

Our Verdict: UK Assange Ruling Is Unlawful, and 100% Political

By [Patrick Henningsen](#)

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Yesterday, a high court judge ruled to uphold a UK arrest warrant for WikiLeaks founder Julian Assange, consigning him to further limbo and little chance of justice.

While the details, twists and turns of this case are certainly important, it's essential to first understand that this case no longer has anything to do with any laws Assange is said to have broken. It is now one hundred percent political.

How did we get here?

In August 2010, the Swedish Prosecutor's Office issued an arrest warrant for Assange as part of an investigation for an alleged sexual assault involving two women. This triggered a European Arrest Warrant, which prompted UK authorities to issue a warrant for the arrest and detention of Assange.

In September 2010, Assange was arrested and then released on bail. At the time, US authorities were already openly branding Assange as an international criminal and calling for his apprehension and to stand trial in the US where he would face any number a federal charges ranging from espionage to 'threatening US national security' by publishing, among other things, a [damning video leaked in 2010](#) that depicted US war crimes in Iraq.

On June 19, 2011, prior to his extradition hearing, Assange jumped bail, and claimed political asylum at the Ecuadorian Embassy in London where he has been living in the basement ever since. By jumping bail at that time, Assange triggered a separate UK arrest warrant. However, the Swedish sex assault case was eventually dropped in August 2015, and has since been deemed by many analysts to be vexatious, if not completely [fraudulent](#). Despite all this, the UK government has still enforced the original charge of jumping bail.

UK judgment

There were faint hopes that yesterday's hearing at Westminster magistrates court might yield a victory for justice and common sense, but those hopes were dashed by senior Judge Emma Arbuthnot. Seemingly unmoved by recent game-changing events, she sluggishly reiterated that *bail jumpers* like Assange must "come to court to face the consequences of their own choices."

In addition, the judge made a series of bizarre remarks, including a claim that Assange has not been arbitrarily detained, and should be grateful of the luxurious conditions of his incarceration.

“Firstly, he can leave the embassy whenever he wishes; secondly, he is free to receive, it would seem, an unlimited number of visitors and those visits are not supervised; thirdly, he can choose the food he eats, the time he sleeps and exercises.”

“He can sit on the balcony (I accept probably observed by the police and his supporters) to take the air. He is not locked in at night.”

The first comment by judge Arbuthnot was a condescending one, considering how police teams are on rotation 24/7, ready to detain Assange should he dare to step foot out the front door. It should also be noted that he has only ventured out on the embassy’s balcony a total of six times in five and half years.

Pulling security to get me safely on the balcony six times in six years for a few minutes turns into this: <https://t.co/Y46PVZ9C5x>

— Julian Assange □ (@JulianAssange) [February 13, 2018](#)

Assange is all too aware of what will happen when he walks out that door in London’s Belgravia; he will be arrested, questioned and held on remand until such a time that the British will hand him over to US authorities to be rendered from RAF Northolt back to the US and placed in a federal penitentiary, awaiting to stand trial for a laundry list of trumped-up allegations prepared by the US Department of Justice.

While the UK government refuses to publicly announce any US extradition orders for Assange, it’s fairly obvious that UK and US authorities have a coordinated strategy in containing and apprehending him. According to a statement made to [The Guardian](#) by his defense lawyer Jennifer Robinson, the US government is certain to bring a case against Assange and Wikileaks:

“The UK FCO [Foreign and Commonwealth Office] refuses to confirm or deny whether there is an extradition request for Mr Assange,” she said. “In our recent FOI challenge against the CPS [...] the CPS refused to disclose certain material because it would ‘tip off’ Mr Assange about a possible US extradition request. It is time to acknowledge what the real issue is and has always been in this case: the risk of extradition to the US.”

Considering the high-profile nature of this case, it’s a bit ludicrous for the UK government to pretend this is not a *fait accompli*. Of course, when any government official says ‘we can neither confirm or deny’ then it is evasive, and should normally be translated as an indirect confirmation.

21WIRE editor Patrick Henningsen following Tuesday’s case hearing [here](#):

What should have been considered by the British high court, but wasn’t, was new evidence that should have deactivated any legacy arrest warrant. Last year saw the release of a series of emails obtained through a FOIA challenge made by Italian journalist Stefania Maurizi, which showed how Swedish law enforcement wanted to drop the spurious sex investigation back in 2013 – only to have UK officials intervene and persuade them to keep

the collapsed case going.

If that wasn't bad enough, when Swedish officials wanted to travel to London to take an official statement from Assange, they were persuaded by UK authorities *not* to come, thus needlessly dragging proceedings on another few years. Maurizi's FOI request revealed one email from the UK's The Crown Prosecution Service (CPS) lawyer to Swedish prosecutors, dated January 25 2011:

"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."

Upon hearing from Swedish officials that they might drop the Assange sex case back in August 2012, the CPS lawyer at the time barked back in an intimidating fashion, saying:

"Don't you dare get cold feet!!!"

This is clear case of collusion between the two countries.

