

between:-

THE QUEEN on the application of MR ROBIN CLARKE

Claimant

and

THE ATTORNEY GENERAL

Defendant

re:

MR GRAHAM PHILLIPS

Interested Party

STATEMENT OF FACTS AND GROUNDS
(In respect of sanctions against Graham Phillips)

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Introduction and outline

1. The Claimant seeks permission to apply for judicial review of the decision to impose sanctions against Mr Graham Phillips, allegedly due to his supposed misinformation about Ukraine. The decision was issued on 25th July 2022.
2. The Claimant has standing in this matter because the decision breaches his right to receive information in the course of freedom of expression. Freedom of expression is a nonsense if it does not also include the freedom for an audience to receive the information being expressed (re which Paragraph 33 below).
3. The Claim is brought on the following grounds:

(The Grounds are numbered in order of simpleness of presentation and evaluation, and without regard to any other characteristics.)

(1) The decision was illegal in that Reg 11 (“Asset-freeze in relation to designated persons”) was self-evidently intended to apply only to non-nationals of the UK, given that its application to a UK national would render them a wholly destitute “outlaw” with no means of purchasing food, drink, or shelter. The regulations state a long list of “exceptions” but none relating to this, and instead only to various exotic international matters such as would generally be the concern of international oligarchs rather than freelance journalists. Meanwhile, if it were indeed the intention of the Act that a designated person could be rendered destitute (to the extent of starvation and homelessness), then it would be in severe breach of Article 8 of the Human Rights Act 1998 and thus its use is again illegal.

(2) The decision failed to take into account the requirement to comply with legislation safeguarding the right to respect for private and family life (Article 8 of Human Rights Act 1998);

(3) The decision failed to take into account the requirement to comply with legislation safeguarding freedom of expression (Article 10 of Human Rights Act 1998);

(4) The decision is illegal in that it is in breach of Articles 8 and 10 of the Human Rights Act 1998;

(5) The decision was wrong because there are no “reasonable grounds to suspect” that Mr Phillips is an “involved person” in terms of conduct alleged to fall within the Russia (Sanctions) (EU Exit) Regulations 2019 Reg. 6(3)(a) namely “has produced and published media content that supports and promotes actions and policies which destabilise Ukraine and undermine or threaten the territorial integrity, sovereignty, or independence of Ukraine” [quoted from the sanctions list “Statement of Reasons”).

(6) The decision was unreasonable and irrational in that the videos (and other content) published by Mr Phillips do not contain any content tending to “destabilise Ukraine and undermine or threaten the territorial integrity, sovereignty, or independence of Ukraine”, and do not present any threat to any persons in Ukraine or elsewhere.

(7) The decision is devoid of legality because the Regulations are patently meaningless, given the well-provable facts that the territory claimed by the current Banderist-controlled Kiev regime (so-called “Ukraine”) has for eight years been completely lacking in “territorial integrity, sovereignty, or independence”, such that it is logically impossible for them to be “undermined” or “threatened” anyway.

Social/political/economic background context (and see also the Appendix)

4. In 1961, President Eisenhower gave his “farewell speech”, in which he issued a stern warning about the rise of the Military-Industrial Complex, and how it was threatening to take malign control of government policies:
<https://www.youtube.com/watch?v=Gg-jvHynP9Y> . His warning was not heeded. While the military serves an honourable role of maintaining peace for the rest of us, that does not mean there is no problem.
5. The arms trade is a hugely profitable sector, with many billions of taxpayer money funnelled to their profit. The arms trade wins in ALL wars. They profit from ALL wars. They want wars so as to increase their profits. They work to cause wars even when there is no real justification and no-one else wants them. NATO is the sales department of the arms trade, constantly working to cause trouble around the world, with their “regime change” agendas. The list of countries devastated by the NATO terrorist organisation is long. Some may remember at least Vietnam, Serbia, Iraq (and the resulting Islamic State), Libya, Syria (and Yemen is also going profitably).... and now....
6. In order to make its profits, NATO needs to not only cause destabilising trouble in its victim countries, but also fool the West’s taxpayers that there is yet another evil threatening regime that must rightly be deposed.
7. With its immense wealth, NATO now has total control over not only the governments of the “free world” but also of the corporate media such as the BBC. And so these “trustworthy” media are totally infested with its warmongering propaganda deceptions. And the censorship of any challenging truths is absolute.
8. Each time Ukraine elected a Russia-friendly president, he was deposed in a violent coup. Firstly in the 2004 so-called “Orange Revolution”, and then in 2014 in the so-called “Revolution of Dignity”. In 2014, NATO and the Pentagon organised that coup which according to Nuland had followed financing of already \$5 Billion for “promoting democracy”. Nuland’s choice of ministers was then imposed, and NATO went on to further fund and arm the Banderist neo-Nazi militias such as the Azov Battalion. Bandera was responsible for massacres of thousands of Jewish and Polish people, but NATO funded and armed those Banderists (not that any of this has got any mention in the censored media of the “free world”).

