

**To:** Mr. Volker Türk, United Nations High Commissioner for Human Rights  
Mr. Livingstone Sewanyana, UN Independent Expert on International Order

**CC:** Heads of the Permanent Missions to the UN in Geneva

**Subject:** Follow-up Urgent Appeal for High Commissioner's Vocal Support and Action on the Cases of Julian Assange and Craig Murray transmitted on 5 April 2024

22 April 2024

**Dear High Commissioner Türk,**  
**Dear Independent Expert Sewanyana,**

I am writing to you once again from Justice pour Tous Internationale (JPTi) / Justice for All International, to urgently follow up on our appeal dated 5 April 2024 concerning the dire situations of Mr. Julian Assange and Mr. Craig Murray. We continue to rely on your office's commitment to upholding the foundational principles of the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights (ICCPR).

While we acknowledge the attention your office has given to other cases journalists, bloggers and political dissent originated from the countries of Global South, such as those of [Vladimir Kara-Murza](#), [Jimmy Lai](#), [Mohammed Al Ghamdi](#), [Virginia Laparra](#) and [Evan Gershkovich](#), as well as your personal efforts to [welcome new civil society alliance in Austria](#), we must express our deep concern over the apparent selective focus which has unfortunately left the plights of Mr. Assange and Mr. Murray seemingly overlooked. It is imperative that the advocacy and interventions of the OHCHR and Special Procedures mandate holders apply uniformly to all journalists and human rights defenders, irrespective of their nationality or the political sensitivities their cases may entail.

**Craig Murray case:**

I must express our grave concern regarding the absence of any substantive updates from the Special Procedures mandate holders on the case involving Mr. Craig Murray. Although Mr. Murray is now engaging in parliamentary elections, he continues to be significantly affected by what appears to be a flawed and arbitrary application of justice, compounded by discrimination between mainstream media journalists and modern independent journalists. This is linked to his legitimate journalistic activities on a case of profound public interest involving [Alex Salmond](#). This situation surely warrants the focused attention of the Special Rapporteur on Freedom of

Expression, who, as the lead mandate in this case, has not addressed this alarming matter with the UK Government for almost a year.

Mr. Murray, having [transitioned from self-exile to political engagement](#), continues to be hampered by a [flawed terrorism-related investigation](#) initiated at the border entry point to the UK upon his arrival at [Glasgow Airport](#). Despite his visible public engagement, the British authorities have not provided any updates or clarity on the investigation, affecting his fundamental rights and participation in democratic processes.

JPTi expresses deep concern over the significant risks faced by Mr. Craig Murray if the United Nations fails to intervene. These risks, both serious and multifaceted, threaten his personal safety, human rights, freedoms, and his capacity to [participate effectively in public and political life](#).

Mr. Murray's situation is marked by continued legal uncertainty and psychological stress due to the lack of transparency and updates concerning the ongoing terrorism-related investigation. This perpetual state of uncertainty not only undermines his psychological well-being but also places him in a precarious legal limbo, where the threat of potential charges or detention looms indefinitely. Such an indefinite state of uncertainty can lead to severe mental health issues, including stress, anxiety, and a constant sense of threat.

Furthermore, as Mr. Murray has transitioned from self-exile to political engagement, the unresolved investigation significantly hampers his ability to function effectively in his political roles. The cloud of an ongoing investigation can be stigmatizing and may be exploited to discredit his political activities and positions, potentially deterring constituents, allies, and the broader public from fully engaging with him and undermining his efforts to contribute to political discourse and effect change.

Additionally, the opaque nature of the investigation contravenes fundamental principles of fairness and due process, which are cornerstones of both international human rights law and domestic legal systems. The failure to provide clarity or progress in the investigation suggests a disregard for Mr. Murray's rights to be informed of the nature of any accusations against him and to defend himself accordingly.

Mr. Murray may also face implicit or explicit restrictions on his freedom of movement and association due to the unresolved investigation. This could result in increased surveillance, travel restrictions, or other limitations that not only infringe on his personal freedoms but also impact his capacity to engage in political activities and advocacy work.

Perhaps the most severe risk is the possibility of sudden detention based on undisclosed evidence or charges related to the investigation. Such circumstances could lead to legal proceedings where Mr. Murray would have to defend himself against potentially grave charges, possibly without full access to the evidence against him if classified under national security concerns.

Finally, the ongoing investigation, particularly if it remains unresolved and opaque, could cause irreparable damage to Mr. Murray's reputation. Being associated with a terrorism-related investigation can stigmatize individuals in the eyes of the public, colleagues, and even family, potentially isolating him socially and professionally. The comprehensive impact of these risks underscores the urgency for UN intervention to ensure that Mr. Murray's case is handled with transparency, fairness, and in accordance with international human rights standards.

