



## Julian Assange

### Description

The Working Group on Arbitrary Detention Deems the deprivation of liberty of Mr. Julian Assange as arbitrary

On 4 December 2015, the Working Group on Arbitrary Detention (WGAD) adopted Opinion No. 54/2015, in which it considered that Mr. Julian Assange was arbitrarily detained by the Governments of Sweden and the United Kingdom of Great Britain and Northern Ireland. In that opinion, the Working Group recognized that Mr. Assange is entitled to his freedom of movement and to compensation. The application was filed with the Working Group in September 2014. The Opinion 54/2015 was sent to the Governments of Sweden and the United Kingdom of Great Britain and Northern Ireland on 22 January 2016 in accordance with the Working Group's Methods of Work.

Given that Mr. Assange is an Australian citizen, one of the members of the Working Group who shares his nationality recused herself from participating in the deliberations. Another member of the Working Group disagreed with the position of the majority and considered that the situation of Mr. Assange is not one of detention and therefore falls outside the mandate of the Working Group.

In mid-2010, a Swedish Prosecutor commenced an investigation against Mr. Assange based on allegations of sexual misconduct. On 7 December 2010, pursuant to an international arrest warrant issued at the request of the Swedish Prosecutor, Mr. Assange was detained in Wandsworth Prison for 10 days in isolation. Thereafter, he was subjected to house arrest for 550 days. While under house arrest in the United Kingdom, Mr. Assange requested the Republic of Ecuador to grant him refugee status at its Embassy in London. The Republic of Ecuador granted asylum because of Mr. Assange's fear that if he was extradited to Sweden, he would be further extradited to the United States where he would face serious criminal charges for the peaceful exercise of his freedoms. Since August 2012, Mr. Assange has not been able to leave the Ecuadorian Embassy and is subject to extensive surveillance by the British police.

The Working Group considered that Mr. Assange has been subjected to different forms of deprivation of liberty: initial detention in Wandsworth prison which was followed by house arrest and his

confinement at the Ecuadorian Embassy. Having concluded that there was a continuous deprivation of liberty, the Working Group also found that the detention was arbitrary because he was held in isolation during the first stage of detention and because of the lack of diligence by the Swedish Prosecutor in its investigations, which resulted in the lengthy detention of Mr. Assange. The Working Group found that this detention is in violation of Articles 9 and 10 of the UDHR and Articles 7, 9(1), 9(3), 9(4), 10 and 14 of the ICCPR, and falls within category III as defined in its Methods of Work.

The Working Group therefore requested Sweden and the United Kingdom to assess the situation of Mr. Assange to ensure his safety and physical integrity, to facilitate the exercise of his right to freedom of movement in an expedient manner, and to ensure the full enjoyment of his rights guaranteed by the international norms on detention. The Working Group also considered that the detention should be brought to an end and that Mr. Assange should be afforded the right to compensation.

5 February 2016

Check the Working Group's Opinion on Julian Assange's case (No. 54/2015), adopted in December:  
[www.ohchr.org/Documents/Issues/Detention/A.HRC.WGAD.2015.docx](http://www.ohchr.org/Documents/Issues/Detention/A.HRC.WGAD.2015.docx)

See press release by the Working Group on Arbitrary Detention:  
[www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=17013&LangID=E](http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=17013&LangID=E)

Bruns, A.. (2012). Towards Distributed Citizen Participation Lessons from WikiLeaks and the Queensland Floods. JeDEM

### **Show/hide publication abstract**

"This paper examines the rapid and ad hoc development and interactions of participative citizen communities during acute events, using the examples of the 2011 floods in Queensland, Australia, and the global controversy surrounding WikiLeaks and its spokesman, Julian Assange. The self-organising community responses to such events which can be observed in these cases bypass or leapfrog, at least temporarily, most organisational or administrative hurdles which may otherwise frustrate the establishment of online communities; they fast-track the processes of community development and structuration. By understanding them as a form of rapid prototyping, e-democracy initiatives can draw important lessons from observing the community activities around such acute events."