9. With a websearch you can find numerous videos of the huge Banderist cult marches which have taken place since NATO imposed its regime of hate in Ukraine. Again, the liar media of the “free world” pretend that none of this has been happening, and pretend that Ukraine has been a “sovereign” “democratic” “independent” state for the past eight years.
10. In response to the 2014 coup, there were widespread protests against the NATO-imposed fascistic regime, not least in Odessa, Mariupol, Donetsk, and Lugansk. You can see the proof of some of these in various websites, not least of the Odessa Massacre, which again was completely pretended away by the media of the “free world”.
11. In 2014, the puppet regime in Kiev, under “President” Poroshenko, initiated an unprovoked so-called “Anti-Terrorist Operation” (ATO) against the people of the DNR and LNR. Subsequently, Zelensky was elected to end the war, but in 2020 he was subjected to the control of the heavily armed Banderists who now are the real controllers of the country. In February 2022, the Banderist regime were preparing to invade the DNR and LNR with substantial forces (again never mentioned by our liar media) with the intention of genocidally exterminating the populations there. It was in response to that imminent threat that Putin prepared his “Special Military Operation” (authorised by the Duma specifically to safeguard the DNR/LNR populations), and then, after much patience in trying to find peaceful resolution, launched that operation this year. Contrary to the ongoing Western propaganda, the “free world” has long ago already hopelessly lost this war, but NATO prefer to pretend otherwise so as to string it out as long and hence as profitably as possible.
12. The Interested Party Mr Phillips challenges the propaganda and censorship with his independent reportage. And that is the entirety of why he has been targetted by this sanctioning. It has not been stated who made the decision but it would be within the power of Boris Johnson, who is well-established to be a habitual liar and who rushed over to Istanbul to ensure that NATO’s profitable war was not brought to an unprofitable early end. Which arguably makes him a war criminal with an unworthy personal interest in suppressing Mr Phillips’s work. Notably Johnson had last month made a public attack on Mr Phillips’s work, to which he replied in a video: “For Boris Johnson, from Donetsk”
https://www.youtube.com/watch?v=zaN6z_S4IHs .

13. By this sanctioning, the Johnson/UK government brings itself into disrepute both nationally and internationally, as reflected in some comments such as these on this video: “British Journalist Graham Phillips Added To UK SANCTIONS LIST!”

<https://www.youtube.com/watch?v=i2rsIP2P8-8>

Brenda Wiebe 1 day ago

And these are the ‘values’ Ukrainians are dying for to uphold.

Elaine Magson 1 day ago

Oh good grief. What has happened to my country? I feel physically sick now. I bet others do. Thank you for the news, Mike.

Ian Bailey 1 day ago

Our country has lost its mind!! Seriously... How soon till they come after normal citizens who have understanding of Russia’s perspective!?

Scrooge McDuck 1 day ago

And then British politicians have the gall to comment on other nations’ “political/humanitarian rights”. What hypocrisy.

Lorelle McCall 4 days ago

I’m actually shamed to death to be a British citizen.

Lo Chamb123 4 days ago

I hate my government and I hate the western world we are having to endure.

Putin warned the west that it was fast becoming a new soviet union and how true!!

RIP democracy, morality, ethics and common sense.

