesses should be scheduled for an hour and 45 minutes each, which was too long. Lewis agreed. He added that the prosecution does not accept that the defence’s expert witnesses are expert witnesses. A professor of journalism telling about newspaper coverage did not count. An expert witness should only be giving evidence on a technical point the court was otherwise unqualified to consider. Lewis also objected that in giving evidence orally, defence witnesses might state new facts to which the Crown had not had time to react. Baraitser noted that the written defence statements were published online, so they were available to the public.

Edward Fitzgerald QC stood up to speak again, and Baraitser addressed him in a quite extraordinary tone of contempt. What she said exactly was: “I have given you every opportunity. Is there anything else, really, that you want to say,” the word “really” being very heavily emphasized and sarcastic.

Fitzgerald refused to be sat down, and he stated that the current case featured “substantial and novel issues going to fundamental questions of human rights.” It was important the evidence was given in public. It also gave the witnesses a chance to emphasise the key points of their evidence and where they placed most weight.

Baraitser called a brief recess while she considered judgement on this issue, and then returned. She found against the defence witnesses giving their evidence in open court, but accepted that each witness should be allowed up to half an hour of being led by the defence lawyers, to enable them to orient themselves and reacquaint with their evidence before cross-examination.

This half hour for each witness represented something of a compromise, in that at least the basic evidence of each defence witness would be heard by the court and the public (insofar as the public was allowed to hear anything).

But the idea that a standard half hour guillotine is sensible for all witnesses, whether they are testifying to a single fact or to developments over years, is plainly absurd. What came over most strongly from this question was the desire of both judge and prosecution to railroad through the extradition with as little of the case against it getting a public airing as possible.

As the judge adjourned for a short break we thought these questions had now been addressed and the rest of the day would be calmer. We could not have been more wrong.

Superseding Evidence

The court resumed with a new defence application, led by Mark Summers QC, about the new charges from the U.S. government's new superseding indictment. Summers took the court back over the history of this extradition hearing. The first indictment had been drawn up in March of 2018. In January 2019 a provisional request for extradition had been made, which had been implemented in April of 2019 on Assange's removal from the Ecuadorian embassy.

In June 2019 this was replaced by the full request with a new, second indictment which had been the basis of these proceedings before today. A whole series of hearings had taken place on the basis of that second indictment.

The new superseding indictment dated from June 20, 2020. In February and May 2020 the U.S. government had allowed hearings to go ahead on the basis of the second indictment, giving no warning, even though they must by that stage have known the new superseding indictment was coming. They had given neither explanation nor apology for this.

The defence had not been properly informed of the superseding indictment, and indeed had learnt of its existence only through a U.S. government press release on June 20. It had not finally been officially served in these proceedings until July 29, just six weeks ago.

At first, it had not been clear how the superseding indictment would affect the charges, as the U.S. government was briefing it made no difference but just gave additional detail. But on Aug. 21, 2020, not before, it finally became clear in new U.S. government submissions that the charges themselves had been changed.

There were now new charges that were standalone and did not depend on the earlier allegations. Even if the 18 charges related to Chelsea Manning were rejected, these new allegations could still form grounds for extradition. These new allegations included encouraging the stealing of data from a bank and from the government of Iceland, passing information on tracking police vehicles, and hacking the computers both of individuals and of a security company.

"How much of this newly alleged material is criminal is anybody's guess," stated Summers, going on to explain that it was not at all clear that an Australian giving

advice from outside Iceland to someone in Iceland on how to crack a code, was actually criminal if it occurred in the U.K. This was even without considering the test of dual criminality in the U.S. also, which had to be passed before the conduct was subject to extradition.

It was unthinkable that allegations of this magnitude would be the subject of a Part 2 extradition hearing within six weeks if they were submitted as a new case. Plainly that did not give the defence time to prepare, or to line up witnesses to these new charges. Among the issues relating to these new charges the defence would wish to address, were that some were not criminal, some were out of time limitation, some had already been charged in other fora (including Southwark Crown Court and courts in the USA).

The Teenager

There were also important questions to be asked about the origins of some of these charges and the dubious nature of the witnesses. In particular the witness identified as “teenager” was the same person identified as “Iceland 1” in the previous indictment.