Assange, J.. (2013). Cyberpunks: Liberdade E O Futuro Da Internet. In Climate Change 2013 – The Physical Science Basis

Plain numerical DOI: 10.1017/CBO9781107415324.004

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### **Show/hide publication abstract**

"Cypherpunks – liberdade e o futuro da internet" é o primeiro livro de Julian Assange, editor chefe e

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visionário por trás do wikileaks, a ser publicado no brasil com o selo da boitempo. o livro é resultado de reflexões de assange com um grupo de pensadores rebeldes e ativistas que atuam nas linhas de frente da batalha em defesa do ciberespaço (jacob appelbaum, andy müller-maguhn e jérémie zimmermann). apesar de a internet ter possibilitado verdadeiras revoluções no mundo todo, assange prevê uma grande onda de repressão, a ponto de considerar a internet como uma possível ameaça à civilização humana devido à transferência do poder de populações inteiras a um complexo de agências de espionagem e seus aliados corporativos transnacionais, que não precisarão prestar contas pelos seus atos. o livro reflete sobre a vigilância em massa, censura e liberdade, mas o principal tema é o movimento cypherpunk, que defendem a utilização da criptografia e métodos similares como meios para provocar mudanças sociais e políticas. fundado no início dos anos 1990, o movimento atingiu o auge de suas atividades durante as 'criptoguerras' e após a censura da internet em 2011 na primavera árabe. desde junho deste ano, quando conseguiu asilo político na embaixada do equador em londres temendo um revés diplomático que o entregasse às autoridades norte-americanas, assange tem se dedicado a promover debates sobre a sociedade contemporânea com grandes intelectuais de todo o mundo e foi dentro deste contexto que escreveu cypherpunks." Ottosen, R.. (2013). WikiLeaks: news in the networked era. Digital Journalism

Plain numerical DOI: 10.1080/21670811.2012.740287

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### **Show/hide publication abstract**

"The book wikileaks: news in the networked era by charlie beckett and james ball is an excellent book offering a systematic documentation on the history of wikileaks and the controversial role of the founder, julian assange. the destiny of assange and wikileaks are closely linked. one of many uncertainties for the future of wikileaks is linked to the outcome of the criminal investigation over the alleged sexual abuse by assange towards two swedish women. the authors wisely choose not to go into the details of the case, since the legal case is ongoing, and since the issue of assange's possible abuse is irrelevant for the main topic of the book: the future of journalism in the age of internet." Žižek, S.. (2013). Edward Snowden , Chelsea Manning and Julian Assange: our new heroes. The Guardian

### **Show/hide publication abstract**

"Slavoj žižek: as the nsa revelations have shown, whistleblowing is now an essential art. it is our means of keeping 'public reason' alive" Caryl, C.. (2011). Why WikiLeaks Changes Everything.. New York Review of Books

### **Show/hide publication abstract**

"The article offers the author's views on the move of wikileaks to release confidential documents into the public domain, which violates the concept of privacy. he notes the decision of wikileaks to post examples from a cache of 251,287 formerly secret u.s. diplomatic cables into the internet. he cites the aim of founder julian assange, which claims that assange wants to make the world more civil by making the u.s. state department and department of defense accountable for their actions."

Spade, D., & Willse, C.. (2014). Sex, Gender, and War in an Age of Multicultural Imperialism. QED: A Journal of GLBTQ Worldmaking

Plain numerical DOI: 10.1353/qed.2014.0002

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### **Show/hide publication abstract**

“This essay examines the case of chelsea manning in the larger context of both u.s. imperial war and the ways in which gender and sexuality are deployed in service of colonialism, racism, and militarism. situating the manning case alongside two contemporaneous events, the attempted prosecution of julian assange on rape charges and hillary clinton’s much-lauded ‘gay rights are human rights’ speech, we argue that manning’s trans identity has challenged both right and left commentators to absorb her into projects of pinkwashing and homonationalism. we conclude with a consideration about what anti-war, anti-imperial, anti-carceral lgbt politics and organizing around this case might look like.”

