

Australian journalist Mary Kostakidis: Assange is a “highly principled individual with enormous courage”

By Oscar Grenfell
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In comments to the *World Socialist Web Site* this week, well-known Australian journalist Mary Kostakidis condemned the abuses being perpetrated against WikiLeaks founder Julian Assange and stated that he had only been able to survive years of arbitrary detention because of his “conviction that truth should prevail.”

Kostakidis has been viewing the resumed British court hearings for Assange’s extradition to the US each day, and has been live-tweeting about the proceedings.

The journalist has a large public following, as a result of her outspoken defence of civil liberties. Kostakidis was the main presenter for the national television program “SBS World News” for over two decades, until 2007.

She has defended Assange since the US persecution of the WikiLeaks publisher, over his exposure of American war crimes, human rights abuses and global diplomatic conspiracies, began.

In 2011, Kostakidis presented Assange with the Sydney Peace Foundation’s Gold Medal for peace with justice.

In her remarks at London’s Frontline Club, Kostakidis thanked Assange for his “heroic courage” in exposing the truth to the public and described WikiLeaks as an “ingenious website that has shifted the power balance between citizen and the state by exposing what governments really get up to in our name.” Amid a barrage of media lies and slanders directed against Assange, Kostakidis bluntly stated the real issue: “The US wants to shut down WikiLeaks and criminalise the activity of this publisher.”

Kostakidis would meet with Assange after he sought asylum in Ecuador’s London embassy in 2012. She also visited the WikiLeaks publisher in Britain’s maximum-security Belmarsh Prison last year.

An account she published online was headlined: “Belmarsh High Security prison is surrounded by greenery.” But Kostakidis noted, “Nothing is green inside—a small internal courtyard is barren and desolate, the sky framed by razor wire. An astonishing place to hold a journalist, editor and publisher.”

WSWS: You have been watching and live-tweeting the current British extradition hearings each day. Could you please give our readers your assessment of the proceedings overall? Are there particular episodes or actions/by the prosecutors/court that have concerned or shocked you?

Mary Kostakidis: Cancelling access for all

non-journalists—human rights groups and parliamentary monitors from around the world, including Amnesty International—was astonishing given the detailed and substantial reports of abuse of the defendant’s human and legal rights by the United Nations Special Rapporteur on Torture, and in public letters supported by large numbers of doctors and jurists around the world. Effectively that removes their voice from media reporting on the hearings—they cannot witness developments or articulate concerns.

What has indeed been shocking is the judge’s acceptance of the very late second superseding indictment in an administrative hearing days before the extradition proceedings commenced on 7 September. The prosecution explained that in the US system, the investigation can continue and this investigation is indeed ongoing.

There are two alarming aspects to this: given Julian’s lawyers had no access to him during the COVID restrictions other than occasional brief phone calls, they could not possibly prepare to defend the additional allegations—allegations that serve to augment the computer intrusion evidence, the effect of which would be to increase the penalty for that charge (remember it is only 5 years as applied to the alleged conduct regarding the material from Manning). And secondly, ultimately the UK would be extraditing him on a particular set of charges knowing that this may not be what he is confronted with once on US soil.

Despite allowing the very late second superseding indictment, the judge refused to allow the defence to submit two additional witness statements that provide critical evidence, citing delays this may trigger that would be an unacceptable burden for the defendant given his health and continued incarceration. One would have thought if that was something Julian was prepared to accept given the potential impact on the outcome of the case, the attribution in her reasoning came across as odd.

Much of the prosecution’s case relies on a substantial number of lengthy declarations made by US Prosecutor Gordon Kromberg and Kromberg’s assertions have been relied on as facts by prosecution witnesses. However Kromberg will not be cross examined. It is not possible to contest his claims, for example that Julian would not be held under SAMs [draconian Special Administrative Measures] in the US prison he will be detained in, both pre and post trial. One of the statements that the judge refused to accept was from a psychologist who works in the exact

prison Julian Assange will go to. It's not easy to obtain a statement from a current employee and this evidence would have been critical.