Legislative background

14. Mr Phillips is listed on the sanctions-list as follows (with irrelevant personal details here removed). <https://docs.fcdo.gov.uk/docs/UK-Sanctions-List.html>

Unique ID: RUS1543 - Individual

Regime Name: The Russia (Sanctions) (EU Exit) Regulations 2019

Sanctions Imposed: Asset freeze **UK Statement of Reasons:** Graham

PHILLIPS is a video blogger who has produced and published media content that supports and promotes actions and policies which destabilise Ukraine and undermine or threaten the territorial integrity, sovereignty, or independence of Ukraine.

Nationalities: United Kingdom

Town Of Birth: Country Of Birth: United Kingdom

Name: Graham William PHILLIPS **Name Type:** Primary Name

Designation Source: UK **Last Updated:** 25/07/2022 **OFSI Group ID:** 15470

15. The legislation involved is identified by the listing as “The Russia (Sanctions) (EU Exit) Regulations 2019” <https://www.legislation.gov.uk/ukxi/2019/855/contents>

16. The purposes of those regulations are stated at Reg 4 as:

4. The regulations contained in this instrument that are made under section 1 of the Act are **for the purposes of encouraging Russia to cease actions destabilising Ukraine or undermining or threatening the territorial integrity, sovereignty or independence of Ukraine.**

17. Those “purposes” (and the consequent Regulation 6(3)(a)) are provably meaningless in that an abundance of evidence confirms the known history that Ukraine has lacked any sovereignty or independence ever since the 2014 coup installed the NATO-controlled puppet regime; and any notion of its territorial integrity is also very questionable (e.g. does it include Crimea, Donbass?). It is impossible to undermine or threaten something which does not exist anyway.

18. The “Statement of Reasons” in the sanctions listing quotes some of the content of Regulation 6(3)(a), as per the following (with key linking words bolded here).

<https://www.legislation.gov.uk/ukxi/2019/855/regulation/6>

Regulation 6 – Designation criteria

(1) The Secretary of State **may not designate a person** under regulation 5 (power to designate persons) **unless** the Secretary of State—

(a) **has reasonable grounds to suspect that that person is an involved person**, and

(b) considers that the designation of that person is appropriate, having regard to—

(i) the purposes stated in regulation 4 (purposes), and

(ii) the likely significant effects of the designation on that person (as they appear to the Secretary of State to be on the basis of the information that the Secretary of State has).

(2) In this regulation, **an “involved person” means** a person who—

(a) is or has been **involved in**—

(i) **destabilising Ukraine or undermining or threatening the territorial integrity, sovereignty or independence of Ukraine**, or [...]

(3) For the purposes of this regulation, **a person is “involved in destabilising Ukraine or undermining or threatening the territorial integrity, sovereignty or independence of Ukraine” if**—

(a) the person is responsible for, engages in, **provides support for, or promotes any policy or action** which destabilises Ukraine or undermines or threatens the territorial integrity, sovereignty or independence of Ukraine;

[...]

19. And the words of that 6(3)(a) are reflected in the words of the sanctions listing, as “has produced and published media content that **supports and promotes actions and policies**”.

20. Regulation 11 then hopefully explains what the asset-freeze means:

Asset-freeze in relation to designated persons

11.—(1) A person (“P”) must not deal with funds or economic resources owned, held or controlled by a designated person if P knows, or has reasonable cause to suspect, that P is dealing with such funds or economic resources.

(2) Paragraph (1) is subject to Part 7 (Exceptions and licences).

(3) A person who contravenes the prohibition in paragraph (1) commits an offence.

(4) For the purposes of paragraph (1) a person “deals with” funds if the person—

(a) uses, alters, moves, transfers or allows access to the funds,

- (b) deals with the funds in any other way that would result in any change in volume, amount, location, ownership, possession, character or destination, or
- (c) makes any other change, including portfolio management, that would enable use of the funds.

(5) For the purposes of paragraph (1) a person “deals with” economic resources if the person—

- (a) exchanges the economic resources for funds, goods or services, or
- (b) uses the economic resources in exchange for funds, goods or services (whether by pledging them as security or otherwise).

21. Part 7 of the regulations then sets out a long list of exceptions to the asset-freezing, as indicated in the paragraphs following here about Ground 1.