Springer, S., Chi, H., Crampton, J., Mcconnell, F., Cupples, J., Glynn, K., ... Attewell, W.. (2012). Leaky Geopolitics: The Ruptures and Transgressions of WikiLeaks. Geopolitics

Plain numerical DOI: 10.1080/14650045.2012.698401

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### **Show/hide publication abstract**

“The unfurling of violent rhetoric and the show of force that has lead to the arrest, imprisonment, and impending extradition of wikileaks founder, julian assange, serve as an exemplary moment in demonstrating state-sanctioned violence. since the cables began leaking in november 2010, the violent reaction to wikileaks evidenced by numerous political pundits calling for assange’s assassination or execution, and the movement within the us to have wikileaks designated a ‘foreign terrorist organization’, amount to a profound showing of authoritarianism. the ‘wikigate’ scandal thus represents an important occasion to take stock and think critically about what this case tells us about the nature of sovereign power, freedom of information, the limits of democracy, and importantly, the violence of the state when it attempts to manage these considerations. this forum explores a series of challenges inspired by wikileaks, which we hope will prompt further debate and reflection within critical geopolitics. [abstract from publisher]”

Assange, J.. (2017). Vault 7: CIA Hacking Tools Revealed

### **Show/hide publication abstract**

“Today, tuesday 7 march 2017, wikileaks begins its new series of leaks on the u.s. central intelligence agency. code-named ‘vault 7’ by wikileaks, it is the largest ever publication of confidential documents on the agency. the first full part of the series, ‘year zero’, comprises 8,761 documents and files from an isolated, high-security network situated inside the cia’s center for cyber intelligence in langley, virginia. it follows an introductory disclosure last month of cia targeting french political parties and candidates in the lead up to the 2012 presidential election. recently, the cia lost control of the majority of its hacking arsenal including malware, viruses, trojans, weaponized ‘zero day’ exploits, malware remote control

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systems and associated documentation. this extraordinary collection, which amounts to more than several hundred million lines of code, gives its possessor the entire hacking capacity of the cia. the archive appears to have been circulated among former u.s. government hackers and contractors in an unauthorized manner, one of whom has provided wikileaks with portions of the archive."

Assange, J.. (2010). Why the World Needs Wikileaks. TEDGlobal2010

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"Manzanar national historic site receives funding from centennial initiative independence, california — centennial funding combined with funds from the friends of manzanar will be used to restore historic vegetation at the manzanar auditorium which now serves as the site's interpretive center. completion of the is project will allow visitors who enter the camp auditorium through the historic west entrance to experience it in much the same way internees did over 60 years ago. 'we are excited to be working closely with the friends of manzanar on this site restoration project and to be included in the first round of funding for the centennial initiative. we will be working closely with the friends on fund-raising for our next centennial project, the reconstruction of barracks at the demonstration block, a much larger project which we hope will be funded in the next round of projects in 2009,' said superintendent tom leatherman. national park service director mary a. bomar said, "with the nearly \$25 million congress has appropriated and nearly \$27 million of matching commitments from our park partners, the centennial initiative today moves onto the landscape and into people's lives. it's a great day for the national park service and a great day for the friends of manzanar at manzanar national historic site." the national park centennial initiative is a 10-year program to reinvigorate america's national parks and prepare them for a second century. the initiative includes a focus on increased funding for park operations plus a president's challenge: up to \$100 million a year in federal funds to match \$100 million a year in philanthropic donations to the national park service. "this is how we put our centennial goals on the ground and it's quite a beginning," bomar said. 'we have 110 programs and projects involving more than 130 individual, public and non-profit partners benefitting 76 national park in 38 states and the district of columbia.' the project at manzanar will include replanting historic vegetation following guidelines provided in the park's cultural landscape report. work will take place in the late summer and fall and will be completed in time for the pilgrimage next year. the friends of manzanar, who are providing half of the funds for this project, will also begin raising funds for the reconstruction of buildings in one of the residential blocks on the site. the preservation and restoration of buildings and featu..."

