

British court rejects WikiLeaks editor's final extradition appeal

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The United Kingdom Supreme Court, Britain's highest court, yesterday abruptly ended WikiLeaks editor Julian Assange's last legal line of defence in that country against his extradition to Sweden to be questioned over trumped-up sexual allegations.

In a terse statement—issued just two days after Assange's lawyers lodged his final appeal—the seven British judges unanimously declared there was “no merit” in the application and “it is dismissed.” The statement was notably brief, unequivocal and blunt.

As a result, Assange could be forcibly removed to Sweden as early as June 28. Under Swedish law he can be detained, and effectively held incommunicado, for months, even before any charges are laid on the dubious accusations of sexual assaults.

From Sweden, he could readily be extradited to the United States, where the Obama administration has prepared a secret Grand Jury indictment on charges of espionage, based on WikiLeaks' publication of damning leaked documents of war crimes committed by the US and other countries.

Assange could still appeal to the European Court of Human Rights (ECHR), on the grounds that he has received no fair hearing from the British courts, but legal experts have said the ECHR is unlikely to accept the case. Assange's lawyers have yet to decide whether to lodge such an appeal.

Even if the European court did decide to conduct a hearing, it may decline to postpone the extradition while it considered Assange's appeal. The British court ruled that if the ECHR does not halt the extradition,

Assange must be removed to Sweden by no later than July 7.

Within four days of Assange's arrival in Sweden, a court would hold a detention hearing to decide whether to hold him in jail, Swedish prosecutors stated yesterday. In all likelihood, Assange will be held in much more restrictive conditions than during his 18-month house arrest in Britain. This will end his already-restricted ability to defend himself publicly, engage in media commentary and participate in the work of WikiLeaks.

Assange has never been charged with any crime in Sweden or any other country. Nevertheless, he was arrested in London in December 2010 under the anti-democratic European Arrest Warrant (EAW) system, which was imposed as part of the “war on terrorism” to make it easier for governments to transfer detainees.

Assange's lawyers had applied for the UK Supreme Court to reconsider its May 30 decision, by a 5 to 2 majority, to reject his argument that the European arrest warrant for his extradition was invalid. The case was based on the narrow legal argument that the order was issued by a Swedish prosecutor, who was not a “judicial authority” under the British extradition legislation.

After weeks of deliberation, the majority judges based their May 30 ruling on an argument that was not even canvassed during Assange's appeal: that the Swedish prosecutor was properly classified as a “judicial authority” because of the application of the 1969 Vienna Convention on the law of treaties.

In a posting to its Twitter account yesterday, WikiLeaks said the latest ruling “sets a dangerous

precedent in UK: Court can decide a case on an argument that parties were not given the chance to argue.”

This precedent is just the latest in a series established in the Obama administration-led witch hunt against Assange, which began in response to WikiLeaks’ publication of thousands of secret documents exposing the criminal nature of the US-led invasions of Iraq and Afghanistan.

The secret US Grand Jury process was set in motion against a backdrop of high-level political and media vilification of Assange, including by US Vice President Joe Biden, who publicly denounced him as a “high-tech terrorist.” In Sweden, previously officially-dismissed sexual allegations against Assange were revived at the instigation of Claes Borgstrom, a leading Social Democratic Party figure in Sweden, who became the lawyer for the two women said to be involved.

Assange’s 2010 arrest came just days after WikiLeaks released thousands of secret US embassy cables detailing the involvement of the US and other governments in backroom plots, “regime change” operations, torture, renditions and assassinations. Banks also froze WikiLeaks’ financial operations and Internet authorities sought to shut down its web sites.

Assange’s intended fate can be seen from the treatment of Private Bradley Manning. The 24-year-old soldier has been held in isolation and interrogated in military detention for more than two years. Accused of passing material to WikiLeaks, including evidence of US war crimes committed in Iraq, Manning faces life imprisonment for espionage.

From day one, these operations have been aided and abetted by the Australian Labor government. Prime Minister Julia Gillard, without any legal justification, prejudicially branded the WikiLeaks publication of diplomatic cables as “illegal.” In case Assange, an Australian citizen, managed to return to Australia, the government last month amended legislation to override restrictions on extraditing Australian citizens on “political offences” allegedly committed in the US or other countries.

The UK Supreme Court’s dismissal of Assange’s last-ditch appeal demonstrates that the defence of Assange, and basic democratic rights more broadly, cannot be

based on faith in the courts or any other part of the legal and political establishment. The ruling confirms the necessity for that defence to be part of the fight for the mobilisation of the working class against the capitalist order itself.



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