That indictment had contained a “health warning” over this witness given by the U.S. Department of Justice. This new indictment removed that warning. But the fact was, this witness is Sigurdur Thordarson, who had been convicted in Iceland in relation to these events of fraud, theft, stealing WikiLeaks money and material and impersonating Julian Assange.

The indictment did not state that the FBI had been “kicked out of Iceland for trying to use Thordarson to frame Assange,” stated Summers baldly.

Summers said all these matters should be ventilated in these hearings if the new charges were to be heard, but the defence simply did not have time to prepare its answers or its witnesses in the brief six weeks it had since receiving them, even setting aside the extreme problems of contact with Assange in the conditions in which he was being held in Belmarsh prison.

The defence would plainly need time to prepare answers to these new charges, but it would plainly be unfair to keep Assange in jail for the months that would take. The defence therefore suggested that these new charges should be excised from the conduct to be considered by the court, and they should go ahead with the evidence on criminal behaviour confined to what conduct had previously been alleged.

Summers argued it was “entirely unfair” to add what were in law new and separate criminal allegations, at short notice and “entirely without warning and not giving the defence time to respond to it. What is happening here is abnormal, unfair and liable to create real injustice if allowed to continue.”

The arguments submitted by the prosecution now rested on these brand new allegations. For example, the prosecution now countered the arguments on the rights of whistleblowers and the necessity of revealing war crimes by stating that there can have been no such necessity to hack into a bank in Iceland.

Summers concluded that the “case should be confined to that conduct which the American government had seen fit to allege in the 18 months of the case” before their second new indictment.

Replying to Summers for the prosecution, Joel Smith QC replied that the judge was obliged by the statute to consider the new charges and could not excise them. “If there is nothing proper about the restitution of a new extradition request after a failed

request, there is nothing improper in a superseding indictment before the first request had failed.” Under the Extradition Act the court must decide only if the offence is an extraditable offence and the conduct alleged meets the dual criminality test. The court has no other role and no jurisdiction to excise part of the request.

Smith stated that all the authorities (precedents) were of charges being excised from a case to allow extradition to go ahead on the basis of the remaining sound charges, and those charges which had been excised were only on the basis of double jeopardy. There was no example of charges being excised to prevent an extradition. And the decision to excise charges had only ever been taken after the conduct alleged had been examined by the court. There was no example of alleged conduct not being considered by the court. The defendant could seek extra time if needed but the new allegations must be examined.

Summers replied that Smith was “wrong, wrong, wrong, and wrong.” “We are not saying that you can never submit a new indictment, but you cannot do it six weeks before the substantive hearing.” The impact of what Smith had said amounted to no more than “Ha ha this is what we are doing and you can’t stop us.” A substantive last-minute change had been made with no explanation and no apology. It could not be the case, as Smith alleged, that a power existed to excise charges in fairness to the prosecution, but no power existed to excise charges in fairness to the defence.

Excise Denied

Immediately after Summers sat down, Baraitser gave her judgement on this point. As so often in this hearing, it was a pre-written judgement. She read it from a laptop she had brought into the courtroom with her, and she had made no alterations to that document as Summers and Smith had argued the case in front of her.

Baraitser stated that she had been asked as a preliminary move to excise from the case certain conduct alleged. Summers had described the receipt of new allegations as extraordinary. However “I offered the defence the opportunity to adjourn the case” to give them time to prepare against the new allegations. “I considered of course that Mr. Assange was in custody. I hear that Mr. Summers believes this is fundamental unfairness.” But “the argument that we haven’t got the time, should be remedied by asking for the time.”

Summers had raised issues of dual criminality and abuse of process; there was nothing preventing him for raising these arguments in the context of considering the request as now presented.

Baraitser simply ignored the argument that while there was indeed “nothing to prevent” the defence from answering the new allegations as each was considered, they had been given no time adequately to prepare. Having read out her prepared judgement to proceed on the basis of the new superseding indictment, Baraitser adjourned the court for lunch.