The Grounds are here numbered in order of simpleness of presentation and evaluation, and without regard to any other characteristics.

Ground 1

22. The decision was illegal in that Regulation 11 (“Asset-freeze in relation to designated persons”) was self-evidently intended only to apply to non-nationals of the UK, given that its application to a UK national would render them a wholly destitute “outlaw” with no means of purchasing food, drink, or shelter. The Regulations state a very long list of “exceptions” (as indicated below) but none relating to this, and instead only to various exotic international matters such as would generally be the concern of international oligarchs rather than freelance journalists.

PART 7 Exceptions and licences

[58.Asset-freeze etc.: exceptions from prohibitions](#)

[59.Exceptions relating to loans and credit arrangements](#)

[59A.Exception relating to correspondent banking relationships etc.](#)

[60.Exceptions relating to investments in relation to non-government controlled Ukrainian territory](#)

[60ZZA.Exceptions relating to investments in relation to Russia](#)

[60ZA.Trade: exceptions relating to non-government controlled areas of the Donetsk and Luhansk oblasts](#)

[60A.Trade: exceptions in relation to personal effects etc.](#)

[60B.Trade: exceptions in relation to consumer communication devices and software updates](#)

[60C.Trade: exceptions in relation to aircraft and vessels](#)

[60D.Trade: exception relating to the safety of aircraft and ships](#)

[60DA.Trade: exception relating to professional and business services](#)

[60E.Trade: exceptions in relation to maritime goods and maritime technology](#)

[60F.Trade: exceptions in relation to banknotes](#)

[60G.Trade: exception in relation to certain revenue generating goods consigned from Russia](#)

[60H.Trade: exception in relation to oil and oil products](#)

[60I.Trade: exceptions in relation to Energy-related Goods](#)

[61.Trade: exception for emergencies in certain cases](#)

[61ZA.Trade: exception for humanitarian assistance activity in non-government controlled areas of the Donetsk and Luhansk oblasts](#)

[61A.Ships: exceptions from prohibition on port entry](#)

[61B.Aircraft: exceptions from prohibitions](#)

[62.Exception relating to trade restrictions in relation to non-government controlled Ukrainian territory](#)

[62A.Exception for authorised conduct in a relevant country](#)

[63.Exception for acts done for purposes of national security or prevention of serious crime](#)

23. Among all these, one might suspect that Reg 60A might be a relevant exception.

But it pertains only to taking things when travelling to Russia.

24. Meanwhile, the Claimant has spent some time trying to find out what “transferring an interest in funds” means in Reg 58(1), but without any progress. However, it seems highly unlikely that it can be translated into:

“People are allowed to: sell you food and drink and housing, and the bank is permitted to allow you to take money out of your account, and you can still get paid your income, and your credit cards will still work”.

25. One would think that if that was indeed the intended meaning, then it would have been made clearer by the legislators in the following.

Asset-freeze etc.: exceptions from prohibitions

58.—(1) The prohibition in regulation 11 (asset-freeze in relation to designated persons) is not contravened by an independent person (“P”) **transferring to another person a legal or equitable interest in funds or economic resources** where, immediately before the transfer, the interest—

(a) is held by P, and

(b) is not held jointly with the designated person.

(2) In paragraph (1) “independent person” means a person who—

(a) is not the designated person, and

(b) is not owned or controlled directly or indirectly (within the meaning of regulation 7) by the designated person.

26. Meanwhile, referring back to the main Reg. 11 relating to asset-freeze, it states:

11.—(1) A person (“P”) must not deal with funds or economic resources owned, held or controlled by a designated person if P knows, or has reasonable cause to suspect, that P is dealing with such funds or economic resources.

(2) Paragraph (1) is subject to Part 7 (Exceptions and licences).

(3) A person who contravenes the prohibition in paragraph (1) commits an offence.