Award-winning British journalist [Jonathan Cook](#) explains the gravity of this discovery:

"Swedish director of public prosecutions, Marianne Ny, wrote to Britain's Crown Prosecution Service on 18 October 2013, warning that Swedish law would not allow the case for extradition to be continued. This was, remember, after Sweden had repeatedly failed to take up an offer from Assange to interview him in London, as had happened in 44 other extradition cases between Sweden and Britain."

Ny then confirmed to the CPS:

"We have found us to be obliged to lift the detention order ... and to withdraw the European arrest warrant. If so this should be done in a couple of weeks. This would affect not only us but you too in a significant way."

"In other words, for more than four years Assange has been holed up in a tiny room, policed at great cost to British taxpayers, not because of any allegations in Sweden but because the British authorities wanted him to remain there. On what possible grounds could that be, one has to wonder? Might it have something to do with his work as the head of Wikileaks, publishing information from whistleblowers that has severely embarrassed the United States and the UK," said Cooke.

However, only a fraction of the email exchange evidence between the Sweden and the CPS was recovered. Why? Because CPS *deleted* many of the emails on Assange's extradition - a clear case of the state destroying potentially self-incriminating evidence.

Not surprisingly, the CPS denied any wrongdoing at the time, stating this was 'normal procedure to delete emails' and claimed that there were no back-up copies either (looks like another 'cock-up', see *HRC*: 'my dog ate the emails').

But they were also kind enough to inform the public that,

“We have no way of knowing the content of email accounts once they have been deleted.”

What about transparency, and accountability? If the evidence suggests that the CPS are guilty of destroying evidence, then who will hold them to account? What are the chances of oversight in this case?

Following this revelation, Prof. Mads Andenas, the Faculty of Law at the University of Oslo stated,

“It is disloyal to the legal system, it leaves us, who follow this case, with very little confidence in the rule of law. And it is clearly a breach of duty to indicate something like what we now expect was, or we are pretty sure was requested.”

In both instances, interference by the CPS can be interpreted as an intentional effort to pervert the course of justice.

In the case of the deleted emails, this would have been ordered by a superior, who in turn, would have been instructed by another, which would lead to the highest levels of state, and the likelihood that rear guard actions were taken at the behest of the United States, with Britain serving as a glove puppet of the United States. It wouldn't be the first time. In geopolitical terms, this is not technically dissimilar to the chain of events which led to then Attorney General Lord Goldsmith's eleventh hour ploy to declare Tony Blair's decision to invade Iraq as both legal and lawful. To claim that no pressure or direct marching orders came from the Bush Administration on this matter would be extremely naive, but that's how state-friendly media outlets like the [BBC gleefully spun the story](#) long after-the-fact by promoting the idea that the AG simply “changed his views at the last minute”.

In November last year, Assange's lawyer Robinson [explained](#) just how far off the rails UK authorities have gone in their bid to isolate Assange:

“The United Kingdom is in breach of its international obligations, it's found [Assange is] arbitrarily detained. And a large part of this decision-making process, was the way in which this case has been handled; and the fact he has been offering his testimony to the Swedish prosecutors for seven years.”

On February 5, 2016, a UN Working Group on Arbitrary Detention ([WGAD](#)) [announced](#) that the arbitrary [detention of Julian Assange is unlawful](#), and ordered that he be released and compensated by Sweden and the United Kingdom. ([Justice4Assange](#))

By going against the UN working Group's recommendations, the UK cannot claim to be in-line with the ‘rules-based international system’, a seemly illusive standard for some we're told, and one which current Prime Minister Theresa May [repeatedly invokes](#) when referencing all things Russian. Don't forget that it was during May's tenure as Home Secretary, that this entire Assange fiasco took shape, and if a proper inquiry were to be held, it's almost certain that investigators would find May's own fingerprints on some of this scandal.

It's not hard to see the pattern here. Julian Assange is being incarcerated for exposing one government who was attempting to hide crimes of one state (the US slaughtering innocent

Iraqis), while Theresa May appears to be involved in covering-up the potential injustices of another state - the UK government in collusion the CPS. Add in the likelihood of Washington's strong-arming here, and you have a real international conspiracy. Seeing that the UK have not been directly affected in any severe manner by the actions Assange or exposures on WikiLeaks, we can only assume that the UK government acting on behalf of Washington DC - at the expense of due process and the rule of law.

Unless it wants to spark a crisis in international law, the UK will have to respect Julian Assange's present diplomatic status.

Certainly, this ladder day Count of Monte Cristo would prefer the lush views of the Anes in Quito than the basement walls of Belgravia, but for that to happen it will take some extraordinary set of circumstances to occur. Not in Britain though, as the lapdog already has its orders. The change will have to take place in the United States.

So long as elites continue to hide the crimes of the state, Julian Assange will continue to serve his time.

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This article was originally published by [21st Century Wire](#).

Patrick Henningsen is an American writer and global affairs analyst and founder of independent news and analysis site [21st Century Wire](#), and is host of the [SUNDAY WIRE](#) weekly radio show broadcast globally on the Alternate Current Radio Network (ACR). He has written for a number of international publications and has done extensive on-the-ground reporting in the Middle East including work in Syria and Iraq.

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