

# UK paved way for Sweden's new demand for Assange's extradition

Robert Stevens  
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The decision of the Stockholm Appeals Court to uphold the arrest warrant issued against WikiLeaks founder Julian Assange over four years ago is the product of high-level collusion between the Swedish, British and US authorities.

Thursday's decision came less than 24 hours after the British parliament formally voted to re-adopt the undemocratic and arbitrary European Arrest Warrant (EAW) system, under which Assange was originally arrested in London in December of 2010 without any formal charges having been laid against him.

Parliament voted by 421 to 29 to endorse the Conservative-led government's formal application to rejoin 35 European Union Justice and Home Affairs measures, including the EAW. The Conservatives, the Labour Party, the Liberal Democrats and the Scottish National Party all backed the measure.

The legislation had been supported in a parliamentary vote the previous week that saw a much anticipated rebellion by anti-European Tories all but disappear. However, the EAW was not included in the wording of the statute because its previous incarnation was already law. The re-adoption of the EAW on Wednesday evening gave the Swedish court the green light to insist that Assange be extradited to face questioning over trumped-up allegations of sexual assault.

Assange is the victim of a transparent frame-up. The move against him began in earnest after WikiLeaks in April of 2010 published a video under the title "Collateral Murder" showing a US helicopter massacring a group of civilians in Iraq, including two journalists employed by Reuters. In August of 2010, when Assange was in Sweden, he had consensual sex separately with two women. On August 20, the Swedish police opened a "rape investigation" against him and alerted the Swedish media.

Within a day of investigating the claims, Stockholm Chief Prosecutor Eva Finne cancelled the arrest warrant, saying, "I don't believe there is any reason to suspect that he has committed rape." Finne dismissed the case four days later, stating, "There is no suspicion of any crime whatsoever."

The case was then reopened by Claes Borgstrom, a lawyer and Swedish Social Democratic Party politician, who enlisted the services of another prosecutor, Marianne Ny, also involved with the Social Democrats.

In a recent investigation, John Pilger noted: "Borgstrom was asked by a Swedish reporter why the case was proceeding when it had already been dismissed, citing one of the women as saying she had not been raped. He replied, *'Ah, but she is not a lawyer.'*"

"For five weeks, Assange waited in Sweden for the new investigation to take its course. The *Guardian* was then on the brink of publishing the Iraq 'War Logs,' based on WikiLeaks' disclosures, which Assange was to oversee. His lawyer in Stockholm asked Ny if she had any objection to his leaving the country. She said he was free to leave."

Assange stated in an affidavit written last September from the Ecuadorian Embassy: "My lawyer in Sweden, Bjorn Hurtig, obtained an agreement from the prosecutor Marianne Ny that I was free to leave Sweden. I left Sweden on 27 September 2010."

It was only after Assange left Sweden that Ny issued an EAW.

Assange's only "crime" is his exposure of imperialist war crimes and conspiracies against the world's population. The British, Swedish and US authorities want Assange to be extradited to Sweden from where he can be sent to the US. A grand jury in the US empanelled in 2010 remains open to bring secret,

unspecified charges against him.

Sweden has a bilateral agreement with the US that would allow it to surrender Assange without going through the traditional tests or meeting the standards of normal extradition procedures. An article in the *Svenska Dagbladet* newspaper in 2011 noted that Sweden had not opposed an extradition to the US since 2000. There were only two occasions when a requested extradition did not occur, and that was because the Swedish authorities could not locate the individuals.

The efforts to seize Assange have continued, despite the Swedish authorities having had access to SMS traffic of the women involved in the case. This evidence alone proves that Assange is the victim of a heinous state frame-up. Assange cites the SMS messages, reviewed by two of his Swedish lawyers, in his affidavit.

The relevant sections of the affidavit (all emphasis in the original) state:

“While the younger woman was at the police station on 20 August 2010, her phone records show that she wrote that she: ***did not want to put any charges on JA but that the police were keen on getting a grip on him*** and that *she was ‘choked [sic: shocked] when they arrested JA because she only wanted him to take a test.’*

“The woman concerned told a friend that she felt that she had been ‘railroaded by police and others around her,’ according to the latter’s police statement.

“According to the younger woman’s phone records, who the ‘rape’ allegation is associated to, she wrote at 07:27 on 21 August 2010 that she ***‘did not want to accuse JA for anything;’*** and at 22:25 that ***“it was the police who made up the charges.”***

“Although the police initially opened an investigation into ‘rape’ in relation to woman AA, there was no allegation in her testimony that she had been raped. She expressed in her statement to the police that she consented to sex (‘frivilligt gått med på att ha sex med Assange’) and subsequently tweeted on 22 April in 2013, ‘I have not been raped.’”

The *World Socialist Web Site* noted last week that the name of Assange was never mentioned in the first debate in parliament on the EAW, or by Shami Chakrabarti of Liberty in a critique of the measure. Despite this conspiracy of silence, we explained, the EAW was readopted primarily because the British,

Swedish and US authorities were concerned that leaving the EAW off the statute books in the UK might enable Assange to insist his arrest warrant was no longer valid. The decision of the Swedish appeals court has confirmed this assessment.

What has happened to Assange could happen to anybody the ruling class wishes to target and silence. Under the EAW, the requirement that the petitioning state provide prima facie evidence of a crime is abolished. When issued with an EAW, there is no basis for an appeal against the measure.

The extremely arbitrary nature of the EAW system was revealed by the words of Clare Montgomery, who represented the Swedish authorities and the UK Crown Prosecution Service in 2011 against Assange. She said before the High Court in London, “Extradition offence means the conduct complained of. It has nothing to do with the evidence.”

It was in large part due to public concerns over the undemocratic provisions of the EAW system that legislation was passed in July by the UK Parliament specifying that a formal charge must be made against a person before his or her liberty is deprived. However, the Home Office stated that the new legislation will not apply to Assange or anyone else deprived of his or her rights under the previous system.



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