At the end of the day I had the opportunity to speak to an extremely distinguished and well-known lawyer on the subject of Baraitser bringing pre-written judgements into court, prepared before she had heard the lawyers argue the case before her. I understood she already had seen the outline written arguments, but surely this was wrong. What was the point in the lawyers arguing for hours if the judgement was pre-written? What I really wanted to know was how far this was normal practice.

The lawyer replied to me that it absolutely was not normal practice, it was totally outrageous. In a long and distinguished career, this lawyer had very occasionally seen

it done, even in the High Court, but there was always some effort to disguise the fact, perhaps by inserting some reference to points made orally in the courtroom. Baraitser was just blatant. The question was, of course, whether it was her own pre-written judgement she was reading out, or something she had been given from on high.

This was a pretty shocking morning. The guillotining of defence witnesses to hustle the case through, indeed the attempt to ensure their evidence was not spoken in court except those parts which the prosecution saw fit to attack in cross-examination, had been breathtaking. The effort by the defence to excise the last-minute superseding indictment had been a fundamental point disposed of summarily.

Yet again, Baraitser's demeanour and very language made little attempt to disguise a hostility to the defence.

We were for the second time in the day in a break thinking that events must now calm down and get less dramatic. Again we were wrong.

Court resumed 40 minutes late after lunch as various procedural wrangles were addressed behind closed doors. As the court resumed, Mark Summers for the defence stood up with a bombshell.

Summers said that the defence "recognised" the judgement Baraitser had just made -- a very careful choice of word, as opposed to "respected" which might seem more natural. As she had ruled that the remedy to lack of time was more time, the defence was applying for an adjournment to enable them to prepare the answers to the new charges. They did not do this lightly, as Mr. Assange would continue in prison in very difficult conditions during the adjournment.

Summers said the defence was simply not in a position to gather the evidence to respond to the new charges in a few short weeks, a situation made even worse by Covid restrictions. It was true that on Aug. 14 Baraitser had offered an adjournment and on Aug. 21 they had refused the offer. But in that period of time, Assange had not had access to the new charges and they had not fully realised the extent to which these were a standalone new case. To this date, Assange had still not received the new prosecution Opening Note in prison, which was a crucial document in setting out the significance of the new charges.

Baraitser pointedly asked whether the defence could speak to Assange in prison by telephone. Summers replied yes, but these were extremely short conversations. They could not phone Assange; he could only call out very briefly on the prison payphone to somebody's mobile, and the rest of the team would have to try to gather round to listen. It was not possible in these very brief discussions adequately to expound complex material. Between Aug. 14 and 21 they had been able to have only two such very short phone calls. The defence could only send documents to Assange through the post to the prison; he was not always given them, or allowed to keep them.

Baraitser asked how long an adjournment was being requested. Summers replied until January.

For the U.S. government, Mark Lewis QC replied that more scrutiny was needed of this request. The new matters in the indictment were purely criminal. They do not affect the arguments about the political nature of the case, or affect most of the witnesses. If more time were granted, "with the history of this case, we will just be presented with a sleigh of other material which will have no bearing on the small expansion of count 2."

Baraitser adjourned the court “for 10 minutes” while she went out to consider her judgement. In fact she took much longer. When she returned she looked peculiarly strained.

Adjournment Denied

Baraitser ruled that on Aug. 14 she had given the defence the opportunity to apply for an adjournment, and given them seven days to decide. On Aug. 21 the defence had replied they did not want an adjournment. They had not replied that they had insufficient time to consider. Even today the defence had not applied to adjourn but rather had applied to excise charges. They “cannot have been surprised by my decision” against that application. Therefore they must have been prepared to proceed with the hearing. Their objections were not based on new circumstance. The conditions of Assange in Belmarsh had not changed since Aug. 21. They had therefore missed their chance and the motion to adjourn was refused.

The courtroom atmosphere was now highly charged. Having in the morning refused to cut out the superseding indictment on the grounds that the remedy for lack of time should be more time, Baraitser was now refusing to give more time. The defence had called her bluff; the state had apparently been confident that the effective solitary confinement in Belmarsh was so terrible that Assange would not request more time. I rather suspect that Julian was himself bluffing, and made the call at lunchtime to request more time in the full expectation that it would be refused, and the rank hypocrisy of the proceedings exposed.

