Evidence of war crimes, torture, surveillance and assassination plots: Assange hearing nears final day

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London's Old Bailey heard evidence yesterday of astounding acts of criminality carried out by the US government against WikiLeaks founder Julian Assange. These included near total surveillance, grossly violating Assange's privacy and legally privileged conversations; the theft of personal documents; and plans to kidnap or poison him.

The testimony was provided anonymously by two former employees of UC Global—a Spanish company which provided security for the Ecuadorian Embassy in London where Assange claimed asylum. Details of their accounts had previously emerged in the press and have now been formally submitted as evidence.

Summarizing their written statements, defence lawyer Mark Summers QC explained how the witnesses learned, in their words, that from 2016 UC Global boss David Morales "had entered into illegal arrangements with the US authorities to supply them with sensitive information about Mr Assange."

Morales told one of the witnesses directly that they were working for "US intelligence", who he otherwise variously referred to as "the dark side" and "our American friends." Morales experienced a "noticeable increment in his [financial] assets" after these relations were established.

While UC Global was working for US intelligence, one witness was instructed by Morales to install new surveillance cameras in the embassy which could secretly record sound and told to deny that they could do so when installing them. They were also told the cameras should have streaming capabilities so the Americans could have access. Later, secret microphones were concealed in a fire extinguisher in an embassy meeting room and in a socket in the toilets where Assange tried to hold private meetings. Stickers were placed on external windows to counteract vibrations and allow the "American friends" to use laser microphones pointed at the windows from outside the embassy.

This surveillance was targeted specifically against Assange's communication with his legal representatives, considered "priority targets." Morales, said one witness, showed "a real obsession in relation to monitoring and recording the lawyers… because 'our American friends' were requesting it." Lawyer-client privilege is a basic principle of justice and any violation by the prosecution should result in a case being thrown out of court.

Morales also asked the team at the embassy to obtain Assange's fingerprints, steal his documents, and "steal the nappy of a baby that regularly visited Mr Assange" to establish whether the child was his. Morales "expressly stated that the Americans were the ones who wanted to establish paternity." He later recounted to the witness that his American handlers were considering "more extreme measures", specifically his "kidnap" or "poisoning."

Other witness statements read into evidence confirmed and expanded on the utterly lawless character of Assange's persecution.

Robert Boyle, a US criminal and civil rights lawyer, gave expert evidence on grand juries, the legal mechanism by which Assange has been charged in the US. He explained that grand juries "operate without adherence to the technical and evidential rules of criminal trials" and that their "broad powers have been usurped by the government," turning them into a "rubber stamp" for prosecutors. This "de facto appropriation of those powers by law enforcement has created fertile ground for prosecutorial abuse", including the coercion of witnesses.

As an example, he cited the case of Chelsea Manning, who US prosecutors tried to force to testify against WikiLeaks via a grand jury subpoena. Manning's

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principled refusal was punished with imprisonment and bankrupting fines, which caused "grievous psychological harm and very nearly cost her life." In March this year she attempted suicide in the Alexandria Detention Center, where Assange would be held pre-trial.

Bridget Prince, director of One World Research, a public interest investigations and human rights research organisation, detailed how any US jury in Assange's trial would be stacked against the WikiLeaks founder.

Assange would be tried in Alexandria, in the Eastern District of Virginia, his jury pool drawn from government military and security services and private security contractors that are some of the "largest employers" in that area. Government agencies with headquarters in the region include the CIA, FBI, National Cybersecurity and Communications Integration Center, US Department of Defence (the Pentagon), and United States Army Intelligence and Security Command. There is also a "high concentration of companies which are government contractors working in the military and intelligence sectors."

In the afternoon, the court heard defence evidence on WikiLeaks' 2011 Guantanamo Bay Files publications, which investigative journalist Andy Worthington described as, "the anatomy of a crime of colossal proportions perpetrated by the US government on the majority of the 779 prisoners held in Guantanamo."

Mark Summers QC for the defence cited key passages from Worthington's two witness statements. The journalist had partnered with WikiLeaks to provide critical background and context for the files, which comprised thousands of pages of Detainee Assessment Briefs from the Joint Task Force at Guantánamo Bay (JTF-GTMO), to US Southern Command in Miami, Florida.

Worthington has published extensively on Guantanamo and was lead author of a 2009 UN report on secret detention.

In his written statement to the court, Worthington explained how the Guantanamo files "contained detailed explanations of the supposed intelligence used to justify the prisoners' detentions", with "evidence" extracted by CIA torture, "either in Guantanamo or in secret prisons run by the CIA."

He cited the example of three detainees whose false testimony, "which evidenced the criminal use of torture", was used to convict many fellow-prisoners. False testimony was extracted from Abu Zubaydah, seized in Pakistan in 2002. He spent four-and-a-half years in CIA prisons in Thailand and Poland and was subjected to "waterboarding" and "controlled drowning" on 83 occasions.

Ibn al-Shaykh al-Libi was captured in Afghanistan, and illegally renditioned by the CIA to Egypt, "where under torture he falsely confessed that Al-Qaeda operatives had been meeting with Saddam Hussein to discuss obtaining chemical and biological weapons. Although this false confession was retracted by al-Libi, it was used nevertheless by the Bush Administration to justify the invasion of Iraq in March 2003."

This monstrous crime, which led to one million deaths and the destruction of Iraqi society, enjoyed the "knowing involvement" of the British state. Worthington noted that MI6 agents "witness[ed]… [al-Libi's] removal from Bagram Airbase in a coffin box", with MI5 and MI6 agents supplying questions to al-Libi's CIA torturers.

Another prisoner, Nashiri, tortured at a "CIA black site" in Thailand alongside Zubaydah, later successfully brought a case at the European Court of Human Rights, "utilising, inter alia, WikiLeaks Cablegate evidence of CIA rendition."

Britain's *Telegraph* newspaper partnered with WikiLeaks on the Guantanamo Files—Assange's "media partners" at the *Guardian* and *New York Times* having already turned on him for "irresponsibly" disclosing war crimes. Worthington recalled that he and Assange met "regularly" at the *Telegraph*'s offices "for joint meetings and discussions". The newspaper carried no report yesterday of Worthington's testimony, despite having published the 2011 Guantanamo revelations ahead of WikiLeaks.

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