Given these risks, it is imperative that the OHCHR and Special Procedures mandate holders intervene to ensure that Mr. Murray's case is handled with transparency, fairness, and in accordance with international human rights standards. The UN's advocacy could be crucial in prompting a review of the case, ensuring that Mr. Murray's rights are upheld, and that he is either cleared of suspicion or given a fair and open trial. The involvement of the UN could also serve as a safeguard against the abusive misuse of terrorism and state security legislation to politically persecute individuals, setting a precedent for the treatment of similar cases globally.

### **Julian Assange case:**

With regard to the case of Mr. Julian Assange, JPTi reiterates its grave concerns over his nearly 14-year arbitrary detention by the UK. In 2015, the UN Working Group on Arbitrary Detention (WGAD) highlighted Mr. Assange's ongoing deprivation of liberty since 2010 (see A/HRC/WGAD/2015/54, paras 77 - 85). Furthermore, on 8 December 2020, the UN Special Rapporteur on Torture, Nils Melzer, called for Assange's [immediate release after 10 years of arbitrary detention](#), stating that his conditions amount to torture, cruel, inhuman, and degrading treatment.

Regrettably, there has been nearly three years of silence from UN Special Procedures, coupled with recent inadequate public statements from the current Special Rapporteur on Torture and the Special Rapporteur on Freedom of Expression, as well as complete silence and a lack of decisive action by both the previous and current High Commissioners for Human Rights. This inaction not only undermines Mr. Assange's personal rights but also sets a concerning precedent for the treatment of individuals facing political persecution by the UK and the US.

As discussed in our urgent appeal dated 5th April 2024, the first formal interventions by the UN Special Procedures in three years consisted of inadequate press releases issued on [6 February 2024](#) and [1 March 2024](#). Regrettably, these press releases did not call for Mr. Assange's immediate release; moreover, one of them inaccurately claimed that Mr. Assange has been in detention since 2019, which directly contradicts and undermines the findings of the WGAD and the commendable efforts of former Special Rapporteur on Torture, Nils Melzer. To underscore the stark contrast with the current Special Rapporteur on Torture, we highlight [Mr. Melzer's commendable efforts](#). During his Interactive Dialogue on 8 March 2021, he voiced grave concerns to the Human Rights Council about the complete lack of cooperation by the four states directly involved in Mr. Assange's case, despite his [eight official communications](#) and several press statements.

The absence of an official communication from the current Special Procedures mandate holders, which unlike a press release, requires a governmental response, along with the ambiguity, inaccuracies, and failure to demand Mr. Assange's immediate release in the recent controversial press releases, illustrates a lack of forceful advocacy necessary to address these critical human rights issues and Mr. Assange's dire situation. It is imperative that the advocacy and interventions of the OHCHR and Special Procedures mandate holders be applied uniformly and robustly to ensure that justice is not only done but is also seen to be done in cases as significant as these.

While addressing the broader judicial injustices Mr. Assange faces, we must particularly emphasize the deceit inherent in the U.S. "assurances" regarding First Amendment protections. Settled U.S. constitutional case-law establishes that the First Amendment does not apply to acts committed by non-U.S. persons outside the USA. Thus, the "assurance" provided is not only useless and misleading but deceitful in fact. The assurances concerning Mr. Assange's ability to invoke First Amendment protections in his defense are markedly insincere. They superficially promise a fair trial yet deliberately omit a firm commitment to allow Mr. Assange to effectively utilize these First Amendment rights. Such omissions are deeply concerning, as they suggest a predetermined resistance to a genuine defense based on freedom of expression, implying that the trial could proceed without considering vital arguments about Mr. Assange's journalistic activities and their protection under U.S. law.

Additionally, the UK is obligated under the principle of non-refoulement, as per the 1951 Refugee Convention and its 1967 Protocol, along with the American Convention on Human Rights and the EU Charter of Fundamental Rights, to not extradite individuals where they face the risk of torture or death. UK courts have required assurances against such outcomes in Assange's extradition proceedings. However, Article 3 of the CAT and judgments from the European Court of Human Rights (ECtHR) such as *Saadi v. Italy*, *Ismoilov v. Russia*, and *Kaboulov v. Ukraine* emphasize that these assurances alone are insufficient without thorough examination of potential rights violations in the receiving country. This principle applies irrespective of a person's nationality, statelessness, or legal status and prohibits any discrimination in its application. Notably, the CAT Committee's decision in *Agiza v. Sweden* clarifies that diplomatic assurances cannot provide adequate protection against torture when there is a manifest risk and no effective mechanism for the 'refouling' state to enforce these assurances.