I previously blogged about how the procedural trickery of the superseding indictment being used to replace the failing second indictment — as Smith said for the prosecution “before it failed” — was something that sickened the soul. Today in the courtroom you could smell the sulphur.

Well, yet again we were left with the feeling that matters must now get less exciting. This time we were right and they became instead excruciatingly banal.

We finally moved on to the first witness, Professor Mark Feldstein, giving evidence to the court by video-link from the USA. It was not Professor Feldstein’s fault the day finished in confused anti-climax. The court was unable to make the video technology work. For 10 broken minutes out of about 40 Feldstein was briefly able to give evidence, and even this was completely unsatisfactory as he and Mark Summers were repeatedly speaking over each other on the link.

Feldstein’s evidence will resume tomorrow (now in fact today) and I think rather than split it I shall give the full account then. Meantime you can see these excellent summaries from Kevin Gosztola or the morning and afternoon reports from James Doleman. In fact, I should be grateful if you did, so you can see that I am neither inventing nor exaggerating the facts of these startling events.

If you asked me to sum up today in a word, that word would undoubtedly be “railroaded.” It was all about pushing through the hearing as quickly as possible and with as little public exposure as possible to what is happening. Access denied, adjournment denied, exposition of defence evidence denied, removal of superseding indictment charges denied.

The prosecution was plainly failing in that week back in Woolwich in February, which seems like an age ago. It has now been given a new boost.

How the defence will deal with the new charges we shall see. It seems impossible that they can do this without calling new witnesses to address the new facts. But the

witness lists had already been finalised on the basis of the old charges. That the defence should be forced to proceed with the wrong witnesses seems crazy, but frankly, I am well past being surprised by anything in this fake process.



Edward Snowden ✓
@Snowden

Read this and tell me that the show trial of Assange doesn't read like something from Kafka. The judge permits the charges to be changed so frequently the defense doesn't even know what they are, the most basic demands are denied, no one can hear what the defendant says—a farce.

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<https://www.craigmurray.org.uk/archives/2020/09/your-man-in-the-public-gallery-the-assange-hearing-day-6/>

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LETTER FROM LONDON: The Surreal US Case Against Assange

The fox is guarding the henhouse and Washington is prosecuting a publisher for exposing its own war crimes. Alexander Mercouris diagnoses the incoherence of the U.S. case for extradition.

Alexander Mercouris
Consortium News
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Following the Julian Assange case as it has progressed through its various stages, from the original Swedish allegations right up to and including the extradition hearing which is currently underway in the Central Criminal Court in London, has been a troubling and very strange experience.

The U.S. government has failed to present a coherent case. Conscious that the British authorities should in theory refuse to extradite Assange if the case against him were shown to be politically motivated and/or related to Assange's legitimate work as a journalist, the U.S. government has struggled to present a case against Assange which is not too obviously politically motivated or related to Assange's legitimate work as a journalist.

This explains the strange succession of one original and two superseding indictments.

The U.S. government's first indictment was based on what was a supposedly simple allegation of computer interference, supposedly coordinated in some sort of conspiracy between Assange and Chelsea Manning.

This was obviously done in an attempt to dispel the idea that the request for Assange's extradition was politically motivated or was related to Assange's legitimate work as a journalist.

However lawyers in the United States had no difficulty pointing out the “inchoate facts” of the alleged conspiracy between Assange and Manning, whilst both lawyers and journalists in the United States and elsewhere pointed out that the facts in the indictment in fact bore all the hallmarks of action by a journalist to protect a source.

The result was that the U.S. government replaced its indictment with a first superseding indictment, which this time was founded largely on the 1917 Espionage Act, and was therefore closer to the real reasons why the case against Assange was being brought.

However, that made the case look altogether too obviously politically motivated, so it has in turn been replaced by a second superseding indictment, presented to the court and the defence team virtually on the eve of the trial, which has sought to veer back towards strictly criminal allegations, this time of involvement in computer hacking.

More Problems for Another Indictment

The allegations in the second superseding indictment have however faced major difficulties, in that they do not seem to concern the United States and may not even be actual crimes. Also they rely heavily on the evidence of a known fraudster, whose “evidence” is inherently unreliable.

