

Assange Faces Life in Prison Due to The Actions of The US and The UK, and The Inaction of Australia

By Alison Broinowski, American Herald Tribune, 18 June 2019

Julian Assange has a particular capacity to polarise those fervently for and those furiously against him. Much of the British and American mainstream media had a vested interest in demonising the Australian who out-scooped them in 2010 by getting the inside stories, defending free speech, publishing “all the news that’s fit to print”, comforting the afflicted and afflicting the comfortable: which the media were supposed to do, but often didn’t.

It wasn’t only the establishment media that hated Assange. In the United States, Republicans and Democrats alike labelled him a “high-tech terrorist”. Others in Congress demanded his execution. The British Minister of State for Europe and the Americas, Sir Alan Duncan, called Assange a “miserable little worm”. When Assange was re-arrested in April 2019, British Prime Minister Theresa May declared that “no one is above the law”. In June, Australian Prime Minister Scott Morrison and acting AFP commissioner Neil Gaughan defended police raids on the media with the same claim. Who in the UK and Australia is above the law is an interesting question, since prime ministers have ordered the illegal invasion and bombing of Iraq and Syria, and Libya too in Britain’s case.

People support and oppose Assange according to how he serves their interests at different times. During the 2016 US presidential election campaign, a grateful Donald Trump said the Democrats were in meltdown, and announced, “I love WikiLeaks”. But as president, Trump told a CNN interviewer, “I think it’s disgraceful, I think there should be like death penalty or something.” In June 2019, Marc Thiessen, who has defended CIA torture as “lawful and morally just”, declared in *The Washington Post* that Assange “is not a journalist. He is a spy ... He engaged in espionage against the United States. And he has no remorse for the harm he has caused.” Locally, in *The Australian*, Cameron Stewart in May repeated [\$] the mantra that Assange was not a journalist, never behaved like one, was complicit in theft of information, was immoral in releasing it and “potentially” putting lives at risk.

The Five Eyes partners (Australia, New Zealand, Canada, America and the UK) hack and leak citizens’ personal information to each other, as Edward Snowden revealed. But Labor MP Tanya Plibersek said [\$] it harmed world security “for people to go stealing classified documents and sticking them on the internet”. Australian ministers repeatedly echoed their American and British peers’ accusations about Assange; they showed no interest in the human rights of an Australian citizen who was charged with nothing until April 2019, and then merely with breach of bail. As foreign minister, Bob Carr called Assange’s work “amoral”, and asserted that Assange had received more consular support than “any other Australian”, which he later admitted was untrue. But, said Carr, it was “a broad healthy truth that I don’t think anyone could disprove”. Prime Minister Scott Morrison rejected calls to help Assange in November 2018, although DFAT officials have now visited him in Belmarsh prison hospital.

Australian ministers and media have gone to much greater lengths for others in similar situations to Assange than they have for Assange. An open letter to the prime minister, opposition leader and members of parliament, signed by 38 media identities on June 14, stated that “Journalism is not a crime” and called for commitment to public interest protection for whistleblowers and journalists: it named three whistleblowers, but not Assange.

No effort was spared this year to repatriate Hakeem al-Araibi, a soccer player stranded in Bangkok facing extradition to Bahrain after an Interpol red notice was issued by Australian police. Naim Aziz Abbas, an Iraqi-born Australian accused in the UAE of conducting espionage for Qatar, was pardoned in May and returned to Sydney, with support [\$] from DFAT. Al-Araibi, Abbas and Assange all equally feared incarceration in countries with records of vicious human rights abuses and punitive penal cultures. For Assange, this is the United States.

The Australian government has also worked hard (sometimes behind closed doors) to free journalists jailed in foreign countries, and rejoiced at their release. Alan Morison was found not guilty of criminal defamation by a Thai court in 2015, after he reported on the alleged involvement of some Thai navy members in the trafficking of Rohingya Muslims. Documentary filmmaker James Ricketson was spared a conviction for espionage in Cambodia in 2018. Peter Greste, after his return from Egypt in February 2015, founded the Alliance for Journalists' Freedom and was appointed as the UNESCO chair in journalism and communications at the University of Queensland. Greste disputes that what Assange and WikiLeaks did was journalism.

