

At New York forum in defense of Julian Assange and Chelsea Manning

## UN special rapporteur on torture warns: “Assange will not get a fair trial in Virginia”

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In a significant development in the defense of Julian Assange and Chelsea Manning, leading press freedom organizations sponsored a panel discussion Tuesday titled, “Press Freedom, National Security and Whistleblowers.” The event was held at Columbia University in New York City.

The meeting laid bare the illegal and vindictive character of the detention and torture of Julian Assange in London’s Belmarsh prison and drew the connection between his imprisonment and the war crimes committed by successive American governments.

Panelists included Sandra Coliver of the Open Society Justice Initiative, Carrie DeCell from the Knight First Amendment Institute, Nancy Hollander, imprisoned whistleblower Chelsea Manning’s attorney, and Nils Melzer, UN special rapporteur on torture. The panel was moderated by Agnes Callamard, director of Columbia Global Freedom of Expression and UN special rapporteur on extrajudicial, summary or arbitrary executions.

About 100 people attended, many of whom were supporters of Assange and Manning.

Melzer began by describing his involvement in the case of Assange. He had been contacted by Assange’s lawyers and was initially reluctant to take on the case because of what he had read in the media. When he was contacted a second time, he said, he began to explore Assange’s case in more depth and he noticed that some things didn’t add up. He then visited Assange with two medical experts, who concluded that Assange had all the symptoms of a person who had suffered psychological torture.

Continuing his opening remarks at the New York meeting, Melzer questioned the lawfulness of Assange’s detention in Belmarsh, noting that the initial sentence of 50 weeks was handed down by the court in response to a bail violation—which, in the UK, does not usually lead to a prison sentence—for a case that was not even pending at the time. Moreover, Assange had failed to conform to the terms of his bail because he had exercised his legal right to seek asylum from political persecution.

Melzer noted the extreme bias of the British judges in the case and Chief Magistrate Emma Arbuthnot’s documented conflict of interest. The fact that Assange never received documents about his case until two weeks ago, as well as the trumped-up character of the Swedish proceedings, constituted, Melzer said, further proof that this “is not the rule of law.”

He then noted that of the US charges under the Espionage Act, 17 of the 18 are the business of any investigative journalist. “Something doesn’t add up,” he said, particularly considering the termination of Assange’s asylum and citizenship by Ecuador, which was carried out without any legal proceedings at all.

“You have to take a step back,” Melzer said. “What has the man done? He has disclosed an enormous amount of information that governments want to remain secret, most infamously the ‘Collateral Murder’ video, which, in my view, is evidence for war crimes.

“What is the scandal in this case is that everyone focuses on Julian Assange. Here is someone who exposes evidence for war crimes, including torture and murder, and he is under this constant pressure. I am absolutely convinced he will not receive a fair trial in Virginia and he will remain in prison under inhumane conditions for the rest of his life.”

Carrie DeCell noted the legal issues surrounding First Amendment protections for WikiLeaks. She felt that similar issues were involved in the use of the Espionage Act against Assange, and that the government was seeking to criminalize what, on Assange’s part, were “completely typical journalistic activities.” These were, moreover, of the utmost importance to the public, since they concerned war crimes. “We view the indictment of Julian Assange under the Espionage Act as a significant threat to press freedom itself,” she said.

Fred Mazelis, a leading member of the Socialist Equality Party, spoke during the discussion period, introducing himself as a writer for the *World Socialist Web Site*.

He said: “While members of the panel have focused to a great extent on legal and constitutional questions, there are crucial

political questions involved in the persecution of these whistleblowers that must be stressed. As Nils Melzer has already explained, Julian Assange has been essentially imprisoned and tortured because he exposed war crimes. The persecution is taking place for two related reasons: to focus on Assange's alleged narcissism instead of the war crimes he exposed, and to act as a deterrent, a warning that this is the treatment of anyone who chooses to come forward and tell the truth.

"I also want to stress the bipartisan character of the assault on Assange and Manning. Why is it that not a single major Democratic presidential aspirant—including Bernie Sanders of course—has seen fit to come to the defense of these figures who stand for the First Amendment rights of free speech and a free press? Because they defend the 'national interest.' Whose 'national interest'? The interests of American capitalism, not those of the vast majority of Americans and the working class across the globe. It is to these forces that we must turn in the fight to free Julian Assange and Chelsea Manning. That is what the *World Socialist Web Site* is fighting for."

In response to Mazelis's remarks, the moderator asked why no one was defending Julian Assange in the political establishment and in the elections. "Why does no one want to touch it?" Melzer noted that he had seen numerous political figures shrink from the defense of Assange and that the deterrent effect was extremely important in his persecution.

Also in response to the question, and no doubt with the remark about the Democratic Party candidates in mind, the speaker from the Open Society Foundation asked Nancy Hollander what motivated Obama to grant clemency to Chelsea Manning.

Hollander noted that her legal team was surprised when Obama granted clemency, although tens of thousands had signed a petition and Manning, as required by law, had excellent character letters of reference. She noted that Obama had simply said Manning's sentence was too long and added that it was the right thing for Obama to do.

Nils Melzer then said: "This was also the president that received the report from the Senate committee confirming that the CIA had a *policy* of systematic torture. And what was the right thing to do here? What does the convention on torture say? There is an international, legal obligation to investigate, prosecute and punish every single act of torture ... what did this president say? 'Oh, let's look forward now.' What if Julian Assange said that? What if Chelsea Manning said that?"

In response to questions on the silence of the media on Julian Assange, Hollander noted that the *New York Times* and the *Washington Post* were not interested in Chelsea Manning's revelations on US war crimes until WikiLeaks published them.

A member of the audience, a professor at Fordham University, noted that the media and the military were now more tightly integrated than ever. The military, she said, considers the "hearts and minds" of the American public to be

a national security issue. "When our country is at war, the nature of that war is ultimately a secret," she continued, noting that the "major news media in our country are highly aligned with the military, in what we can call the military-media complex at this point."

At another point in the discussion, speakers dealt with the question of Chelsea Manning being told she has the keys to her freedom. Melzer noted that the same thing was said to Julian Assange while he was in the Ecuadorian embassy, and that it is in keeping with the concept of torture. "Just confess. Just say what we want you to say. If you detain somebody till you break them, that's torture."

In his concluding remarks, Melzer said: "What this is really about is the elephant in the room. You miss the elephant in the room because you have a bright spotlight pointing at you, and the elephant is that even when we have reports and evidence of war crimes, there is no consequence. That's the great scandal."

Supporters of the Socialist Equality Party in New York distributed the WSWS Perspective "Six months since the brutal arrest of WikiLeaks' publisher Julian Assange" and spoke to supporters of Assange. They emphasized that Assange could be freed, but not by appeals to the good will of the Democratic Party or any section of the political establishment, but rather by a turn to the international working class, which had to be mobilized to demand his freedom.

Some Assange supporters spoke to the WSWS about his case. Paula said: "Julian has done what he did for the benefit of the people. You can't even calculate how important it is."

Asked why there was silence from the Democratic Party on Assange, Paula said: "I think they are very frightened in the upper circles. Without transparency there is no accountability. I haven't seen any war criminals being prosecuted or imprisoned. But we have seen truth-tellers being hunted down. They want to kill our right to know."

She noted that one of her friends had asked Bernie Sanders at a campaign event in New Hampshire about his position on Julian Assange, and Sanders told him that he couldn't comment on that.

"He said, 'I know of the issue.' Well, he's going to die before he does something about it," Paula said. She added that Sanders covered her friend's cell phone so that he could not be caught on record.



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