Assange, J.. (1988). Do You Want to Know a Secret?. Journal of Sport Management

### Show/hide publication abstract

"The article reports that the best kept secret in the world of sport management today is that corporate sports sponsorship and high school sports have formed a friendly alliance for nearly 10 years. in august 1987 coca-cola signed a 3-year sponsorship agreement with a california interscholastic foundation. in 1983 the oregon school activities association hired don baird as marketing director in an attempt to explore and solicit corporate sponsorships. what it means to the corporate sponsor is that they have a significant impact on a target population with a minimal amount of expense. the sponsorship sought after by the high school associations is now being expanded into all high school extracurricular programs."

Assange, J.. (2010). Golden hour for phishing and new Zeus botnet. Computer Fraud & Security

Plain numerical DOI: 10.1016/S1361-3723(10)70152-4

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### Show/hide publication abstract

“Security firm trustee has released research that suggests a ‘golden hour’ for phishing attacks. it has also uncovered a new zeus-based botnet targeting us retailers.”

Keller, B.. (2011). Dealing With Assange and the WikiLeaks Secrets. New York Times, 26th January

### Show/hide publication abstract

“This past june, alan rusbridger, the editor of the guardian, phoned me and asked, mysteriously, whether i had any idea how to arrange a secure communication. not really, i confessed. the times doesn't have encrypted phone lines, or a cone of silence. well then, he said, he would try to speak circumspectly. in a roundabout way, he laid out an unusual proposition: an organization called wikileaks, a secretive cadre of antisecrecy vigilantes, had come into possession of a substantial amount of classified united states government communications. wikileaks's leader, julian assange, an eccentric former computer hacker of australian birth and no fixed residence, offered the guardian half a million military dispatches from the battlefields of afghanistan and iraq. there might be more after that, including an immense bundle of confidential diplomatic cables. the guardian suggested — to increase the impact as well as to share the labor of handling such a trove — that the new york times be invited to share this exclusive bounty. the source agreed. was i interested? i was interested.”

Benkler, Y.. (2011). A Free Irresponsible Press: Wikileaks and the Battle over the Soul of the Networked Fourth Estate. Harvard Civil Rights-Civil Liberties Law Review

Plain numerical DOI: 10.1525/sp.2007.54.1.23.

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... “... The governments of china, israel, north korea, russia, thailand, zimbabwe, and several other countries have blocked access to [wikileaks.org](#)-type web sites, claimed they have the right to investigate and prosecute [wikileaks.org](#) and associated whistleblowers, or insisted they remove false, sensitive, or classified government information, propaganda, or malicious content from the internet. ... the report follows up with other items it calls variously ‘news articles,’ or ‘reports,’ related to abuses in Guantanamo Bay, based on the leaked Camp Delta operating procedures, and in one case states: ‘a variety of newspapers, wire services, and other news and media organizations wrote numerous articles based on the original [wikileaks.org](#) news article and actual classified document posted to their web site.’ ... a review of all news stories in the Lexis-Nexis database in 2007 and 2008 reveals, however, that Wikileaks’ analysis (as opposed to documents) was not reported on in media covered by that dataset; instead, the roughly 400 reports present during that period referenced the materials themselves, with occasional references to the brief overview offered by the site. ... nothing captures that threat more ironically than the spectacle of Judith Miller, the disgraced New York Times reporter who yoked that newspaper’s credibility to the Bush administration’s propaganda campaign regarding Iraq’s weapons of mass destruction in the run-up to the Iraq War, using Fox News as a platform to criticize

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julian assange for neglecting the journalist's duty of checking his sources and instead providing raw cables to the public. ... from the perspective of the assault on wikileaks, the important aspect of manning's treatment is the effort to use him to deter future whistleblowers and the question of whether his culpability could serve to anchor conspiracy liability against assange and wikileaks. ... in following the second circuit, and integrating it with the ninth circuit, the third circuit in in re madden summarized: 'we hold that individuals are journalists when engaged in investigative reporting, gathering news, and have the intent at the beginning of the news-gathering process to disseminate this information to the public.' ... as the networked public sphere develops, as a more diverse set of actors-from individual bloggers like instapundit, to nonprofits like the sunlight foundation, small commercial online publications like talking points memo, and large decentralized ..."