This is a complex case involving lots of witnesses and many of the statements are very lengthy. The judge's view was that once the statements are accepted by the court they become public documents, so can be accessed by members of the public including the media, and therefore there is no need for witnesses to be examined.

The reality is few journalists will make the effort to study these documents, relying instead on what has transpired in court. Defence counsel had to argue that it was not in the interests of open justice to go straight into a cross examination of some hours without giving defence and the witness the opportunity to set out facts and expert opinion in evidence and how both were arrived at. In the end they were allowed half an hour to examine before the cross examination. (There is also of course a re-examination after the cross examination, and that is also brief.)

It is appalling that the prosecution bundle of several hundred pages is sent to the witnesses the day before they are to be cross examined—each and every one of them has stated this has been the case.

It's very disappointing that so few mainstream media are following the case. On the very first day of the February hearings there was a dramatic development that should have made headlines all over the world.

In his opening address, the prosecutor made a point of addressing the media, going to great lengths to assure them this has nothing to do with them, this is not about journalism. However, later that same day in questioning related to evaluating dual criminality, the judge asked the prosecutor whether without "aiding and abetting," would a newspaper "obtaining" classified information be enough to constitute conduct deemed an offence. After some prevaricating the answer was "yes."

There it was, loud and clear, but it fell on deaf ears. The figleaf having been removed in February, during the September hearings, the prosecutor has on numerous occasions stated "The US has *never* said they will *not* prosecute journalists." Have you seen this reported?

WSWS: There has also been powerful defence testimony. Are there aspects of defence evidence that you have found particularly striking?

MK: The defence has presented a series of very powerful witnesses who have withstood attempts by the prosecutor to elicit simplistic, misleading answers by breaking a matter up into its components.

It was remarkable to see Daniel Ellsberg's acuity—at 89 he would have sat up all night to read the prosecution bundle (one of only two who said they did) and presented at 6 a.m. to give evidence via video link. He had the prosecutor for breakfast. His highly articulate defence of Julian's motivation and actions and rebuttal of false assertions is likely to constitute the most powerful few hours of this entire trial and I listened with great regret that it was not able to be captured. It is a centrepiece of this historic trial.

Similarly, the tram track cross examination of [former *Der Spiegel* journalist] John Goetz was not going to cut the mustard.

His testimony prevailed and the evidence he gave included comments about Julian's attitude to redaction—the great care he insisted on and the delays this caused, much to the frustration of the media partners.

Dr. Quinton Deeley gave a particularly lucid account how Julian's personality and behaviour is commensurate with high achieving intellectuals who have Aspergers.

An account was given by a digital forensics expert of how the unredacted file was downloaded and decrypted by sites including Cryptome, before WikiLeaks republished it. Indeed Cryptome also provided a witness statement.

WSWS: The defence has stressed that the Trump administration's decision to prosecute Assange is part of a broader "war on journalism." Could you comment on this?

MK: This war on journalism is an element of the rise in authoritarianism in countries that in the past championed press freedom, but can no longer claim to do so. We are seeing it right here. The Australian government has legislation in place to prosecute journalists, so they are now using it, and in the US they are resorting to an arcane Espionage Act intended to prosecute spies who stole information to give to the enemy.

WSWS: You met with Julian when you awarded him the Sydney Peace Prize in 2010, and then when he was a political refugee in the Ecuadorian embassy. You have spoken before about the sharp contrast between your experience with him and the way he has often been presented in the corporate media. Could you please speak on that?

MK: He is a highly principled individual with enormous courage who has risked his safety and freedom to provide us with information to hold the powerful to account. [Assange's partner] Stella Morris is spot on—he is not an anarchist, if anything, he is a democracy extremist. He is an intellectual, gentle person who is quirky and "different"—he has a singular focus and a sense of the importance of harnessing the digital age to enhance democracy. He is able to maintain sustained high order function. In fact he can't do otherwise. That's what has enabled him to survive arbitrary detention for so many years. That, and the conviction that truth should prevail.

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