Indeed, Australian ministers and media have gone to much greater lengths for convicted and accused criminals than they have for Assange: this includes drug traffickers, as well as accused paedophiles and murderers. Others who have never met Assange, meanwhile, have made up their minds that he is crude, crass and bad-mannered, the house-guest from hell.

When Assange's seven-year asylum at the Embassy of Ecuador ended in April 2019, Edward Snowden said that Assange's "critics may cheer, but this is a dark moment for press freedom". After several interviews with Assange, Raffi Khatchadourian wrote a long, largely supportive article for *The New Yorker*. Another supporter, former Greek finance minister Yanis Varoufakis, declared on Twitter, "The game is up. Years of lies exposed. It was never about Sweden, Putin, Trump or Hillary. Assange was persecuted for exposing war crimes." Alan Rusbridger, former editor of *The Guardian*, found "this Australian maverick ... a troubling figure". But now Rusbridger is profoundly disturbed by the Trump administration's indictment of Assange, as is Joel Simon of the Committee to Protect Journalists, who warns that anyone anywhere who publishes classified information could be prosecuted by the US for espionage.

Glenn Greenwald, the journalist who received Snowden's documents, pointed out that the charges against Assange could make journalism a felony. Press freedom, guaranteed in the US by the First Amendment, belongs to all citizens, he wrote, not just to "professional" journalists. In June 2019, veteran Middle East journalist Robert Fisk came out in support of Assange, suggesting that if the leaked documents had shown the virtuous actions of the US and its allies, and the venality of their enemies, Assange and Manning would not face any charges. Instead, Fisk argued, what these documents represented was not espionage but "the shaming of America, its politicians, its soldiers, its torturers, its diplomats". Another who changed his earlier views about Assange was Carr, who in May 2019 urged the Australian government to oppose Assange's extradition for political offences that could lead to 175 years imprisonment, little different from capital punishment. Centre Alliance senator Rex Patrick also called for government to be "outspoken" in support of Assange to both the UK and the US.

In May, the UN Working Group on Arbitrary Detention restated its 2015 opinion that Assange was arbitrarily detained by the governments of Sweden and Britain. The Swedish investigators of two claims, one of rape and the other of intercourse without consent, did not press charges,

dropped their case in 2017, and while in May 2019 they reopened their investigation, charges have never been laid. In late May, Nils Melzer, the UN special rapporteur on torture, criticised the American, British, and Australian governments for deliberately exposing Assange to “progressively severe forms of cruel, inhuman, or degrading treatment or punishment”.

Assange published documented facts that embarrassed powerful people. WikiLeaks was one year old in 2007 when it revealed the Kenyan president’s corruption. It went on to expose Barclay’s Bank’s tax avoidance, the oil trader Trafigura’s dumping of toxic waste, and the corruption of leaders in the Middle East and North Africa. WikiLeaks exposed covert US operations in Guatemala, Venezuela, Honduras, Nicaragua and Ecuador against progressive governments and candidates. WikiLeaks also published a chapter on investor-state dispute settlement from the draft Trans-Pacific Partnership (TPP), which would have benefited 21st Century Fox, giving Rupert Murdoch another reason for enmity toward Assange.

