

No Fair Hearing for Assange at the Guardian

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At what point do we cry foul when we witness the abuse of a political dissident, one who dares to take on mighty vested interests?

When his own state, the local legal system and the media all turn on him? When he is forced to seek sanctuary in a foreign embassy for many years, surrounded by state security forces threatening to arrest him if he leaves? When the world's highest arbiter on the matter of his confinement, the United Nations Working Group on Arbitrary Detention, supports his case? When the state, legal authorities and the media ignore the ruling and continue to demand his arrest?

If this were China or Russia, at some point along this trajectory most of us would have been forced to concede that this was a clear case of political persecution; that the best he could hope for was a show trial; and that the local media were failing in their role as watchdogs on power.

But this is not China or Russia. This is the UK, the dissident is Julian Assange and it suddenly seems that the world's leading experts on arbitrary detention have no clue what they are talking about.

Today the UN panel on arbitrary detention ruled that Assange, who has spent more than three years confined to a tiny room in the Ecuadorean embassy in London, is being arbitrarily detained and that he should be allowed to walk free.

The panel comprises leading experts in international human rights law from around the world who have been studying his case since 2014. It is probably safe to assume they know much more about the details of the case than most journalists.

Assange was convicted by the British corporate media, including its supposedly liberal outfits, from the moment allegations of sexual offences in Sweden surfaced six years ago. August media outlets like the BBC, which carefully presume innocence in prosecutions of those accused of everyday crimes, repeatedly made grossly erroneous claims about Assange, including that he had been charged with rape when no charges have yet been laid. Assange is being investigated.

Even now, when the UN panel is on his side, it seems the British media are not about to stop.

What has been so infuriating about the coverage of Assange's case is that supposedly critical journalists have simply peddled allegations and arguments advanced by the

parties involved – the UK, Sweden, and the United States – without making even cursory efforts to check them.

Film-maker Alex Gibney, for example, spent many months putting together a cinema-released documentary on the Assange case that made such elementary mistakes that anyone who had spent even a little time watching the case unfold could pick apart basic flaws in Gibney's argument, as I did [here](#).

Although the UN panel has backed Assange, as it has other prominent dissidents such as Aung Sang Suu Kyi in Burma and opposition leader Anwar Ibrahim in Malaysia, Britain's most esteemed liberal mainstream newspaper, the Guardian, has barely paused for breath in continuing to pursue its campaign against him.

An [editorial today](#) dismisses the UN ruling as a "publicity stunt". It ignores the weight of the UN panel's decision, and yet again makes claims and assertions about the case that are patently false.

The core of its argument is this: Assange cannot have been arbitrarily detained because, by denying Swedish prosecutors the chance to interview him, he has blocked their efforts to advance the case. In other words, his detention is self-inflicted.

The Guardian puts it this way:

Since Mr Assange left Sweden in 2010 before he could be questioned and has resolutely refused to return, no such interview has taken place.

That short sentence contains two deceptions.

Assange was interviewed in Sweden when the allegations were initially made. And he was allowed to leave the country after the first prosecutor, Eva Finne, dismissed the case, saying: "I don't believe there is any reason to suspect that he has committed rape."

It is not even true that an interview cannot take place because Assange will not return to Sweden. Remember Assange has not returned because he is seeking asylum in Ecuador's embassy to prevent his extradition to Sweden and what he fears will be an onward extradition to the US, where he is likely to be tried for Wikileaks' activities, which have deeply embarrassed the White House.

It is quite possible for Marianne Ny, the Swedish prosecutor who revived the case after Finne dismissed it, to travel the short distance to London to interview him. It has happened before in much less high-profile cases. She knows where to find him, after all.

But despite Ny's aggressive pursuit of other angles to this case, she has dragged her feet for years over this simple and essential stage of her investigation to determine whether there is any substance to the claims against Assange.

Now judge for yourself the Guardian's seriousness in considering Assange's plight from this single sentence:

[Assange] was granted bail [in the UK] while he fought extradition to Sweden and he broke his bail conditions, at great expense to those friends and

supporters who had backed him financially, by fleeing to the Ecuadorian embassy.

Assange is claiming asylum from political persecution, and has been backed by the world's authority on the matter – the UN panel whose similar rulings in the the detentions of Aung Sang Suu Kyi in Burma and opposition leader Anwar Ibrahim in Malaysia have been enthusiastically supported by the Guardian.

Assange is not paranoid. A grand jury has been secretly arraigned in Virginia, the home of the CIA, that is dredging up long-discarded laws to charge him with espionage, even though he is not a US citizen.

And in spite of all this, the Guardian thinks that the most pressing matter is Assange violating his bail conditions. Should this argument not be considered risible? Would the Guardian have dared raise it in relation to Suu Kyi, Anwar Ibrahim or the dissident Chinese artist Ai Weiwei? Had they sought asylum in a foreign embassy from political persecution, as the UN panel's ruling at the very least implies is the case for Assange, would the Guardian be arguing that they should still have handed themselves over to the authorities so as not to break their bail terms?

The Guardian's truly Kafka-esque worldview is revealed in its editorial's concluding line:

WikiLeaks was founded on exposing those who ignored the rule of law. Surely its editor-in-chief should recognise his duty to see it upheld.

Wikileaks was most certainly not founded to expose those who have violated local, state-based law. Wikileaks does not believe Suu Kyi should have spent many years under house arrest because she broke Burma's laws, or that Anwar Ibrahim should be in jail because he violated Malaysian laws. Or that George Bush and Tony Blair should live as respected multi-millionaires rather than face long jail sentences as war criminals because their local legal systems do not function properly.

Wikileaks was founded on another idea: that a fairer world requires transparency.

The secret machinations of the US grand jury, the endless obfuscations and hidden agenda of Sweden's second prosecutor, and the Guardian's own financial reliance on major corporations are all relevant to understanding why Assange remains arbitrarily detained – and why the Guardian won't give him a fair hearing.

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