The U.S. government has failed to make clear whether the additional allegations in the second superseding indictment are intended to constitute a separate standalone case. Initially they appeared to deny that they did; then they hinted that they might do; now however they seem to be acting as if they don’t.

As if that were not confusing enough, the U.S. government and its British lawyers have floated confusing and contradictory theories about whether or not the British authorities can extradite Assange even if the case against him is politically motivated, and even if it is related to his journalistic activities.

Initially they seemed to be arguing that — contrary to all British precedent and the actual text of the extradition treaty between the U.S. and Britain — Britain can in fact extradite Assange to the U.S. on a politically motivated charge, because the enabling Act which the British Parliament passed, which made the extradition treaty between the U.S. and Britain a part of British law, is silent on whether or not individuals can be extradited to the U.S. on a politically motivated charge.

This argument of course came close to conceding that the case against Assange is politically motivated after all.

This threadbare argument, at least for the moment, seems to have been abandoned. At least nothing has been heard of it throughout the current hearing. Instead the U.S. government and its British lawyers have argued, in the face of the incredulity of a string of expert and factual witnesses, that the case is not politically motivated after all.

The same inconsistencies have beset the U.S. government’s arguments as to whether or not Assange is being charged under the Espionage Act for activities related to his work as a journalist.

Initially the U.S. government’s position was that he was not. This was based on some theory — never satisfactorily explained or articulated — that Assange in some way is not a journalist, even though he is charged with doing things that journalists do.

Faced by a barrage of expert witnesses who pointed out that the charges brought against Assange under the Espionage Act do in fact relate to work journalists do, the U.S. government midway through the hearing reversed course.

Now it says that the charges against Assange not only do relate to his work as a journalist, but that they can be brought against any journalist who does the things Assange is being charged with having done. The U.S. government has even argued that The New York Times would have been successfully prosecuted under the Espionage Act for publishing the Pentagon Papers, because that was an action essentially identical to the ones for which Assange is being charged.

The implications for journalists of this astonishing reversal are truly shocking. It is staggering that in the media it has attracted no attention.

Trouble with Witnesses

The U.S. government has shown the same lack of coherence in its response to the defence's impressive lineup of expert witnesses.

The conventional way of responding to an expert is to call another expert to state a contrary view. On the critical issues of U.S. law, especially the protections provided to journalists by the First Amendment to the Constitution, as well as on the politics in the U.S. behind the Assange prosecution, the U.S. government has however done no such thing. Presumably it has found it difficult or impossible to find experts who can be relied upon credibly to state a contrary view.

Instead, armed only with affidavits from U.S. Justice Department officials, who are of course not impartial experts at all, but who are part of the U.S. government's legal team, the U.S. government's British lawyers have been left to argue that the defence's experts are not really experts at all — an impossible argument to make convincingly in my opinion — and to debate with the experts points of U.S. politics and U.S. law — including difficult points of U.S. constitutional and case law — about which the experts are by definition far more knowledgeable than the British lawyers.

The result, inevitably, has been a series of humiliations, as the lawyers have been repeatedly caught out by the experts making basic errors of fact and interpretation about the points which they have sought to argue.

Unsurprisingly, the lawyers have attempted to make up for this by trying to intimidate and denigrate the experts, in a way that has only highlighted their own lack of expertise in the relevant areas by comparison with that of the experts.

Given the collapse into incoherence of the U.S. government's case, it is unsurprising that the U.S. government's British lawyers are now reportedly trying to persuade the Judge against hearing closing arguments.

the constant shifts and reversals in the U.S. government's position, preparing and presenting a closing argument to the court which would be internally consistent and credible must be fast becoming a nightmare. If closing arguments do take place, as I still expect, it will be interesting to see which of the many conflicting arguments and theories they have made the U.S. government's lawyers finally run with.

On its face the U.S. government's case ought to be close to collapse. There was even a point in the hearing where one of the U.S. government's British lawyers apparently admitted to the judge that the reason for the second superseding indictment was that the first superseding indictment was "failing."