(4) For the purposes of paragraph (1) a person “deals with” funds if the person—

(a) uses, alters, moves, transfers or allows access to the funds,

27. The regulations give definitions of many terms, but there is no definition given of “funds” or “economic resources”. Any normal English person, even after consulting numerous specialist dictionaries, would reasonably assume that those terms include contents of bank accounts, credit card accounts, cash savings, and the money in a person’s pocket. Nowhere in the regulations is any effort made to suggest otherwise, probably because the legislators were assuming it obvious that such monies (in relation to a UK citizen normally resident in the UK) were not to be included, because they were at no time intending that the sanction of asset-freeze could be applicable to UK citizens normally-resident in the UK. The whole of the regulations is heavily focussed on international business and diplomats and wealthy travellers, as one would expect.

28. And if it were indeed the intention of the regulations that a designated person could be rendered destitute (to the extent of starvation and homelessness), then it would be in severe breach of Article 8 of the Human Rights Act 1998 and thus its use again illegal.

Grounds 2, 3, and 4

29. Ground 2: The decision failed to take into account the requirement to comply with legislation safeguarding the right to respect for private and family life (Article 8 of Human Rights Act 1998);

30. Ground 3: The decision failed to take into account the requirement to comply with legislation safeguarding freedom of expression (Article 10 of Human Rights Act 1998);

31. Ground 4: The decision was illegal in that it is in breach of Articles 8 and 10 of the Human Rights Act 1998;

32. Article 8 states:

Right to respect for private and family life

1. Everyone has the right to respect for his private and family life, his home and his correspondence.
2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

33. Article 10 states:

Freedom of expression

- 1 Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This Article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.
- 2 The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

34. In respect of Article 8, it is clear that the asset-freezing with no provision for Mr Phillips to purchase food, drink, or housing, severely failed to take into account that Article. And all the more so given that Mr Phillips is currently working (necessarily on-site) about 1000 miles away from his homeland.

35. In respect of Article 10, it is clear that this asset-freezing sanction, specifically on account of his publishing truthful videos, and especially while Mr Phillips has been currently working (necessarily on-site) about 1000 miles away from his homeland, failed to take into account both his own right to freedom of expression, and also the same right of the many who wish to be his audience such as this Claimant.
36. And it follows that because the decision breached these Articles, therefore the decision was illegal.

Grounds 5 and 6.

37. Ground 5: The decision was wrong because there are no “reasonable grounds to suspect” that Mr Phillips is an “involved person” in terms of conduct alleged to fall within the Russia (Sanctions) (EU Exit) Regulations 2019 Reg. 6(3)(a) namely “has produced and published media content that supports and promotes actions and policies which destabilise Ukraine and undermine or threaten the territorial integrity, sovereignty, or independence of Ukraine” [quoted from the sanctions list “Statement of Reasons”).
38. Ground 6: The decision was unreasonable and irrational in that the videos (and other content) published by Mr Phillips do not contain any content tending to “destabilise Ukraine and undermine or threaten the territorial integrity, sovereignty, or independence of Ukraine”, and have not presented any threat to any persons in Ukraine or elsewhere.
39. In reality, Mr Phillips’s videos simply give unique direct reports of the reality on the ground, including evidence of war crimes abuses and deceptions, the reporting of which would instead tend to challenge any such threats. There is no justification for the Defendants’ assertions, and this decision appears to have instead been motivated by an unworthy quest to suppress the patently true information which is conveyed by Mr Phillips’s videos.
40. Two obvious questions about Regulation 6(3)(a) are:
- a) Quite what specific activity can be properly identified as “providing support” or “promoting”?; and
 - b) Is (any or all) such “providing support” or “promoting” necessarily or properly protected by the rights to free expression?

41. In seeking to answer these questions, it may be instructive to note that the Regulations appear to be entirely about sanctions against travelling foreign oligarchs and diplomats, with no mention of journalists of any sort. And indeed (as was elaborated above in relation to Ground 1), the limited range of exceptions from the Regulation 11 freezing of assets also speaks to such an understanding. There should therefore be a presumption that those words do not relate to journalistic activities. Rather they would be about funding of organisational activities designed to “promote” or “support” rather than just someone showing what he sees and hears. For instance an oligarch using some of his wealth to distribute many leaflets calling on people to join the RF forces or to boycott products from Western Ukraine.
42. So all these points concur in indicating that mere journalism such as GP’s videos does not constitute the “providing support” or “promoting” which is specified in the Regulations. And hence GP cannot properly be considered an “involved person”.

