

# ON JANUARY 12, UK GRANTED EXCEPTION TO RULE OF SPECIALTY IN MINH QUANG PHAM CASE

Back in September, I argued that the case of Minh Quang Pham should be considered a precedent of sorts for Julian Assange. Pham is a Vietnamese refugee to the UK who was stripped of his UK citizenship and extradited to the US in 2015 on charges relating to AQAP. When he was originally extradited, *most* of what he was charged with was serving as a graphic designer for AQAP's Inspire magazine, which was charged as material support for terrorism. He was also charged with terrorist training while wielding a firearm. That is, like the charges Assange faces, Pham was extradited for publication activities that the US deemed to threaten US national security.

Pham is held in Florence SuperMax, one of the prisons that Assange might be detained in if he were extradited and convicted.

After Pham tried to get his sentence lowered under the US v Davis precedent on his firearm charge, the government moved to vacate his plea deal and supersede his indictment to include a terrorist attack on Heathrow they claim Pham agreed to carry out with Anwar Awlaki. The charge relies on the testimony of Ahmed Warsame, whose cooperation with the US has allowed him to avoid prosecution for his very significant leadership role in al-Shabab. But to supersede Pham's indictment, the government first had to ask the UK for an exception to the Rule of Specialty.

It seemed likely the UK would grant it – such things normally happen between the US and UK, and this was a case where the UK was happy to

pawn off Pham to the US for its far more draconian prosecution. But the tensions around Anne Sacoolas and the high profile of the Assange extradition made the question more interesting.

It turns out, at least on terrorism cases, the UK and US remain happy to subject former UK citizens to the harshest aspects of US' legal system.

According to a status report filed today, the UK granted the exception on January 12, and Pham will soon be re-indicted in preparation for a trial at which – having little to lose given his current sentence at Florence – he will vigorously contest both what he said in interviews he gave while in transit and the evidence provided by Warsame.