Krotoski, A.. (2011). Wikileaks and the New, Transparent World Order. Political Quarterly

Plain numerical DOI: 10.1111/j.1467-923X.2011.02250.x

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"Wikileaks' julian assange is the modern figurehead for a new world order defined by openness, transparency and internet freedom. he fights the corner for the 'liberation of conspiracies'<sup>1</sup> through new technologies, a partisan contributor to an ongoing information dialogue about neutrality and accountability that has debated since the internet began. however, there is an important distinction between content published on the web, and the technology it is published on. both have implications for influence. assange resides in the content level. by describing himself as 'editor-in-chief', he explicitly seeks to elevate himself to the samesociopoliticalstandingasnewspaper magnates like murdoch and hearst, who have acted as gatekeepers of information delivered to a public from the perspective oftheirparticular(oftenttransparent)agendas. but web technologies have features that supposedly circumvent this social order: political uprisings in the middle east and africa and election campaigns fought and (ostensibly) won through social network campaigns contribute to the popular discourse that frames technology as something essential, responsible for eradicating the pecking order. this makes an assumption that the designs of the systems are agnostic. rather, the content that is published online is simply an apparent text for ideology. here, i argue that web developers are complicit in influencing the users of online services through the decisions about the functions of their services and the mechanics they choose to enact in their code."

Marlin, R.. (2011). Propaganda and the Ethics of WikiLeaks. Global Media Journal – Australian Edition

Plain numerical DOI: 10.1007/s11069-005-6128-8

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"Much concern has been expressed about the political power wielded by wikileaks, an organization devoted to challenging established power by providing a safe, anonymous conduit for whistleblowers. some view this organization as treasonous, or in violation of laws prohibiting espionage, and have called for the assassination of its founder, julian assange. this paper sketches some of the different ethical parameters and nodal points involved in the wikileaks phenomenon: the anonymous leakers,

the wikileaks organization, the mass media outlets favoured by wikileaks, the general public, and possible political and legal responses to the leakages. the issue connects with some familiar ethical questions: the newspaper publishers treatment of leaks from anonymous sources, the ethics of (non-anonymous) whistle-blowing, the ethics of violating secrecy, and the ethics of propaganda use. i review margaret somervilles arguments leading to her conclusion that wikileaks are on the whole a bad thing. i argue, making use of historical examples, that she doesnt take sufficiently into account the potential for good from wikileaks, particularly in the light of an increasingly propagandized society where truth is obscured by muzzling government or corporate officials, discouraging investigative reporting, and making use of sophisticated public relations techniques to condition the public mind. i conclude that wikileaks could well be a good thing, but the potential could be undermined by irresponsible behaviour by the operators. its effectiveness could also be undermined by pseudo-leakages or other ways of discrediting the personnel and operations of wikileaks."

Den Heijer, M.. (2013). Diplomatic asylum and the assange case. *Leiden Journal of International Law*

Plain numerical DOI: 10.1017/S0922156513000095

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### **Show/hide publication abstract**

"This article traces the place and development of diplomatic asylum in international law in close connection with the more specific questions raised by the case of julian assange, who was granted asylum in the ecuador embassy in london on 16 august 2012. after discussing the historical rise and decline of diplomatic asylum, the article reviews the current status of diplomatic asylum in international law and its implications for the triangular legal relationship between the united kingdom, ecuador, and assange. the article submits that, although there would not seem to be a title in general international law or human rights law for ecuador to grant asylum to assange, there is no obvious legal route for the united kingdom to terminate the asylum. the fate of assange resembles that of a long series of historical precedents where diplomatic asylum resulted in protracted stays. although this may seem an unsatisfactory result from the perspective of international law, the uneasy balance between territorial sovereignty and diplomatic inviolability also engenders incentives to avoid disputes or to resolve them through diplomatic channels. [publication abstract]"

Bruns, A.. (2012). Towards Distributed Citizen Participation. *EJournal of EDemocracy and Open Government*

### **Show/hide publication abstract**

"This paper examines the rapid and ad hoc development and interactions of participative citizen communities during acute events, using the examples of the 2011 floods in queensland, australia, and the global controversy surrounding wikileaks and its spokesman, julian assange. the self-organising community responses to such events which can be observed in these cases bypass or leapfrog, at least temporarily, most organisational or administrative hurdles which may otherwise frustrate the establishment of online communities; they fast-track the processes of community development and structuration. by understanding them as a form of rapid prototyping, e-democracy initiatives can draw important lessons from observing the community activities around such acute events."