Content of the videos

43. A listing of the videos on youtube can be found at <https://www.youtube.com/c/GrahamPhillipsUK/videos>. Mr Phillips (GP) has been publishing videos from the area called Ukraine ever since NATO’s puppet regime started the unprovoked war (“President” Poroshenko’s “Anti-Terrorist Operation”) in 2014, so the number of videos is large.
44. In striking contrast to the sort of “reporting” published by the corporate media of the “free world”, such as the BBC, which oddly at best tends to “report” from about 200 miles from the scene in question, GP’s videos show the viewers directly what is happening and what the local people are doing and saying. Viewers can then make up their own minds what to think of this information.
45. There is no reason to suspect that viewers are being deceived by some contrived cherry-picking. For instance in his various videos from Mariupol he does not hide the fact that some of the buildings have been terminally damaged. He makes no comment on this, in contrast to the “free world” media which only shows such images in connection with putatively authoritative “knowledge” that they are the proof of a huge collection of war crimes by President Putin. And any notion that any of the persons in the videos are actors following an agenda, or the videos have been “photoshop”-massaged in some way, is self-evidently absurd.

46. A crucial question is whether any content of GP's videos "supports and promotes actions and policies", as the "Statement of Reasons" asserts. The Claimant is here being asked do the impossible of proving a negative. However, the Claimant has watched many hours of GP's videos and his observations are firmly as follows.
47. The videos have never contained any calls to action (such as "We should support the Russians", or "We should demand that Kiev cease its terrorism immediately", or even "You can send donations for the DNR/LNR defenders to xyz").
48. The videos have never contained any false or misleading information (in severe contrast to the corporate liar media of the "free world").
49. The videos have never contained any information which could be prejudicial to military operations or hazardous to anyone's safety (such as locations of troops or weapons).
50. The videos have instead contained only Truthful information such as is completely censored from the media of the so-called "free world", and they have repeatedly laid bare the Regime of Lies we have here (and causing such vast harm as any Regime of Lies inevitably must).
51. An example of the great lengths the BBC go to to deceive their viewers is in GP's 2018 video (long before supposedly "Putin started the war") titled "Russia with Simon Reeve - BBC Propaganda vs Reality (Graham Phillips vs Propaganda)"
<https://www.youtube.com/watch?v=BeWbIj2PHnE>

It is notable that that BBC program, while on its face purporting to be just a travel documentary by a non-political travel reporter, was in fact carefully designed to fool the viewers into believing it was proof that Russia has an evil regime controlled by a cruel dictator dealing harshly with objectors such as to make ordinary Russian citizens feel that they live in an oppressive "fascist" "police state" (as the carefully-selected woman herself says). That BBC documentary is just one small part of the constant propaganda deceit narrative of supposedly an evil dictator ruling over an evil regime, which narrative has long pervaded the corporate media of the "free world" such as the BBC. The relevance of that agenda of deceit to the present military events should be obvious. Viewers are being groomed by the BBC to hate some foreigners, so as to justify a "good" war against them.

52. The warmongering propaganda of the “free world” extensively deploys the trick of simply never mentioning any important happenings or evidence that contradicts their narrative of evil war criminal Russians versus Western saints. The volume of such deceptions is so great that there can here be included only a small selection as per the following paragraphs featuring some of GP’s own work.

53. Mariupol. There have been extensive assertions in the “free” media that Mariupol was the subject of a genocidal operation to hugely bombard the city so as to exterminate the residents. In support of this deceit, it has been constantly made out that Mariupol had become “turned into rubble” (BBC “News”), “completely destroyed”, “a smouldering ruin”, and that subsequently some other towns were “Turning into another Mariupol” (Sky “News”).

<https://text.npr.org/1099885151> “We are simply being destroyed,” he said in a shaky video appeal, describing indiscriminate shelling of residential areas and hospitals. “They want to wipe Mariupol and Mariupol residents off the face of the earth.”

<https://www.cbsnews.com/news/russia-fears-mariupol-ukraine-abuse-will-backfire-us-intelligence/> “The city has been reduced to rubble”.

