

## Julian Assange: Future Generations of Journalists Will Not Forgive Us if We Do Not Fight Extradition

Peter Oborne on Julian Assange

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Let's imagine a foreign dissident was being held in London's Belmarsh Prison charged with supposed espionage offences by the Chinese authorities.

And that his real offence was revealing crimes committed by the Chinese Communist Party – including publishing video footage of atrocities carried out by Chinese troops.

To put it another way, that his real offence was committing the crime of journalism.

Let us further suppose the UN Special Rapporteur on Torture said this dissident showed "all the symptoms typical for prolonged exposure to psychological torture" and that the Chinese were putting pressure on the UK authorities to extradite this individual where he could face up to 175 years in prison.

The outrage from the British press would be deafening.

There would be calls for protests outside the prison, solemn leaders in the broadsheet newspapers, debates on primetime news programmes, alongside a rush of questions in parliament.

The situation I have outlined above is nearly identical to the current plight of Julian Assange.

There is one crucial difference. It is the US trying to extradite the co-founder of Wikileaks.

Yet there has been scarcely a word in the mainstream British media in his defence.

The fact that the US is an ally of Britain is perhaps one reason why. That should make no difference as far as the British media is concerned.

Indeed, Assange's extradition hearing at the Old Bailey next week marks a profound moment for British journalists. Assange faces 18 charges under the US Espionage Act, which carry a potential sentence of 175 years – put away for the rest of his life.

But his case represents an attack on journalism and democratic accountability. If Britain capitulates to Trump's America, the right to publish leaked material in the public interest could suffer a devastating blow.

The British authorities have it within their power to refuse this extradition. Indeed, <u>more than 160 legal experts wrote to the UK government last month</u>, claiming they are obliged by

international law to refuse the US request.

These lawyers are joined by human rights campaigners and health professionals, who have been shocked by Assange's treatment in British custody and fear his rights will be further violated if he is sent to the US.

The National Union of Journalists supports Assange. General Secretary Michelle Stanistreet has warned that the charges pose a threat that could "criminalise the critical work of investigative sources".

And yet there has hardly been a sound from the British press.

There are many reasons for this relative silence, but before addressing them, the gravity of the situation at hand must be highlighted in the clearest of terms.

Assange is accused by the US of conspiring with whistleblower Chelsea Manning to hack a Pentagon computer. The US indictment says Assange agreed to attempt to crack a password (an attempt which was unsuccessful). Crucially, the indictment also charges Assange with actions that are no different to the standard practices of journalism.

For example, the indictment alleges that "Assange and Manning took measures to conceal Manning as the source of the disclosure of classified records", as any professional journalist would.

It claims that "Assange encouraged Manning" to provide the information. Again, this is how a journalist would act.

Kenneth Roth, executive director of Human Rights Watch, made the situation clear:

"It is dangerous to suggest that these actions are somehow criminal rather than steps routinely taken by investigative journalists who communicate with confidential sources to receive classified information of public importance."

To criminalise the protection of sources will stop whistleblowers coming forward and will put journalists and publishers at risk.

We need look no further than Manning's own leaks to realise what a loss this would be. It was Manning who provided the so-called Iraq and Afghanistan war logs published by Wikileaks in 2010 and revealed the atrocity of US helicopter gunmen laughing as they shot at and killed unarmed civilians in Iraq.

Fifteen individuals were killed in the attack, including a Reuters photographer and his assistant. The US military refused to discipline the perpetrators of this grotesque crime. This was a story of momentous importance.

There is another, perhaps even more pressing issue that emerges in the use of the Espionage Act to charge Assange.

As Alan Rusbridger, former editor of the Guardian and one of Assange's few defenders in the British media, told Press Gazette last month:

"It's quite a disturbing thing that we should send somebody to another country for supposedly breaking their laws on secrecy. If journalists are not concerned by that, then I think they should be."

I couldn't agree more. The US is asserting the right to prosecute a non-US citizen, not living in the US, not publishing in the US, under US laws that deny the right to a public interest defence.

It's not difficult to imagine how this precedent could be abused by authoritarian foreign powers. Imagine Saudi Arabia prosecuting a journalist in London for revealing details of the Jamal Khashoggi murder. Or China citing their Official Secrets Act to charge a publisher responsible for disseminating footage of the horrific treatment of the Uyghurs in Xinjiang.

The press would be up in arms and I cannot believe the UK would extradite the individuals concerned. So why the lack of support for Assange?

For one thing, the Assange saga is protracted and complex. He was sentenced to 50 weeks by British courts last year for breaching the Bail Act after he was dragged from Ecuador's London embassy. He had taken refuge there in 2012 to avoid extradition to Sweden over sexual assault allegations.

This rightly led to questions surrounding Assange's character. Assange denies the allegations and insists he was happy to be questioned in London.

The Swedish authorities discontinued their investigation into Assange without him ever being charged. Assange's lawyers argue that fleeing to the embassy was an act of desperation to avoid being passed to the United States.

Another contributing factor to Assange's pariah status is that he is not judged to be a journalist by a large part of the industry. Reference is often made to Wikileaks' decision to publish huge amounts of unedited documents, which the US has claimed put the lives of sources at risk. I don't deny that makes me uneasy – and that he has ethical questions to answer.

But it is also true that his case could have a devastating, chilling effect on journalism and the UK government has the ability to prevent this happening. Future generations will never forgive the current generation of journalists unless we raise our game and fight to stop the extradition of Julian Assange.

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