

The British Government's War on Assange and Media Freedom

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For nearly 10 years now, the British government has waged a war on Julian Assange, founder of Wikileaks. It has used every hard and soft power tool in its arsenal: the judiciary, government, international treaties, the media, diplomatic power and even the deprivation of health care. For his role in exposing US [war crimes](#) and [corruption](#), an outraged US establishment has conspired to silence Assange, constructing [charges](#) against him and demanding his extradition. Meanwhile, the British government has tactically used vast state resources to serve Washington, all the while following the agenda of extradition and persecution. By doing this, the government, along with much of the political class, has shown its complicity in what is recognised as a war not just on Assange, but on journalists, publishers and whistle blowers, and even more crucially – a war on [freedom of the press and free speech](#).

In the course of this war, the British government has violated multiple human rights laws.

Comments regarding the use of law in Assange's case have been provided to 21st Century Wire in correspondence by former UN rapporteur to Venezuela and Ecuador, Alfred De Zayas, who visited Assange in the Ecuadorian embassy in London in 2015.

Government lawyers destroying the law

De Zayas describes the actions of the British and Swedish authorities towards Assange as:

“.. contrary to the rule of law and contrary to the spirit of the law.”

From the outset De Zayas has warned that the use of the law against Assange has been politically driven:

“...it is more than evident that the charges in Sweden were trumped-up. This in itself is an additional violation of domestic and international law.”

The investigation into [sexual allegations](#) made against Assange was initially quickly dropped. It was then picked up again by lawyers who later applied the law in such a way that trapped Assange and secured a pocket of opportunity for his extradition to the US. The inaction of the Swedish prosecutors over several years gives further credence that the investigation has been used [as a vehicle to achieve extradition](#).

The warrant for extradition was issued despite Assange receiving permission to travel to the

UK from Sweden where the allegations were made, and where he had offered to meet with the prosecutors. It is also well-known that Assange jumped bail to seek asylum in the Ecuadorian embassy in London in 2012 to avoid being extradited to Sweden, known for its [compliance](#) with US dictates. If eventually extradited to the US, Assange feared persecution by an outraged government whose war crimes and corruption he exposed.

Former Stockholm chief district prosecutor, Sven-Erik Alhem, described the steps to extradite Assange as:

“... unreasonable and unprofessional, as well as unfair and disproportionate.”

He has stated the Swedish government had no legitimate reason to extradite Assange as he could simply have been questioned in the UK, which Assange [offered repeatedly](#).

Emails acquired through freedom of information requests to the UK and Swedish authorities, collected by journalists, show that the UK Crown Prosecution Service (CPS) wanted Assange extradited to Sweden and put off any investigation being carried out in the UK:

“My earlier advice remains, that in my view it would not be prudent for the Swedish authorities to try to interview the defendant in the UK.”

“Thus I suggest you interview him only on his surrender to Sweden and in accordance with Swedish law.”

- Paul Close, CPS lawyer

The pressure by the CPS on Swedish prosecutors not to question Assange in the embassy continued until 2016, during which time the investigation remained in preliminary stage:

“The reason that the requisite interview interrogation did not occur until late 2016 was, it transpires, on the advice of the CPS. Once the interview did occur, the proceedings were swiftly discontinued.”

- Gareth Peirce and Mark Summers, Assange Lawyers, Westminster Magistrates' Court

These are investigators who knew who the accused was, where the accused was, and for years failed to knock on the door. Instead, they chose the dead-end route to the investigation for all concerned, and left Assange with the threat of extradition to the US hanging over him, and with it the risk of persecution at the hands of the US. This looks like a strategic and politically-driven use of the law by the UK and Sweden. De Zayas has condemned the weaponizing of the law against Assange:

“Both violated article 2 of the Lisbon Treaty and should be denounced for allowing the administration of justice to be politicized and used as weapons against a journalist — thereby violating article 19 of the International Covenant on Civil and Political Rights...”

“I think that the collusion of government lawyers in what must be termed an Orwellian persecution of a journalist is shocking.”

Baltasar Garzon, the judge who [indicted Pinochet](#) and has defended Assange, has described the motive behind the persecution – Assange is a scapegoat. *Watch:*

Sexual allegations: a smokescreen for politicised use of the law

The stalling tactic also meant Assange would be attached to a sexual misconduct allegation over a long period of time, a platform for vilification which the British government exploited after the UN Working Group on Arbitrary Detention found Assange to be [arbitrarily detained](#) in 2015. ‘Human Rights’ Minister at the time, Dominic Raab clearly shows how the ‘fugitive from justice’ narrative has been used as a smokescreen to perpetuate state-sponsored persecution:

The ruling is factually upside down. It lacks moral clarity for the UN to suggest what they have about Mr Assange’s position given that he holed himself up in the Ecuadorian embassy, and he is facing a serious allegation of rape. Sweden is not some tin pot banana republic. It’s a country with a well-respected justice system. He can forget about compensation, and frankly many people here will think this kind of nonsense undermines the credibility of the UN, which is not what we want.