Seigworth, G. J., & Tiessen, M.. (2012). Mobile Affects, Open Secrets, and Global Illiquidity: Pockets, Pools, and Plasma

. Theory, Culture & Society

Plain numerical DOI: 10.1177/0263276412444473

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“This article will take up deleuze and guattari’s allusive yet insightful writings on ‘the secret’ by considering the secret across three intermingling registers or modulations: as content (secret), as form (secrecy), and as expression (secretion). setting the secret in relation to evolving modes of technological mediation and sociality as respectively pocket, pooling, and plasma, the article works through a trio of examples in order to understand the contemporary movements of secrets: the memories of secrets evoked in an intimately interactive music video by the band arcade fire (as an example of ‘pocket’); the movements of secrecy turned fabulative in the scopic-doublings of airport full-body scanners (as ‘pooling’); and, finally, the collective secretions that come to saturate and stretch around the globe as expressed by liquidity-seeking financial innovations (providing an angle onto ‘plasma’). these three instantiations of contemporary secrecy are framed by a discussion of julian assange of wikileaks and mark zuckerberg of facebook – truly a couple for our age: each intent, in their own way, upon bringing an end to secrets. throughout, we try to maintain close attention to the emerging rhythms and dissonances that engage secrecy in a dance between the half-voluntary and the half-enforced.”

Defreitas, N.. (2011). How the Internet has Changed the Definition of “Journalist”. Gateway Journalism Review

Plain numerical DOI: 10.1038/ncomms5315

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“Defreitas narrates on how the internet has changed the definition of journalist. in this age of blogs and wikileaks the definition of journalist has been challenged and changed. this issue has gained attention recently with the rise of wikileaks and julian assange. wikileaks has released an enormous volume of classified material on its site, resulting in a great deal of scrutiny of assange who is not a journalist. in the us there is no federal agency that passes out journalist licenses nor is there a journalistic equivalent of the bar exam. the traditional definition of journalist must change. a new, more accurate definition should reflect that anyone can do journalistic work today. but it should apply while they are doing journalistic work. a sincere attempt to follow journalistic standards and ethics should be the factor that determines if someone is a journalist. so long as the person in question attempts to follow ethical guidelines accepted by the journalistic community and attempts to only report factual information, they should be treated as a journalist.”

Sangarasivam, Y.. (2013). Cyber rebellion: Bradley manning, wikileaks, and the struggle to break the power of secrecy in the global war on Terror. Perspectives on Global Development and Technology

Plain numerical DOI: 10.1163/15691497-12341243

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“Following the release of thousands of diplomatic cables which revealed the human rights abuses and networks of corruption that sustain the us-sponsored global war on terror, the us justice department has invoked the 1917 espionage act to indict both bradley manning, the us soldier who released the classified documents to wikileaks, and julian assange, the editor and publisher of wikileaks. while censorship serves as an economic signal, as assange asserts, how does the torture and prosecution of pvt. bradley manning serve as a cultural signal which reveals the lessons of a patriotism that promotes a dystopic democracy? this article examines the spatio-temporal predicament of secrecy, surveillance, and censorship in the face of cyber rebellion. [publication abstract]”

Bruns, A.. (2014). WikiLeaks: The napster of secrets?. International Journal of Communication

## Show/hide publication abstract

“WikiLeaks has become a global phenomenon, and its founder and spokesman julian assange an international celebrity (or terrorist, depending on one’s perspective). but perhaps this focus on assange and his website is as misplaced as the attacks against napster and its founders were a decade ago: wikileaks itself only marks a new phase in a continuing shift in the balance of power between states and citizens, much as napster helped to undermine the control of major music labels over the music industry. if the history of music filesharing is any guide, no level of punitive action against wikileaks and its supporters is going to re-contain the information wikileaks has set loose.”

### Category

1. General

### Tags

1. wiki leaks

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web45