

On eve of British hearings, Assange's brother Gabriel Shipton speaks out: "This is Julian's last chance in the UK courts"

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16 February 2024

The WSWS spoke to Gabriel Shipton last week, ahead of British court hearings on February 20 and 21 for the extradition of his brother Julian Assange to the US.

As Shipton explains, Assange is perilously close to being dispatched to his American persecutors, who are seeking up to 175-years imprisonment for exposing war crimes and diplomatic conspiracies.

Shipton has been heavily involved in the fight for Assange's freedom, including by producing a feature documentary *Ithaka* detailing the case.

The WSWS interviewed him on Tuesday. The next day, the Australian parliament passed a motion on Assange. While posturing in support of Assange, the parliamentary motion was exceedingly vague. It did not call for Assange's freedom, for the US to end the prosecution or obligate the Labor government to do anything to defend its persecuted citizen.

WSWS: Could you outline what the British court hearings next week will decide and their significance?

Gabriel Shipton: The hearings on February 20 and 21 are Julian's final effort in the UK courts. He submitted an appeal application in writing which was rejected in the courts, by a single judge. The way that was rejected meant Julian could then submit a cut-down appeal application before two different judges. Those judges will then decide whether to give leave for Julian to appeal and on what points of law they will give leave or not. They could also reject the application entirely.

So he has already had this application rejected once, and this is the last possible chance in the UK courts to get this appeal up and have an actual appeal hearing. If this is rejected, the courts will turn around and order his extradition. We know from in the past that the UK government has done everything it can to prepare to extradite Julian, there have been airplanes on the tarmac and things like that, ready to whisk him away to the Eastern District of Virginia in the United States.

He does have one other option, which is the European Court of Human Rights. He would apply for an emergency stay of the extradition. But there is no guarantee that would be given or accepted by the United Kingdom. As we know in the past, the UK has bent all their laws and twisted them around to suit themselves, and not work in Julian's favor, because it's these courts that are really dealing out the persecution to Julian. They are the courts that have kept him in a maximum-security prison for the last five years, not serving a sentence, but solely at the behest of the US.

These courts are entirely complicit in Julian's persecution and in

sending that message to journalists, to publishers and anyone who wants to tell the truth, that if you you reveal national defence information of the US, you will end up in jail and it could be forever.

WSWS: It's clearly a very urgent situation, with an increasingly imminent prospect of extradition. The United Nations Rapporteur on Torture issued a statement, opposing extradition, as have numbers of civil liberties and rights organisations. Can you comment on those?

GS: It's encouraging to see the new UN Rapporteur on Torture come out with a fairly strong statement at this critical time. The previous Rapporteur on Torture Nils Melzer wrote what I think is the defining book on the treatment and persecution of Julian Assange over the past thirteen years, it's called *The Trial of Julian Assange*. So it is very encouraging to see the new Rapporteur, who is an Australian actually, come out with a statement.

It really puts into perspective, I believe, the efforts of the Australian government. The UN is calling this out as a violation of Julian's basic human rights, calling on the UK not to extradite Julian, whereas the Australian government can't even manage to do that, can't even ask directly for Julian to be released from one of their closest allies, the UK, along with the US. So it's courageous of the UN Rapporteur, but it also puts into focus the lack of effort and courage from the government of the country that Julian is a citizen of.

WSWS: Can you speak about the implications for Assange of the sentence handed down last week to Joshua Schulte? Accused of leaking Vault 7 documents published by WikiLeaks, showing vast CIA spying on a global scale, Schulte has been held in barbaric conditions and now sentenced to 40 years behind bars.

GS: What has been written about this sentencing is the all-of-life, non-parole parts that have been brought in from the Patriot Act. The use of that in the Schulte case shows that prosecutors are pushing for these sort of measures in national security cases. They tried to do it in the Chelsea Manning case, to bring in those Patriot Act type measures.

We expect that, having been brought up in the Schulte case, to factor into Julian's case, that they request all-of-life, non-parole periods during the sentencing of Julian. He could end up being in prison for the rest of his life if he is extradited to the US. This flies in the face of statements made by people like Caroline Kennedy, US ambassador to Australia, and people in the Labor Party such as Julian Hill, who are throwing options that Julian should take some mythical deal when it's quite obvious that the prosecutors in the US are quite eager to use everything in their power to punish people for telling the truth.

WSWS: Assange's poor health was the basis for an initial Magistrate's Court ruling that he could not be extradited, which has

since been overturned. What is Julian's health like and what are the implications for it of the ongoing extradition attempt?

GS: That was two years ago that the court found Julian was too unwell to be extradited. The expert testimony that was heard in that court, it hasn't gotten any better for Julian. He's been in a maximum-security prison for those years. His situation and his health is in decline and it's declined further since that Magistrate's decision. That needs to be taken into consideration by the courts. I don't expect them to, but I do expect the Australian government to stand up for one of its citizens who is having his human rights abuses, as the UN says. If the Australian government isn't willing to do that, then what's the point.