Because Assange could not clear his name without risking persecution, the British government used this to deflect from its violation of international law and falsely accused Assange of obstructing justice. However, it was not Assange obstructing justice but those applying the law: obstructing the investigation that might end the sexual allegations, obstructing any route for Assange to leave the embassy without threat to his life through extradition, *an erosion of the law*. All the while the government [squandering](#) many millions in public funds on surveillance outside of the Ecuadorian embassy in Belgravia.

The possibility of extradition to the US was kept going for years, while the British and Swedish governments stalled the investigation and kept a European arrest warrant live, waiting for an opportunity to extradite Assange. After the Swedish investigation was dropped in 2017 the British government continued squandering taxes on covert surveillance sitting in wait to ‘catch’ Assange. And now that he has been betrayed by the government of Ecuador which has provided such opportunity, the British government continues to drive the false narrative that Assange is a fugitive and must face justice:

“... it is absolutely right that Assange will face justice in the proper way in the UK.” – Alan Duncan

Note: Julian Assange was never charged with any sexual offense by Swedish authorities, rather he was only ever sought for questioning in an ongoing investigation by Swedish prosecutor’s office. To suggest that he was a ‘fugitive’ from justice would be patently false.

What [justice](#) is Duncan referring to? The only prosecutable crime under British law applicable to Assange on 11th April 2019 was skipping bail seven years ago, a charge De Zayas does not credit:

“The skipping bail charge is frivolous and does not deserve any respect by UK

courts.”

Duncan is not referring to British justice but deferring to US government for which the UK authorities have been operating since 2010, resulting in the erosion of law and a betrayal of British sovereignty.

Contrary to receiving justice, Assange is now facing continued violation of his human rights. The UK is failing to meet the conditions set by the UN Working Group on Arbitrary Detention under Articles 7, 9, 10 and 14 of the [International Covenant on Civil and Political Rights](#), summarised in a UN OHCHR [statement](#) as:

“The Working Group maintains that the arbitrary detention of Mr. Assange should be brought to an end, that his physical integrity and freedom of movement be respected, and that he should be entitled to an enforceable right to compensation.”

De Zayas explains that further more:

“... according to the principle “ubi ius, ibi remedium” -where there is law, there is a remedy — any violation of law requires reparation and rehabilitation. Thus both UK and Sweden are still obliged to make reparation which could easily be by releasing him immediately. Reparation need not be only monetary. His rights were violated by the UK and the UK has the power to release him.”

Comments like Duncan’s are meant to suggest ‘good governance’; the rule of law is implemented to keep us safe so we can trust the government. But the [world is watching](#) Britain’s politicised use of its legal system, and pressure will now be put upon the British government to reject the US extradition request that would likely end in persecution for Assange.

The role of British diplomacy in the war on Assange

Alan Duncan, Minister for Europe and Americas, apparently spent [months](#) working out a deal with the [US and Ecuador](#) over Assange.

On 11th April Ecuador’s president, Lenin Moreno, stripped Assange of his [Ecuadorian citizenship](#) and asylum status, in violation of Ecuadorian [constitutional law](#) – Assange was granted citizenship in 2017. As pretexts for Assange’s ‘exit’ Moreno used [propaganda narratives](#) and smear campaigns. He then invited UK police into the embassy to arrest him. Assange was [denied due process](#) by the Ecuadorian government that was obligated under its own law to protect him. It is believed that Moreno was motivated by [2 essential events](#): hand over Assange or have a \$4 billion plus IMF loan vetoed by Washington, and revenge for the circulation by Wikileaks of [information](#) implicating him in a corruption scandal with offshore company INA.

Very welcome news to see that Assange is out of the Ecuador Embassy. My thanks to President [@Lenin](#) Moreno and his government for their cooperation and tireless diplomacy in making this happen.

— Sir Alan Duncan MP (@AlanDuncanMP) [April 11, 2019](#)

The role played by Alan Duncan in enabling Moreno to deliver Assange up for US extradition could be described as that of a 'middle man' in a sleazy deal, and yet, this is how British soft power seems to work. Duncan's use of diplomatic power has undermined international human rights. This is not new to Duncan, whose diplomatic office, like much of the British government, acts subservient to US political agenda. In 2011, he was involved with a 'White Hall' cell [engineering passage of oil](#) to [jihadists](#) in Libya when Britain joined the US and France in overthrowing Gaddafi. Moreover, he is on record as supporting the attempted coup by the far right Washington-backed 'interim president', Juan Guaido, against the democratically elected Maduro government of Venezuela. He also recently rejected a decision by the International Court of Justice that the UK must [end its administration of Chagos Arhipelago](#) so that it can be decolonized.

Based on these and other examples, it could be said that UK diplomacy, in the hands of people such as Duncan, is leading to chaos and the erosion of law, and most likely eventual diplomatic isolation for the UK in much the same way the current US administration has isolated itself. Duncan's plotting with unprincipled and corrupt leaders to subvert human rights mechanisms should be condemned:

As a political prisoner detained without charge for 8 years, in violation of 2 UN rulings, I suppose I must be "miserable"; yet nothing wrong with being a "little" person although I'm rather tall; and better a "worm", a healthy creature that invigorates the soil, than a snake.