<https://www.bbc.co.uk/news/world-europe-61480988> “Mariupol: The 80 days that left a flourishing city in ruins” “Over a few short weeks, Mariupol fell apart. The Russian military laid siege to the city, attacking power and water supplies. [...] Volodymyr, the paramedic, believed they were driven by revenge to destroy the city.”

54. And furthermore you can also see a deliberately deceitful short video published by the Guardian to fool viewers to assume they were seeing the visible proof of this supposed genocidal war crime, as follows. Viewers of corporate media who have already had their beliefs manipulated by the constant “reports” of savage war crimes supposedly commanded by a madman Putin, would be all the more easily misled by this deceitful video: https://www.youtube.com/watch?v=EDJVeO_Mw0g

55. That Guardian video of Mariupol has been grossly and intentionally manipulated to deceive, with the colour reduced to greyscale, and the picture blurred, and kept at a distance so that detail is not discernable, and even then showing only a small area of the city for less than one minute (and certainly no interviews with the joyfully-liberated residents). These manipulations are such as to fool viewers into assuming that they are seeing a huge number of large pits where shells have exploded, when in reality they are actually just the huge number of perfectly healthy trees still standing, albeit with their tree-colours disappeared by the Guardian's photoshopping. (Note: USSR cities have generally had this superior environment of tree-lined boulevards, because the public interest was less subservient to private profitmaking priorities therein.)
56. Combining such a pretended overview with the highly-selected views of isolated ruined blocks (as are persistently shown in the "free world" media), one could easily reasonably assume it to be proof that Mariupol has been so damaged as to be "completely ruined", "reduced to rubble" etc. as persistently asserted in that same "free world" media (so that they can pretend that this is some huge war-crime by an awesomely heartless Putin). It is absolutely unlikely that the Guardian could not afford a proper drone such as could show proper colour and clarity and with far more duration to show a fuller picture of the reality on the ground.
57. Meanwhile, you can see in numerous non-corporate videos such as the following from GP that it is very obvious that Mariupol is nothing remotely like "completely ruined" or "reduced to rubble", and that the residents consider themselves liberated from eight years of brutal terrorisation by the supposedly saintly Azov Battalion (armed by our NATO terrorist organisation from our taxpayer funds).

58. This first video, titled “Mariupol - War and Peace” begins by showing an all-round panoramic view from his drone, and then continues by showing some obviously real people celebrating what they consider to be their liberation from eight years of NATO’s reign of terror (in which their Russian language was outlawed). And then includes excerpts from his videos of eight years earlier when the NATO terrorists arrived in town. It is very obvious that Mariupol was not anything like remotely “ruined” or destroyed” in May 2022 (and it is now being restored as shown in the next video, because the Russians being sane and intelligent do not want a failed state right on their border – and for the same reason do not want to do this mass destruction as pretended by the media).

(Wait some seconds to click on “I understand and wish to proceed”).

<https://www.youtube.com/watch?v=i1I8SZeXGFo> (The drone view was also on 9th May as reflected that you can see the huge St George ribbon in it.) And:

“Mariupol is BACK !!!!!” <https://www.youtube.com/watch?v=-kFGB6DqzrY>

59. And numerous other videos by GP and others abundantly prove all these assertions to be completely untrue. There was indeed some damage, but not remotely like “completely destroyed”. Besides others from GP, there are for instance videos from the youtube vlogger Patrick Lancaster and on the amateur channel of Mariupol native Anastasia Kozhevnikova:

<https://www.youtube.com/channel/UCDN2k6iwWROF6AbIZXSYNuQ/videos>

60. This further video shows the delight of the residents of equally “ruined” Lysychansk following their liberation from NATO’s regime of hate.

“Lysychansk People Speak” <https://www.youtube.com/watch?v=owOl1mEfUWY>

“The person who should rule the whole world, Putin”.