By publishing thousands of documents selected from US diplomatic cables, military logs and assessment files of Guantanamo Bay detainees, WikiLeaks exposed the fact that the torture at Abu Ghraib prison was no exception. The organisation released *Collateral Murder*, video of a 2007 Baghdad airstrike in which Iraqi journalists were among those killed, and revealed US diplomatic reports that no one was killed in Tiananmen Square in 1989. Not only did WikiLeaks publish about half of Hillary Clinton’s emails as secretary of state, it released the Podesta emails, which indicated that Clinton knew of Saudi and Qatari involvement in supporting IS, America’s nominal enemy. WikiLeaks also released the “Vault 7” documents, which revealed the CIA’s hacking methods and showed that creating false hacking “fingerprints” to misdirect investigators towards other groups, including Russia, was established CIA practice. WikiLeaks published documents passed to it by others, which was not theft or espionage on its part: or if it was, then *The New York Times*, *the Washington Post*, *the Guardian*, *Der Spiegel* and *Le Monde*, among others, which received and published the files, could equally be prosecuted.

Special Counsel Robert Mueller’s report confirmed that the hacker Guccifer 2.0, operated by Russians, was the only source of the leaked DNC emails. WikiLeaks, often accused of having Russian affiliations, in 2017 published “Spy Files Russia”, which copiously documented Russian surveillance practices. The Pentagon confirmed in 2013 that there was no evidence that WikiLeaks’ revelations caused the death of any named person.

In March 2008, the US Defense Department’s Cyber Counterintelligence Assessment Branch recommended a campaign to eradicate the feeling of “trust” that it perceived to be WikiLeaks’ “centre of gravity”. Assange reported that a grand jury had been set up in the US to investigate him. This was a claim that American authorities persistently denied until a court error revealed it in November 2018. As he left the Ecuadorian Embassy on April 11, carrying Gore Vidal’s *History of the National Security State*, Assange mouthed to the crowd, “I told you so.”

He is now charged in the UK with breach of bail, and in the US with conspiracy to receive, obtain, and disclose national defence information. Under America’s Espionage Act he faces 18 charges, in three groups: trying to persuade a source (Chelsea Manning) to disclose more information, seeking to help her protect her identity, and publishing material that “could harm the national security of the US”.

WikiLeaks, says the indictment, “revealed the names of human sources and created a grave and imminent risk to human life”, and refused to cease when warned. It suggests that WikiLeaks’s actions aided the enemy in the Middle East. In April 2019, Assange was found to have breached his bail conditions in respect of allegations in Sweden that were investigated but over which charges were never laid. He was jailed for 50 weeks in Belmarsh, “Britain’s Guantánamo Bay”, awaiting extradition to the US.

The Trump administration calls WikiLeaks a “non-state hostile intelligence service”, and the stakes remain high for Assange. A former senior official in the Reagan administration, Paul Craig Roberts, in 2011 asserted that “there is a concerted effort to nail him – to shut Assange up ... If the legal attempt fails, he’ll simply be assassinated by a CIA assault team. It’s common practice for the CIA to do that.”

Observers point to many false accusations against Assange, which, over seven years, have become common belief, ranging from the personal to the political. Assange’s published material caused no known deaths but showed several governments in a bad light. As he remarked in 2017, “The overwhelming majority of information is classified to protect political security, not national security.”

The Assange project – whereby states increasingly curtail press and individual freedoms in the name of national security – is being widely replicated. Six people have been charged under the Trump administration for leaking information to journalists, some under the *Espionage Act*, with the prospect of more to come. Beyond these specific charges, incursions of press freedoms in 2019 include: the raid of a freelance journalist’s home and office in San Francisco over a leak about the sudden death of a public defender; and the arrest of two journalists in Paris covering the Gilets Jaunes demonstrations in Paris. And in Australia in recent weeks, federal police raided a journalist’s home in Canberra and the ABC in Sydney with warrants to access, seize, add, copy, delete, and even alter what they found.

“The criminalization and crack down on national security journalism is spreading like a virus,” WikiLeaks tweeted in response to the ABC raid. Whistleblowers David McBride and Witness K, and Witness K’s solicitor, Bernard Collaery, face trial in the ACT where long delays continue because disclosure in court of “certain material” would breach the *National Security Information Act*. Governments’ current obsession with national security may make those in authority safer, but not the rest of us. What’s in the national interest is not necessarily in the public interest.

****This article was originally published on the Monthly.***