Importantly, the UK courts' dismissal of substantial evidence suggesting threats to Mr. Assange's safety by U.S. authorities—including considerations of kidnapping or assassination—illustrates a grave oversight and a disregard for his rights to protection and a fair trial. This oversight not only compromises Mr. Assange's security but also highlights a broader pattern of judicial indifference to critical human rights concerns and politically motivated persecution. Furthermore, the judicial constraints imposed on Mr. Assange's ability to appeal, especially those that effectively preclude any substantive discussion of the misconduct revealed by WikiLeaks, demonstrate a judicial process that strategically avoids addressing the serious implications of U.S. actions. The continued arbitrary deprivation of liberty and politically motivated persecution of

Assange not only silences crucial public discourse but also manipulates legal narratives to shield governmental misconduct, including state crimes, from scrutiny.

We would like to underline that the handling of Mr. Assange's extradition process by the UK raises profound concerns regarding judicial impartiality, political manipulation of legal procedures, and blatant disregard for fundamental human rights protections, as elaborated in Craig Murray's detailed blog post titled "[The Assange Hearing Permission Appeal Judgment: Mad and Bad.](#)" In this post, Mr. Murray provides a critical analysis of the judicial proceedings, highlighting a disturbing alignment with political interests and the manipulation of legal processes, particularly in coordination with political events in the United States.

Additionally, [Mr. Murray's blog emphasizes](#) the discriminatory aspects of the proceedings, especially the lack of assurances that Mr. Assange will not be discriminated against based on his nationality in the application of First Amendment rights. This point is crucial as it pertains to fundamental international legal principles of non-discrimination and the right to a fair trial. It is also vital for our follow-up advocacy and the submission of a shadow report to be considered by the Committee on the Elimination of Racial Discrimination (CERD) during its 113th session from 5-23 August 2024, which will examine, *inter alia*, the overdue UK's combined twenty-fourth to twenty-sixth periodic reports on its compliance with CERD's obligations.

Given these developments, it is imperative that the OHCHR and Special Procedures mandate holders intervene decisively. The international community, along with various media outlets and public institutions, continues to closely monitor our collective response to these human rights challenges. The manner in which we address these issues will not only impact the individuals involved but will also significantly influence global perceptions of the United Nations' dedication to upholding fundamental human rights.

### **Call to Initiate Independent and Public Inquiries:**

In this follow-up urgent appeal, JPTi also addresses [the UN Independent Expert on International Order](#), urging an examination of the obstacles that hinder the promotion and protection of a democratic and equitable international order, as evidenced by the handling of these high-profile cases. According to Human Right Council's [Resolution 18/6](#), a democratic and equitable international order necessitates, *inter alia*, the following: the principle of equitable regional and gender-balanced representation in the composition of the staff of the United Nations system; and the promotion of a free, just, effective, and balanced international information and communications order, based on international cooperation for establishing a new equilibrium and greater reciprocity in the international flow of information, particularly correcting inequalities in the flow to and from developing countries.

In the context of your mandate, in addition to the discrepancies stated above, we would like to bring to your attention an incident reported to the High Commissioner in our urgent appeal dated 5 April 2024. On 11 March 2024, our Association provided a [platform for Craig Murray](#) to

vocalize his case and that of Julian Assange at the Human Rights Committee during its 140th Session. However, a [concerning incident](#) occurred where a member of the Committee, Mr. Rodrigo A. Carazo, was silenced during the public review of the UK periodic report. Mr. Carazo aimed to articulate his concerns over Assange's prolonged arbitrary detention and Craig Murray's investigation under Schedule 7 of the UK 2000 Terrorism Act for his peaceful support of the Palestinian people's right to self-defense, as well as the broader implications for freedom of speech. Additionally, he intended to raise urgent issues beyond these cases, including the unfolding genocide situation in Gaza and the controversial role of the UK's arms exporters to the region. This unprecedented event, which we highlighted on our LinkedIn and further elaborated on in [Craig Murray's blog](#), has garnered attention from [Chinese](#) and [Georgian](#) media, among others. This incident underscores the urgency with which these cases demand public support and action from your office.

In this context, we implore the High Commissioner and the Independent Expert, with renewed urgency, to undertake visible, decisive actions that demonstrate a genuine commitment to human rights for all. This should include publicly demonstrating unbiased courage and leadership in support of Julian Assange and Craig Murray. Additionally, we expect active engagement with relevant Special Procedures mandate holders and the initiation of independent and public inquiries under paragraph 6 (h and j) of HRC Resolution 18/6. These inquiries must scrutinize the OHCHR's lack of due diligence in handling communications regarding the persecution of journalists and political dissent, particularly within the Western European Group of Countries. It is crucial that the cases of both Mr. Assange and Mr. Murray are addressed transparently, adequately, and expediently. Such measures are essential not only for resolving these specific cases but also for restoring faith in the OHCHR's global commitment to human rights, countering the currently apparent selective approach.

Thank you for your attention to this critical matter. We look forward to your prompt and principled action.

Sincerely,



Sharof Azizov

Founder and Secretary of the Board

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