

THE ASSANGE DIPLOMATIC STANDOFF EXPOSES PRECISELY THE SAME SIDE OF US/UK AS WIKILEAKS CABLES

everywhere there's a US post... there's a
diplomatic scandal that will be revealed
—Bradley Manning

Yesterday, in anticipation of Ecuador's imminent (and now announced) official decision to offer Julian Assange, the British sent this letter to the Ecuadorans.

You should be aware that there is a legal basis in the U.K. the Diplomatic and Consular Premises Act which would allow us to take action to arrest Mr. Assange in the current premises of the Embassy.

We very much hope not to get this point, but if you cannot resolve the issue of Mr. Assange's presence on your premises, this route is open to us.

We understand the importance to you of the issues raised by Mr. Assange, and the strong public pressure in country. But we still have to resolve the situation on the ground, here in the U.K., in line with our legal obligations. We have endeavored to develop a joint text, which helps both meet your concerns, and presentational needs.

Then they sent several vans of police to the Ecuadoran embassy.

In short, the British are threatening to enter the Ecuadoran embassy, purportedly to carry out an extradition for a crime that Assange has not

yet been charged with. Actually entering the mission would violate the Vienna diplomatic convention that holds that "The premises of the mission shall be inviolable. The agents of the receiving State may not enter them, except with the consent of the head of the mission." Craig Murray reports [mirror] that the Brits have decided to do so, in response to American pressure.

I returned to the UK today to be astonished by private confirmation from within the FCO that the UK government has indeed decided – after immense pressure from the Obama administration – to enter the Ecuadorean Embassy and seize Julian Assange.

[snip]

The government's calculation is that, unlike Ecuador, Britain is a strong enough power to deter such intrusions. This is yet another symptom of the "might is right" principle in international relations, in the era of the neo-conservative abandonment of the idea of the rule of international law.

The British Government bases its argument on domestic British legislation. But the domestic legislation of a country cannot counter its obligations in international law, unless it chooses to withdraw from them. If the government does not wish to follow the obligations imposed on it by the Vienna Convention, it has the right to resile from it – which would leave British diplomats with no protection worldwide.

I hope to have more information soon on the threats used by the US administration. William Hague had been supporting the move against the concerted advice of his own officials; Ken Clarke has been opposing the move

against the advice of his. I gather the decision to act has been taken in Number 10.

Now, I suspect with all the attention, with Ecuador's quick response, and with the presence of a bunch of Occupiers at the embassy, the British may end up just waiting this out.

But even if they don't—even if they do raid the embassy—I do think the US and the UK are inflicting the same kind of damage to themselves that WikiLeaks did.

If the Brits enter the embassy it will only expose publicly what has become true but remains largely unacknowledged: the US and its allies find international law and protocols to be quaint. That was obviously true under Bush, with the illegal Iraq war and his disdain for the Geneva Conventions. But Obama, too, continues to do things legally authorized only by the most acrobatic of legal interpretations.

Which is why I consider it so apt that one of the most embarrassing—albeit frankly rather minor—details that WikiLeaks published about the Obama Administration is that Hillary ordered her staff to help intelligence officers collect intelligence on their counterparts, including credit card data and biometrics.

A classified directive which appears to blur the line between diplomacy and spying was issued to US diplomats under Hillary Clinton's name in July 2009, demanding forensic technical details about the communications systems used by top UN officials, including passwords and personal encryption keys used in private and commercial networks for official communications.

It called for detailed biometric information “on key UN officials, to include undersecretaries, heads of specialised agencies and their chief advisers, top SYG [secretary general]

aides, heads of peace operations and political field missions, including force commanders” as well as intelligence on Ban’s “management and decision-making style and his influence on the secretariat”.

Frankly, everyone violates diplomatic protection in this way (Bush did so famously in the lead-up to the Iraq War), though we of course have a wider range of resources to dedicate to the effort. So it should not have been treated as a shock.

But nevertheless this generated outrage at how arrogant and cynical Hillary’s order was.

While other cables exposed the Obama Administration to far more legal trouble—such as the one apparently showing that we were targeting Anwar al-Awlaki before we believed him to be operational—it was the exposure of diplomatic spying that seemed to piss the Obama Administration off. Exposure as cynical power brokers, not idealistic world citizens.

Yet if the UK does seize Assange to serve our interests—hell, even just by sending those vans and threatening to do so—it will confirm, in truly astonishing fashion, everything the Obama Administration has been most embarrassed about with the release of WikiLeaks.

Update: As Ian Welsh reminds us, the British showed no such concern over rape allegations when they refused to let Augusto Pinochet be extradited.