

The Imminent Extradition of Julian Assange and the Death of Journalism

Julian Assange's legal options have nearly run out. He could be extradited to the U.S. this week. Should he be convicted in the U.S., any reporting on the inner workings of power will become a crime.

By [Chris Hedges](#)

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High Court Judge Jonathan Swift — who previously worked for a variety of British government agencies as a [barrister](#) and [said](#) his favorite clients are “security and intelligence agencies” — [rejected](#) two applications by Julian Assange's lawyers to appeal his extradition last week. The extradition order was [signed](#) last June by Home Secretary Priti Patel. Julian's legal team have filed a final application for appeal, the last option available in the British courts. If accepted, the case could proceed to a public hearing in front of two new High Court judges. If rejected, Julian could be immediately extradited to the United States where he will stand trial for [18 counts of violating the Espionage Act](#), charges that could see him receive a 175-year sentence, as early as this week.

The only chance to block an extradition, if the final appeal is rejected, as I expect it will be, would come from the European Court of Human Rights ([ECtHR](#)). The [parliamentary arm](#) of the Council of Europe, which created the ECtHR, [along with](#) their Commissioner for Human Rights, oppose Julian's “detention, extradition and prosecution” because it represents “a dangerous precedent for journalists.” It is unclear if the British government would abide by the court's decision — even though it is obligated to do so — if it ruled against extradition, or if the U.K. would extradite Julian before an appeal to the European court can be heard. Julian, once shipped to the U.S., would be put on trial in the U.S. District Court for the Eastern District of Virginia where most espionage cases have [been won](#) by the U.S. government.

Judge Vanessa Baraitser at Westminster Magistrates' Court [refused](#) to authorize the U.S. government's extradition request in Jan. 2021 because of the severity of the conditions Julian would endure in the U.S. prison system.

“Faced with the conditions of near total isolation without the protective factors which limited his risk at [Her Majesty’s Prison] Belmarsh, I am satisfied the procedures described by the U.S. will not prevent Mr. Assange from finding a way to commit suicide,” said Baraitser when [handing down](#) her 132-page [ruling](#), “and for this reason I have decided extradition would be oppressive by reason of mental harm and I order his discharge.”

Baraitser’s decision was [overturned](#) after [an appeal](#) by U.S. authorities. The High Court [accepted](#) the conclusions of the lower court about increased risk of suicide and inhumane prison conditions. But it also accepted four [assurances](#) in U.S. Diplomatic Note no. 74, given to the court in Feb. 2021, which promised Julian would be well treated. The U.S. government claimed that its assurances “entirely answer the concerns which caused the judge [in the lower court] to discharge Mr. Assange.” The “assurances” state that Julian will not be subject to Special Administrative Measures ([SAMs](#)). They promise that Julian, an Australian citizen, can serve his sentence in Australia if the Australian government requests his extradition. They promise he will receive adequate clinical and psychological care. They promise that, pre-trial and post-trial, Julian will not be held in the Administrative Maximum Facility (ADX) in Florence, Colorado. No one is held pre-trial in ADX Florence. But it sounds reassuring. ADX Florence is not the only supermax prison in the U.S. Julian can be placed in one of our other Guantanamo-like facilities in a Communications Management Unit (CMU). CMUs are highly restrictive units that replicate the near total isolation imposed by SAMs.

None of these “assurances” are worth the paper they are written on. All come with [escape clauses](#). None are legally binding. Should Julian do “something subsequent to the offering of these assurances that meets the tests for the imposition of SAMs or designation to ADX” he will, the court [conceded](#), be subject to these harsher forms of control.

If Australia does not request a transfer it “cannot be a cause for criticism of the USA, or a reason for regarding the assurances as inadequate to meet the judge’s concerns,” the ruling read. And even if that were not the case, it would take Julian 10 to 15 years to appeal his sentence up to the U.S. Supreme Court, which would be more than enough time to destroy him psychologically and physically.

No doubt the plane waiting to take Julian to the U.S. will be well stocked with blindfolds, sedatives, shackles, enemas, diapers and jumpsuits used to facilitate “[extraordinary renditions](#)” [conducted](#) by the CIA.

The extradition of Julian will be the next step in the slow-motion execution of the publisher and founder of WikiLeaks and one of the most important journalists of our generation. It will ensure that Julian spends the rest of his life in a U.S. prison. It will create legal precedents that will criminalize any investigation into the inner workings of power, even by citizens from another country. It will be a body blow to our [anemic democracy](#), which is rapidly metamorphosing into [corporate totalitarianism](#).

I am as stunned by this full frontal assault on journalism as I am by the lack of public outrage, especially by the media. The very belated [call](#) from The New York Times, The Guardian, Le Monde, Der Spiegel and El País — all of whom published material provided by WikiLeaks — to drop the extradition charges is too little too late. All of the public protests I have attended in defense of Julian in the U.S. are sparsely attended. Our passivity makes us complicit in our own enslavement.

Julian's case, from the start, has been a judicial farce.

Former Ecuadorian President Lenin Moreno terminated Julian's rights of asylum as a political refugee, in violation of international law. He then authorized London Metropolitan Police to enter the Ecuadorian Embassy — diplomatically sanctioned sovereign territory — to arrest a naturalized citizen of Ecuador. Moreno's government, which revoked Julian's citizenship, was [granted](#) a [large loan](#) by the International Monetary Fund for its assistance. Donald Trump, by demanding Julian's extradition under the Espionage Act, criminalized journalism, in much the same way Woodrow Wilson did when he [shut down](#) socialist publications such as *The Masses*.

