

Julian Assange / Ecuadorian Embassy (London) matter (diplomatic-asylum / embassy-inviolability issues)

The Julian Assange and Ecuadorian Embassy matter, concerning diplomatic asylum and embassy inviolability, centers on Assange seeking refuge in the Ecuadorian Embassy in London in 2012 to avoid arrest and extradition to Sweden on sexual assault allegations and possible further extradition to the US for WikiLeaks-related charges. Ecuador granted him diplomatic asylum, citing fears of human rights violations if extradited to the US. Under the Vienna Convention on Diplomatic Relations, embassy premises are inviolable, meaning UK police could not enter the Ecuadorian Embassy without consent to arrest him.

The UK government insisted on its legal obligation to extradite Assange to Sweden and threatened to remove the embassy's diplomatic status through the UK Diplomatic and Consular Premises Act 1987, which allows the UK to withdraw recognition of the embassy premises and circumvent inviolability. Ecuador refused to hand over Assange, creating a diplomatic stalemate.

Key points include:

- Assange was protected from arrest while inside the embassy due to diplomatic inviolability.
- If Assange left the embassy, he risked immediate arrest as he had no immunity under UK law.
- Diplomatic asylum granted by Ecuador is not legally binding on the UK, which is under no obligation to recognize the asylum or allow Assange safe passage out of the country.
- The UK threatened but ultimately did not act on removing the embassy's inviolability by applying the 1987 Act.
- The dilemma illustrated a novel clash between asylum rights and established diplomatic law, with no clear international treaty covering diplomatic asylum between the UK and Ecuador.
- Severing diplomatic relations and closing the embassy, ending its inviolability, was a legal option but never implemented.

Assange's extended stay in the embassy highlighted the complexities and limits of diplomatic asylum and inviolability in international law, with the UK prioritizing its extradition obligations while Ecuador asserted protective asylum rights.