

CCPR - International Covenant on Civil and Political Rights

HUMAN RIGHTS COMMITTEE

140th session

4 – 28 March 2024

Palais Wilson, Geneva

Examination of the 8th report and country situation of United Kingdom of Great Britain and Northern Ireland

11 March 2024

Statement on [abuse by the UK of counter-terrorism and state security laws](#): targeting of journalists, political critics, peaceful protesters, and whistleblowers

CASE OF ASSANGE:

In our detailed submission, we respectfully bring to the attention of the distinguished members of the United Nations Human Rights Committee *inter alia* two critical legal considerations that are paramount in the context of Julian Assange's case. These points not only highlight pivotal legal issues but also call for a nuanced understanding of the principles of freedom of speech and international treaty obligations.

First, it is essential to highlight that throughout numerous judgements rendered in the case thus far, there has been an absence of recognition by any British court that the dissemination of information by Chelsea Manning, which Julian Assange is associated with, disclosed state actions of grave concern. These actions include, but are not limited to, extrajudicial killings, torture, and illegal rendition. The public exposure of such actions is a matter of public interest and represents a form of speech that is critically protected under the principles of freedom of expression. However, the United Kingdom's judiciary has consistently refrained from addressing the core issue of freedom of speech in this context.

Second, regarding the legal framework of the UK/US Extradition Treaty of 2007, which forms the basis of the extradition proceedings against Mr. Assange, Article 4

explicitly prohibits extradition for political offences. The charge of espionage against Mr. Assange is traditionally considered a political offence within legal contexts. Despite this, UK courts have ruled that the provisions of the Treaty are not applicable within the domestic legal system, arguing that the Treaty's terms have not been incorporated into UK law. This stance is indicative of a broader legal doctrine in the UK, where international law, including ratified treaties, is not deemed binding unless explicitly incorporated into domestic legislation. This approach has significant implications for the adherence to international treaties, especially those concerning the rights of individuals, as ratified by the UK and deposited with the United Nations.

For instance, the UK courts have determined that the UN Convention on the Rights of the Child does not confer rights within the UK jurisdiction. A notable application of this doctrine was the decision by the UK Supreme Court to prevent Scotland from incorporating the UN Convention on the Rights of the Child into Scottish law, on the basis that it had not been adopted at the national level by Westminster.

Therefore, the extradition proceedings against Julian Assange continue, notwithstanding the explicit prohibition against extradition for political offences as outlined in the treaty. This situation raises profound questions about the UK's commitment to its international treaty obligations and underscores the need for a critical examination of the principles guiding the interpretation and application of international law within national jurisdictions.

We humbly submit these points for the Committee's consideration, with the utmost respect for the complex legal and ethical dimensions they encompass, and with a sincere hope for a dialogue that respects the principles of international law and human rights.

CASE OF CRAIG MURRAY:

Additionally, the Association "Justice for All International" would like to address a deeply concerning issue: notably the plight of our client, Mr. Craig Murray, Esq., a distinguished former British Ambassador, historian, human rights defender and journalist. Mr. Murray's conscientious reporting on political and human rights, notably his vocal support for the Palestinian cause, has led to significant personal and professional consequences, culminating in his self-exile to Switzerland.

On 16 October Mr. Murray was detained and questioned under the Schedule 7 of the UK Terrorism Act 2000 and his electronic devices taken. He has since been informed in writing he is subject to a continuing Terrorism Act investigation,

Mr. Murray has no connection to terrorism or violence of any kind. He is a former Ambassador and University Rector. His tenure as the British Ambassador to Uzbekistan was marked by an unwavering dedication to human rights, where he actively addressed issues of torture and secret renditions.

His courageous stance in support of the Palestinian people is now treated by British police as “terrorism”, with a possible jail sentence up to 18 years of imprisonment. Mr. Murray has therefore left the UK.

Moreover, we highlight Mr. Craig Murray's recent experience with UK counterterrorism law enforcement, where he was targeted for his non-violent political advocacy in support of the Palestinian people and their right to self-defense. His dedication to exposing atrocities in Gaza and supporting Julian Assange is commendable, yet it has resulted in his exile in Switzerland. This situation raises serious concerns about the misuse of anti-terrorism legislation and underscores the need for the United Nations to intervene.