If so, then given that the charges being prosecuted against Assange are still basically those set out in the first superseding indictment, the case against Assange ought to be dismissed, and the U.S. government's request for his extradition ought to be refused.

The Underlying Truth

It remains to be seen whether that is what actually happens. However, that brings me to the single most important fact, and the underlying truth, about this extraordinary case.

It is very easy when following the intricacies of such a complex legal process to lose sight of what this case is really about.

Ultimately the U.S. government is not pursuing Julian Assange because he helped Chelsea Manning take certain steps with a computer to conceal her identity, or because he had some historic contacts with hackers, or because he became involved in some activities in Iceland, which caused him to fall foul of a fraudster (and FBI informant).

Nor is it because Assange received and published classified material. In the U.S. the receipt and publication by the news media of classified material has grown to almost industrial levels.

It is because Assange, to a greater extent than any other journalist since the end of the war in Vietnam, has exposed the darkest and most terrible secrets of the U.S. government.

The case against Assange has its origin in the calamitous "War on Terror" launched by the Bush administration in the immediate aftermath of the 9/11 attacks.

That "war" provided the cover for a series of violent military aggressions, primarily in the Middle East, by the U.S. and its closest allies, first and foremost Britain but also including other countries such as Saudi Arabia and France.

The result has been a series of wars in a succession of Middle East countries — Afghanistan, Iraq, Libya, Syria and Yemen— fought by the U.S. and its allies and proxies, which have caused the devastation of whole societies, and the death and dispersal of millions.

In the process the U.S. has become drawn increasingly into practices which it once condemned, or at least said it condemned. These include the "extrajudicial killing" (i.e. murder) of people — who have included children and U.S. citizens — by drone strikes, a practice which has now become routine; the kidnapping of individuals and their detention without trial in places like Guantanamo, a practice which despite unconvincing protestations that "extraordinary rendition" no longer happens almost certainly continues; and the practice of torture, at one time referred to as "enhanced interrogation techniques," which almost certainly still continues, and indeed appears to have become normalized.

All of this activity straightforwardly violates international (and domestic U.S.) law, including war crimes law and human rights law, and does so moreover in fundamental ways.

It also requires, in order to implement the policies that result in these unlawful acts, in the creation of a vast and ultimately unaccountable national security apparatus of a sort that is ultimately incompatible with a democratic society. Inevitably its activities, which have become routinely unlawful, are becoming unlawful within the territory of the United States, as well as outside it.

This manifests itself in all sorts of ways, for example through the vast, indiscriminate and illegal bulk-surveillance program exposed by the whistleblower Edward Snowden, and by the systemic FISA surveillance abuse exposed over the course of the Russiagate “scandal.”

The extent to which the very existence of the national security apparatus, required to implement various U.S. illegal activities and to achieve its foreign policy goals, has become incompatible with a democratic society, is shown by one of the most alarming of recent developments, both in Britain and in the United States.

This is the growing complicity of much of the media in concealing its illegal activities. Obviously without that complicity these activities would be impossible, as would the serial violations of international law, including war crimes law and human rights, which the United States and some of its allies now routinely engage in.

All this explains the extreme reaction to Julian Assange, and the determined attempts to destroy him, and to pulp his reputation.

Julian Assange and his organization WikiLeaks, have done those things which the U.S. government and its national security apparatus most fear, and have worked hardest to prevent, by exposing the terrible reality of much of what the U.S. government now routinely does, and is determined to conceal, and what much of the media is helping the U.S. government to conceal.

Thus in a series of astonishing revelations Julian Assange and WikiLeaks have exposed in the so-called embassy cables the extraordinarily manipulative conduct of U.S. foreign policy; in the Vault 7 disclosures the instruments the CIA uses in order to — as U.S. Secretary of State Mike Pompeo has said, “lie” and “cheat” — and, most disturbingly, in collaboration with Chelsea Manning, the rampant war crimes and egregious human rights abuses carried out by the U.S. military during the illegal war and occupation of Iraq.

This is an extraordinary record for a journalist, and for an organization, WikiLeaks, which was only set up in 2006.

Not surprisingly, the result has been that the pursuit of Assange by the U.S. government has been relentless, whilst the media, much of which has been complicit in covering up its crimes, has preferred to look the other way.

