

# UK judge rules against US extradition: Release Julian Assange now!

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Julian Assange's extradition from the UK to the United States has been blocked by a carefully crafted court ruling that upholds the grotesque frame-up case of the US Department of Justice.

The WikiLeaks founder faced extradition to the US under the Espionage Act and a possible 175-year sentence for publishing information exposing war crimes, coup plots, state surveillance, corruption, torture and human rights abuses throughout the world.

District Judge Vanessa Baraitser refused the US extradition request on the grounds that it would be "oppressive" by reason of Assange's compromised mental health and the risk of suicide if he is detained and imprisoned in the US.

Prosecution lawyers said they would appeal the decision, which they must do within 14 days. The defence will submit an application for bail Wednesday morning. At least until then, Assange remains detained in London's Belmarsh maximum security prison in the midst of an escalating COVID-19 pandemic.

Baraitser's decision was highly unexpected. WikiLeaks Editor-in-Chief Kristinn Hrafnsson told AFP Sunday that he was "almost certain" the court would rule against Assange. Assange's fiancé Stella Moris began her comments outside the court after the hearing by noting, "I've had to rewrite my speech."

The forces and considerations motivating the judgment will become clearer over the coming days and weeks. What is already apparent is that a highly political decision has been reached that upholds the threat to democratic rights represented by the prosecution's case, leaves Assange in danger of continued persecution, and demands the intensification of the campaign to secure his freedom.

Ruling against the extradition purely on mental health grounds, Baraitser endorsed in its entirety the prosecution's denial of free speech and freedom of the press, and its justifications of flagrant abuse of Assange's legal due process and human rights.

The US Department of Justice responded with the ominous

comment: "While we are extremely disappointed in the court's ultimate decision, we are gratified that the United States prevailed on every point of law raised. In particular, the court rejected all of Mr. Assange's arguments regarding political motivation, political offense, fair trial, and freedom of speech. We will continue to seek Mr. Assange's extradition to the United States."

A full account by the *World Socialist Web Site* of the reactionary arguments endorsed by Baraitser will follow in the coming days. Her key findings were that Assange could not claim the protection of Article 10 of the European Convention on Human Rights—guaranteeing freedom of speech, opinion and the press—and that the US has proceeded entirely legally in pursuing him. Baraitser even justified the US state's surveillance of Assange and his lawyers in the Ecuadorian embassy on "national security" grounds.

She portrayed Assange as a reckless computer hacker "outside any role of investigative journalism." The *Guardian* and the *New York Times'* scurrilous "condemnation[s]" of Assange and WikiLeaks were favourably cited. In justification of American surveillance of the Ecuadorian embassy, Baraitser referred to a CNN report outrageously claiming, "Assange turned an embassy into a command post for election meddling."

Baraitser sought to retain in her decision as much of the anti-democratic precedent established by this case as possible, vindictively portraying Assange as a damaged individual whose WikiLeaks publications were a threat to US national security.

Jennifer Robinson, Assange's lawyer, gave an interview after the hearing, warning that Baraitser had ruled against extradition "on the narrow grounds that his extradition is oppressive, not on press freedom grounds, but because of the specific medical condition and declining mental health and the specific prison conditions he would face while detained in the United States..."

"This is still very concerning and free speech groups should still be concerned. We will be looking very closely at the judgment in the coming days. She agreed with the US

prosecution in all other matters, including in respect of the free speech arguments which we had raised about the application of the First Amendment, the unprecedented nature of this case, and the fact that Julian wouldn't get a fair trial once returned to the United States."

Hrafnsson summarised the outcome as "a win for Julian Assange, but... not necessarily a win for journalism."

Assange's personal victory is not guaranteed. His continued detention in a maximum security prison has been rendered still more outrageous and indefensible by the refusal to extradite. He faces no charges anywhere except in the US, where the UK court has now ruled that he cannot be justly tried. There are not the slightest grounds for his incarceration.

Baraitser's ruling is also a de facto admission of the criminality of the British government and its legal system. The fact that Assange is, in her words, a "depressed and sometimes despairing man, who is genuinely fearful about his future" and at "substantial risk" of suicide is not solely due to a fear of what awaits him in the US, but the product of his sadistic treatment at the hands of the British state.

In May 2019, UN Special Rapporteur on Torture Nils Melzer visited Assange with a medical doctor and a psychologist. He announced that month that Assange had suffered nine years of "persistent and progressively severe abuse" by the US, its allies and the media, resulting in medically verifiable symptoms of "psychological torture." The UK government rejected his concerns.

In November 2019, an international group of doctors signed an open letter warning that Assange "could die" in prison due to the conditions of his incarceration and insisting that he be assessed and treated in a "properly equipped and expertly staffed university teaching hospital." The group founded the Doctors for Assange campaign, which has condemned Assange's "torture" and "medical neglect."

Baraitser now refers to evidence of severe psychological symptoms, such as hallucinations and suicidal ideas and planning, in justifying her refusal to extradite. The only just conclusion to draw from her decision is that the WikiLeaks founder must be immediately set free and accorded proper medical care and support, with full compensation for the monstrous persecution he has suffered at the hands of the US, UK, Australian and Swedish states.

Baraitser's finding that conditions in the US prison system would lead Assange to suicide is a damning indictment of American imperialism and the barbaric security apparatus established under the banner of the "War on Terror."

In her decision, she explained, "Mr. Assange faces the bleak prospect of severely restrictive detention conditions designed to remove physical contact and reduce social interaction and contact with the outside world to a bare

minimum." She cited the evidence of defence witness Maureen Baird, a US Bureau of Prisons official for 27 years, who testified in September's hearing that the prison Assange would be held in was "not built for humanity".

The fight to defend Assange must continue until the threat of this brutal and vindictive punishment is wholly withdrawn. Stella Moris, speaking outside the court, cautioned, "As long as Julian has to endure suffering and isolation as an un-convicted prisoner in Belmarsh Prison and as long as our children continue to be bereft of their father's love and affection, we cannot celebrate..."

"Today is the first step towards justice in this case. We are pleased that the court has recognised the seriousness and inhumanity of what he has endured and what he faces. But let's not forget, the indictment in the US has not been dropped.

"We are extremely concerned that the US government has decided to appeal this decision. It continues to want to punish Julian and make him disappear into the deepest darkest hole of the US prison system for the rest of his life."

Assange's legal team and supporters all over the world deserve to be congratulated. Monday's decision is a victory for everyone who took a stand on this most significant legal case of the twenty-first century, and a necessary step towards ending Assange's persecution.

But there is no room for complacency. Assange's freedom must be fought for and the assault on democratic rights of which his case is the spearhead must be defeated. These outcomes are assured only through the mobilisation of ever wider layers of the international working class and all defenders of democratic rights.

The immediate and urgent demand must be: Release Julian Assange now!



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