61. The Georgian genocide in 2008. This is yet another genocide which NATO's Western liar media have completely pretended did not happen. We are supposed to believe that Putin is a profoundly evil person who seeks to conquer other countries which present no threat to himself or the RF. In reality his RF has never invaded another country except when it was being actively organised by the NATO warmongers to be an existential threat to the RF. You can see the covered-up truth about the 2008 Georgia war in GP's 2018 video
(Wait some seconds to click on "I understand and wish to proceed".)
<https://www.youtube.com/watch?v=iNEx2F6iqHo>
(Georgians have long been recognised as (presumably only by generalisation) thuggish gangsters as made clear in Hedrick Smith's 1976 classic book *The Russians*, so the barbaric nature of some of the content may be reflective of that.)
62. Another of GP's videos, from 2021, shows some of the NATO terrorism against Serbia (which is why NATO is thoroughly hated in Serbia, as in many other countries). (Wait some seconds to click on "I understand and wish to proceed".)
<https://www.youtube.com/watch?v=rJ1ue6XXR-M>
63. It is understandable why the NATO-controlled regimes would want this sort of information to be suppressed, for unworthy reasons.
64. In conclusion with respect to Grounds 5 and 6, none of the content of GP's videos constitutes the asserted "supporting and promoting", and so the rationale stated in the "Statement of Reasons" is without foundation. And thus the decision was both unsound in law by reason of that lack of foundation and also irrational and unreasonable to within the Wednesbury criterion. The decision was imposed purely for improper purpose of seeking to suppress the truth, by the regime of a Prime Minister known to be devoid of both honesty and honourableness.

Ground 7

65. The decision was devoid of legality because the Regulations are patently meaningless, given that the well-provable facts are that the territory claimed by the current Nato/Banderist-controlled Kiev regime (in so-called "Ukraine") has for eight years been completely lacking in "territorial integrity, sovereignty, or independence", such that it is logically impossible for them to be "undermined" or "threatened" anyway.

66. The legislation involved is identified by the listing as “The Russia (Sanctions) (EU Exit) Regulations 2019” <https://www.legislation.gov.uk/uksi/2019/855/contents>

67. The purposes of those regulations are stated in Reg 4 as:

4. The regulations contained in this instrument that are made under section 1 of the Act are **for the purposes of encouraging Russia to cease actions destabilising Ukraine or undermining or threatening the territorial integrity, sovereignty or independence of Ukraine.**

68. These “purposes” (and the consequent Regulation 6(3)(a)) are provably meaningless in that an abundance of evidence proves that Ukraine has lacked any sovereignty or independence ever since the 2014 coup installed the NATO-controlled puppet regime, and any notion of its territorial integrity is also very questionable (e.g. does it include Crimea, Donbass?). It is impossible to undermine or threaten something which does not exist anyway.

69. Some of the extensive evidence which in totality disproves the propaganda pretences of Ukraine’s “sovereignty”, “independence”, and “territorial integrity” is contained in the Appendix at end of this Statement.

Pre-action Protocol

70. In view of the nature of this decision, requiring urgent challenge to the injustices and even abuses which it sets in trail, the Claimant assesses that in the best interests of the overriding objective the Pre-action Protocol should be dispensed with. The Claimant assesses that the Defendants are unlikely to acknowledge their errors without litigation. And the questions involved are not particularly complex and it would be better to just get on with finalising the answers the sooner.

71. However, it is the Claimant’s intention that when he files the Claim with the Court email address, he will concurrently cc it to the Defendant’s email address, at which they may respond as they choose.

Remedies sought

72. The Claimant seeks an order for the following:

- a) Quashing of the designation and sanctioning of Mr Graham Phillips under the Russia (Sanctions) (EU Exit) Regulations 2019.
- b) Payment to Mr Phillips of damages in compensation for the harms caused by that designation and sanctioning, the amount including a multiple of the number of days for which this sanction stands in place. This harm including that from trespass to goods and land, and distress and inconveniences arising from the negligence in making the designation.
- c) A declaration that such designation and sanctioning should not be applied where the conduct alleged to be relevant consists solely of journalism or such-like communications.
- d) A declaration that the sanction of asset-freezing must not be applied in respect of British citizens or persons normally resident in the UK.

STATEMENT OF TRUTH

I believe that the facts stated in this Statement of Facts and Grounds are true.

Robin Clarke

Robin Clarke, Claimant

Dated 2nd August 2022

r[at]rpcc[dot]info 0121 456 4274