Hence, the Surreal Quality

It is this underlying reality which gives the whole case currently unfolding in London’s Central Criminal Court its surreal quality.

That the true purpose of the U.S. government’s relentless pursuit of Assange is to prevent him from exposing more of its crimes, and to punish him for exposing those of its crimes which he did expose, if only so as to deter others from doing the same thing, is perfectly obvious to any unbiased and realistic observer. However, the hearing in London is being conducted as if this were not the case.

Thus, the extraordinary zigzags in the U.S. government’s rationale for bringing the case, as it cannot admit the true reason why the case has been actually brought. Thus, also the U.S. government’s strenuous efforts throughout the hearing to prevent evidence being produced of its crimes which Assange exposed.

The U.S. government has strenuously opposed all attempts to introduce as evidence the appalling “Collateral Murder” video, which shows the deliberate murder of civilians in Iraq by members of the U.S. military. It has also strenuously opposed the introduction of evidence from a defence witness about his own torture. This despite the fact that in both cases the fact of the U.S. crimes is scarcely disputed, and has in fact been all but admitted.

The result is the paradoxical and bizarre situation whereby the U.S. authorities try to cobble together a case against Assange based on a confusing medley of discordant and conflicting claims and facts, whilst failing to prosecute or hold to account those who were responsible for the very serious crimes which he has exposed.

In fact, as the U.S. government’s case has unraveled, the argument has become increasingly confined to the discrete issue of whether — by exposing the U.S. government’s crimes — Assange “irresponsibly” put the safety of various U.S. government informants at risk.

As it happens the evidence is clearly that he did not. Over the course of the hearing the court has heard of Assange’s many and serious attempts to conceal the identities of these informants, and of the reckless and even possibly malicious actions of certain others, who actually exposed them.

The court has also been told of the absence of any evidence that any one of these informants has in fact been harmed by any disclosure by WikiLeaks or Assange. Moreover, an expert witness has argued convincingly that the disclosure by a journalist of the identities of such informants would not under U.S. law be a crime anyway.

In response the U.S. government’s lawyers have relied heavily, not on the evidence of any actual witness, but on passages in a book by two *Guardian* journalists who are known to be hostile to Assange, and who — by publishing a password — seem to have done more to compromise the identities of the informants than Assange ever did.

Neither of these journalists has been called to give evidence on oath about the contents of their book. Doing so would, of course, have exposed them to cross-examination by the defence about the truth of the book’s contents. Given the weight the U.S. government is apparently placing on the book, I find it astonishing that they were not called.

The surreal quality of the U.S. government’s treatment of this issue is shown by the fact that when an actual witness — the German journalist John Goetz — did in fact come forward and offer to give evidence on oath about a specific allegation in the book — refuting an allegation in the book that Assange supposedly made comments at a dinner, which Goetz attended, that showed a reckless disregard for the safety of the informants — the U.S. government’s lawyers strenuously objected, and were able to get the judge to exclude this evidence.

However, it is the staggering disproportion between the scale of the crimes Assange has exposed, and the crimes of which he is accused — if they are even crimes, and of which he anyway appears to be innocent — which for me stands out.

Assange and WikiLeaks have exposed rampant war crimes and human rights abuses over the course of illegal wars waged by the U.S. government and its allies. The death toll from these wars runs at the very least into the tens of thousands, and more plausibly into the hundreds of thousands or even millions.

By contrast over the course of the entire hearing no evidence whatsoever has been produced that as a result of any of Assange's actions anyone has come to any actual physical harm.

Yet it is Assange who is in the dock, facing demands for his extradition to the United States, where a 175-year sentence may await him, whilst the persons responsible for the colossal crimes he has exposed, not only walk free, but are amongst those who are trying to jail him.

The point was made forcefully during the hearing by one of the defence's most powerful witnesses, Daniel Ellsberg.

It was also made forcefully to Consortium News by one of its readers, who has correctly pointed out that the crimes which Assange exposed were clearly defined as war crimes by the Nuremberg Tribunal, whose decisions are universally accepted as forming the bedrock of international war crimes law.