— Defend Assange Campaign (@DefendAssange) [March 27, 2018](#)

Watch the following statement made on the floor of the House of Commons:

Any comments made by Duncan regarding '[no death penalty](#)' assurances on extradition to the US are more likely for PR purposes. Assange is protected under international law as de Zayas explains:

"Julian Assange cannot be extradited to the United States, because such an extradition would violate a jus cogens principle of international law – the rule of non-refoulement. Assange has the right to protection under the Geneva Refugee Convention and cannot be sent to any country where he would be subject to persecution, which is clearly what the US is doing."

Duncan's assurances are designed to appear as good governance, or the face of *civilisation*. This should not fool us: extraditing Assange with a guarantee of no death sentence still violates international law as the risk of persecution is very high, a principle also made clear by the UN special rapporteur on torture Nils Melzer:

"In my assessment, if Mr. Assange were to be expelled from the Embassy of Ecuador, he is likely to be arrested by British authorities and extradited to the United States...Such a response could expose him 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 cruel, inhuman or or degrading treatment or punishment."

Duncan's humanitarian concerns about the death sentence designed to gain public trust should not distract us from what is clearly a further attempt at politicising the law, this time through the [UK-US extradition treaty](#). The exploitation of such a mechanism by the British government is a further erosion of the law.

We must see that our courts are not subservient to the US, that our judges can respect decisions made by the United Nations regarding human rights, and that they can condemn politicised use of law by government. To date, the [rulings](#) against Assange by the British courts clearly indicate that extraterritoriality of US 'justice' is now here, or how else do we explain why British judges have enabled the government's war on Assange for nearly ten years. It appears this war is not just about press freedom, but integrity of our institutions which are supposed to promote democracy and civilisation. De Zayas warns:

"It is most regrettable when countries ostensibly committed to democracy, the rule of law, and human rights betray all of these values. It is shocking that the mainstream press allows it to happen. Unconscionable when civil society becomes complicit through its silence. The US, UK, Sweden and Ecuador have been on a rampage against the rule of law — and this also harms the credibility of international law.

We are witnessing a revolt against international standards by multiple countries — US, UK, Sweden, Ecuador."

Assange's body - a tool for persecution

Parallels could be drawn between the British government's policy towards Assange's health and the US economic violence towards Venezuela - imposing devastating restrictions while offering token aid - the carrot and the stick designed to wear down the target while at the same time securing public opinion by gesturing humanitarianism. But the ultimate goal is submission, while the strategy is blackmail.

If Assange had left the embassy to receive medical care he would not have made it to a doctor or hospital; he would have been arrested immediately. The situation was described in a 2015 [psycho-social medical report](#) detailing Assange's living conditions, the effects of the massive police surveillance on him (he was in effect '*under siege*'), incidents that occurred leaving him in a state of anxiety, and the long-term effects of arbitrary detention.

The weaponising of his deteriorating health is also [described](#) by Dr Sondra Crosby, a specialist in refugee health care, who assessed Assange in February this year. Crosby condemned the way physical and mental suffering has been inflicted by the British government that promised to arrest him should he leave the embassy for [treatment urgently needed](#). She believed this amounted to a violation of articles 1 and 16 of the 1984 Convention Against Torture and asked Michelle Bachelet, the United Nations High Commissioner for Human Rights to intervene.

De Zayas believes Bachelet's intervention is now essential:

"The UN High Commissioner for Human Rights, Michelle Bachelet, should speak out. But the silence is deafening. She should demand compliance with the 2016 judgement of the UN Working Group on Arbitrary Detention, the rehabilitation of Assange and immediate protection of his life and health."

The Dehumanisation of Assange through the British Media

Much has now been written on the [treatment](#) of Assange by British mainstream media. It has approached reporting on Assange the same way it has any of the British invasions and wars it has supported, circulating propaganda designed to inspire hatred and prejudice, manufacturing consent for violence and oppression.

We should loathe Assange for his [pride](#) , his [ingratitude and meddling](#), his [treachery](#), his [spying](#), his [skateboarding](#), how he treated his [cat](#). Following his arrest the BBC provided Moreno a platform to claim Assange '[smeared feces](#) on the embassy walls.' The ultimate dehumanization of Assange reduced to an animal or a lunatic. The purpose of this defamation campaign was to win our apathy so he can be quietly disposed of, as we we will agree to the erosion of the law and the criminalisation of journalism and whistle blowers, and the politicising of the courts in subservience to US 'justice'.

But we cannot agree to that. This war on Assange by the British government is really [a war on us all](#). It is an abuse of institutions, of both the spirit and the letter of the law, and of centuries civil rights achievements. The British government is behaving in a violent and authoritarian manner behind a mask of 'civilised rule of law' which must be exposed and rejected.

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