The hearings, some of which I [attended](#) in London and others of which I sat through online, mocked basic legal protocols. They included the decision to ignore the CIA's surveillance and recording of meetings between Julian and his attorneys during his time as a political refugee in the embassy, eviscerating attorney-client-privilege. This alone should have seen the case thrown out of court. They included validating the decision to charge Julian, although he is not a U.S. citizen, under the Espionage Act. They included Kafkaesque contortions to convince the courts that Julian is not a journalist. They ignored Article 4 of the [U.K.-U.S. extradition treaty](#) that prohibits extradition for political offenses. I watched as the prosecutor James Lewis, representing the U.S., gave legal directives to Judge Baraitser, who promptly adopted them as her legal decision.

The judicial lynching of Julian has far more in common with the dark days of [Lubyanka](#) than the ideals of British jurisprudence.

The debate over arcane legal nuances distracts us from the fact that Julian has not committed a crime in Britain, other than an old charge of breaching bail conditions when he sought asylum in the Ecuadorian Embassy. Normally this would entail a fine. He was instead sentenced to a year in Belmarsh prison and has been held there since April 2019.

The decision to seek Julian's extradition, [contemplated](#) by Barack Obama's administration, was pursued by the Trump administration following WikiLeaks' [publication](#) of the documents known as Vault 7, which [exposed](#) the CIA's cyberwarfare programs designed to monitor and take control of cars, smart TVs, web browsers and the operating systems of most smart phones, as well as Microsoft Windows, MacOS and Linux.

Julian, as I [noted](#) in a column filed from London last year, is targeted because of the Iraq War Logs, released in Oct. 2010, which document numerous U.S. war crimes, [including](#) images seen in the *Collateral Murder* video, of the gunning down of two Reuters journalists and 10 other civilians and severely injuring two children.

He is targeted because he made public the killing of nearly 700 civilians who had approached too closely to U.S. convoys and checkpoints, including [pregnant women](#), the blind and deaf, and [at least](#) 30 children

He is targeted because he [exposed](#) more than 15,000 unreported deaths of Iraqi civilians and the [torture and abuse](#) of some 800 men and boys, aged between 14 to 89, at Guantánamo Bay detention camp.

He is targeted because he [showed us](#) that Hillary Clinton in 2009 ordered U.S. diplomats to spy on U.N. Secretary General Ban Ki-moon and other U.N. representatives from China,

France, Russia, and the U.K., spying that included obtaining DNA, iris scans, fingerprints, and personal passwords, all part of the long pattern of illegal surveillance that included eavesdropping on U.N. Secretary General Kofi Annan in the weeks before the U.S.-led invasion of Iraq in 2003.

He is targeted because he [exposed](#) that Obama, Hillary Clinton and the CIA backed the June 2009 military coup in Honduras that [overthrew](#) the democratically-elected president Manuel Zelaya, replacing him with a murderous and corrupt military regime.

He is targeted because he [released](#) documents that revealed the United States secretly launched missile, bomb and drone attacks on Yemen, killing scores of civilians.

He is targeted because he [made public](#) the off-the-record talks Hillary Clinton gave to Goldman Sachs, talks for which she was paid \$657,000, a sum so large it can only be considered a bribe, as well as her [private](#) assurances to Wall Street that she would do their bidding while [promising](#) the public financial regulation and reform.

For revealing these truths alone he is guilty.

The U.S. court system is even more draconian than the British court system. It can use SAMs, anti-terrorism laws and the Espionage Act to block Julian from [speaking to the public](#), being released on bail, or seeing the “secret” evidence used to convict him.

The CIA was created to carry out assassinations, coups, torture, kidnapping, blackmail, character assassination and illegal spying. It has targeted U.S. citizens, in violation of its charter. These activities were exposed in 1975 by the Church Committee hearings in the Senate and the Pike Committee hearings in the House.

Working with [UC Global](#), the Spanish security firm in the embassy, [the CIA put](#) Julian under 24-hour video and digital surveillance. It discussed [kidnapping and assassinating](#) him while he was in the embassy, which [included](#) plans of a shoot-out on the streets with involvement by London Metropolitan Police. The U.S. [allocates](#) a secret black budget of \$52 billion a year to hide [multiple types](#) of clandestine projects carried out by the National Security Agency, the CIA, and other intelligence agencies, usually beyond the scrutiny of Congress. All these clandestine activities, especially after the attacks of 9/11, have massively expanded.

Senator Frank Church, after [examining](#) the heavily redacted CIA documents released to his committee, [defined](#) the CIA’s covert activity as “a semantic disguise for murder, coercion, blackmail, bribery, the spreading of lies.”

The CIA and intelligence agencies, along with the military, all of which operate without effective Congressional oversight, are the engines behind Julian’s extradition. Julian inflicted, by exposing their crimes and lies, a grievous wound. They demand vengeance. The control these forces seek abroad is the control they seek at home.

Julian may soon be imprisoned for life in the U.S. for journalism, but he won’t be the only one.

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Chris Hedges is a Pulitzer Prize-winning journalist who was a foreign correspondent for fifteen years for The New York Times, where he served as the Middle East Bureau Chief and Balkan Bureau Chief for the paper. He previously worked overseas for The Dallas Morning News, The Christian Science Monitor, and NPR. He is the host of show The Chris Hedges Report.

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