The Nuremberg Tribunal moreover made it clear that there is not only a positive duty to refuse to participate in such crimes, even when ordered to do so, but that no sanctions should ever been imposed for exposing such crimes when they occur.

In other words, it is Assange and his sources, first and foremost Chelsea Manning, who are the defenders of international law, including the Nuremberg Principles, and including in the case which is currently underway, whilst it is those who persecute them, including by bringing the current case against Assange, who are international law's violators.

This is the single most important fact about this case, and it explains everything about it.

Assange and Manning have paid an enormous price for their defence of international law, and for the principles of basic human decency and humanity.

Manning was recently held in long spells of solitary detention, and has had her savings confiscated by the U.S. authorities, for no reason other than that she has refused to testify against Assange.

Assange has been subjected to what various UN agencies have characterized as long periods of arbitrary detention and psychological torture.

He continues to be denied bail, despite his known health problems, and is separated from his family.

He continues to have difficulties consulting privately with his lawyers, and has been exposed to the indignity — qualified in other cases by the European Court for Human Rights as a human rights violation — of being kept inside court rooms confined to a glass box or cage.

John Pilger has described vividly and in great detail, including to Consortium News, the inhuman conditions to which Assange is daily exposed. That these amount to human rights violations ought not to require discussion or explanation.

International Conventions

That these human rights violations breach a host of international conventions to which Britain is a signatory, including against torture and arbitrary detention, in respect of the right to a fair trial, in respect of the right to privacy and dignity of the person, and of the right to a family life, also ought not to require discussion or explanation.

Recently there has been an outcry in Britain because legislation the British government is proposing, which would allow it to modify unilaterally the terms of the Withdrawal Agreement it agreed last year with the European Union, breaches international law.

Without in any way disputing the importance of this issue, which may have important consequences for peace in Ireland, I find the angry protestations of some British journalists and politicians, that Britain never violates international law, frankly unreal.

If they want examples of Britain violating international law they need look no further than the facts of Assange's case. They might also benefit from looking at what has been said over the course of the ongoing hearing in the Central Criminal Court.

Despite all the difficulties, there is however no reason to give up hope.

The extraordinary zigzags the U.S. government has been forced to make as it tries and fails to put a coherent and convincing case against Julian Assange together, show that the law, for all its many flaws, remains an important defence.

I am aware of the many criticisms which have been made of Vanessa Baraitser, the judge who is hearing Assange's case. I don't disagree with any of them.

However, I do get the impression that Baraitser's patience has been sorely tried by the U.S. government's repeated and dizzying changes of position. I also get the impression that she was particularly annoyed when the U.S. government, on the virtual eve of the hearing, presented to the court and the defence its second superseding indictment, which in effect made a nonsense of the first.

That may explain why the U.S. government's British lawyers have largely conducted the case as if the second superseding indictment did not exist, basing their arguments mostly on what the first superseding indictment says, though perhaps unsurprisingly, and to the bafflement of the experts, they are now increasingly making arguments which have no basis in any indictment.

Moreover, and perhaps more importantly, Baraitser has rejected the U.S. government's various attempts to exclude en masse the evidence of defence witnesses, even if she has imposed a 30-minute guillotine on their examination in chief (direct examination) by defence lawyers.

In summary, and in my opinion, there is still a chance, however small, that Baraitser will decide the case in Assange's favour.

If she does not do so, then I would have thought, based on what has happened over the course of the hearing, that Assange will have good prospects on appeal.

More encouraging than what has been happening inside the court, where the outcome remains very much in doubt, and where the prospects must be considered problematic to say the least, is what has been happening outside.

My wife, who attended one of the hearings last week, saw placards held up by some of Assange's supporters outside the court, which called on road users to honk their horns in support of Assange. To her delighted astonishment, despite the media blackout which surrounds the case, and despite the long campaign of character assassination to which Assange has been subjected, an extraordinarily high proportion of road users (more than a quarter) did so.

That reinforces my sense that the tide of opinion, at least in Britain, is shifting. The battle is far from over, and can still be won.

Alexander Mercouris is a political commentator and editor of The Duran.

<https://consortiumnews.com/2020/09/28/letter-from-london-the-surreal-us-case-against-assange/>

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