WSWS: Labor Prime Minister Anthony Albanese has said before "enough is enough" and the "matter needs to be brought to a close," referencing Assange's case. He claimed to be making representations to the US along those lines. But it appears that even that posturing has largely dried up. Is that right?

GS: Albanese visited the US and met with Biden in October and said that he had brought it up. But he's never said that he has directly asked the Biden administration or the president to release Julian, which is what we have been pushing for, a direct request from the government to release Julian. It has gone eerily quiet from the government as we approach this next hearing date.

We would like to see a lot more from them, and we are always raising, just do what you would do for Australian citizens and journalists in Iran, or China, or Vietnam. What you have done for them, do that for Julian. All we are expecting is fair treatment. But I think it's obvious in Julian's case that because the government is dealing with the US and the UK, it's a different kettle of fish for them. When it comes to our relationship with these two so-called 'partners,' it becomes clear that it's not a partnership at all, we are seen as servants.

WSWS: The Labor government, though, is also carrying out a crackdown on whistleblowing domestically, including by greenlighting the prosecution of David McBride, who exposed war crimes in Afghanistan. Do you see a connection between that and its refusal to defend Assange?

GS: Perhaps. You have these institutions of state that have been involved in previous governments that were openly hostile to Julian. The politicians may have changed, but the institutions of state remain the same and their attitude to Julian has always been that they felt threatened by truth and by people exposing what they're up to behind closed-doors. That has continued in these other prosecutions as well.

WSWS: In an article published by the *Nation* last month, journalist Charles Glass recounted a recent meeting with Assange in Belmarsh Prison. Julian had reportedly said he was concerned WikiLeaks was no longer in a position to expose war as it once was. His prosecution had acted as a deterrent for whistleblowers, and the organisation had been hit with financial and other sanctions. Obviously the extradition attempt is an act of retribution, but could you speak about that point Assange made, now that we have war in Ukraine, genocide in Gaza and the danger of world war.

GS: I certainly think that's the case. You just have to look back to when this really ramped-up against Julian, these foreign war projects were escalating and they needed Julian off the scene. When he started to really be pursued was back in 2017-2018, they needed to take his voice away, which they managed to do in 2019, dragging him out of the embassy and putting him in prison, which led the way to 2020 and where we are today with these seemingly endless conflicts, in the Middle East and in Ukraine. I don't think these projects would have

been possible, in the same way, if WikiLeaks was on the scene and if Julian had his voice.

WSWS: One aspect of the situation is we have seen the horrific war crimes in Gaza, but they have produced mass opposition all over the world, indicating a broader anti-war sentiment. We think that's relevant to the Assange case, because we think the fight for his freedom depends on a mass anti-war movement of workers and young people. Could you comment?

GS: I think it's certainly necessary. I don't think Julian can be released without it. WikiLeaks' work and Julian's work has incredible affinity with the anti-war movement globally. That is definitely one pillar that will be part of Julian's freedom and really taking that movement into parliaments around the world and into the Congress, to be taken up by decision makers. I think there is a pathway there for those anti-war movements to really be effective in making headway with the political capital that they have so much of at the moment.

I also think that leaking and whistleblowing is integral to Julian's freedom as well. We saw recently these whistleblowers within the Ecuadorian Embassy who came out with all this material, records and emails from the security company that was supposed to be guarding Julian but was really in league with the CIA in spying on him, plots to kidnap him and even to murder him. These sort of leaks will play a big role in exposing the corruption and the use of these institutions in the persecution of Julian in a way that people don't really understand, but need these original documents and source material in a way that can't be refuted.

WSWS: Obviously Julian is a public figure, a journalist and a political prisoner, but he's also a husband, brother, son and the father of two young children. Can you speak about the impact of his persecution on the family?

GS: We're all focussed on fighting for Julian. Not just campaigning for his freedom, but John [his father] and Stella [his wife], focused on keeping him going in the prison and being his lifeline to the outside world, his emotional lifeline.

To me, a lot of the campaigning work, whether it is successful or not, it keeps Julian alive, it keeps him hopeful that people out there are fighting for him, that not all is lost. He does have millions of people supporting him, press institutions, world leaders as well as people on the streets. To me, as Julian's family member, bringing that news to Julian is almost as important as the actions themselves, because it keeps him going, it keeps him alive.

I've heard from many political prisoners around the world and they all say that's what sustained them while they were behind bars, knowing that there were people out there fighting for them.

In terms of the toll, we are all united in fighting for Julian. It has an impact. I have to spend time away from my young family when I am advocating for Julian abroad, just as Julian does. So it has a big flow-on effect. They are victims of Julian's persecution as well. Julian's suffering is unequalled, but others are being impacted in ways that will last long into the future.



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