Documents show Australian Labor government does not oppose Assange's extradition to the US

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Documents obtained by lawyer Kellie Tranter and published on the *Declassified Australia* website cast a damning light on the Australian Labor government's role in facilitating the continued imprisonment of WikiLeaks publisher Julian Assange and his extradition to the US.

The material gives the lie to the claims of Labor supporters that the newly-elected government may be seeking to secure Assange's freedom through backroom diplomacy, despite the refusal of Labor ministers to condemn the attempted US extradition and prosecution.

They show that Labor is willing to let Assange be sent to the US, despite doctors and his family warning that it would be a death sentence. A successful extradition would also set a sweeping precedent for attacks on journalists and political dissidents globally.

Assange faces 17 charges under the Espionage Act, and 175 years imprisonment, for publishing true information exposing massive US-led war crimes in Iraq and Afghanistan.

Tranter, a longstanding legal advisor to Assange, has for many years filed freedom of information requests aimed at acquiring official documents revealing the role of Australian governments in the persecution of Assange. Those released by *Declassified Australia* are the first she has published since the Labor government was installed after the May 21 federal election.

The two documents are redacted. What is present, however, gives a sufficient picture of Labor's acquiescence to Assange's extradition, and the cynical, duplicitous character of the ambiguous public statements its leading representatives have made.

The first are internal "talking points" prepared for Attorney-General Mark Dreyfus on June 2. It is entitled: "Julian Assange – International Transfer of Prisoners process – talking points and background." Its heading indicates the central preoccupation of the document, which states:

"Prisoner transfers cannot be agreed between governments in advance of a person being a prisoner (after a criminal trial, conviction and sentencing) in a particular country, and require the consent of the prisoner;

"International prisoner transfers to Australia are initiated by an application from a prisoner after the prisoner has been convicted and sentenced;

"If surrendered, convicted and sentenced in the US, Assange could apply under the ITP scheme to serve his sentence in Australia;"

In other words, Assange is to be extradited to the US, where the former Trump administration and the CIA plotted to kidnap or assassinate him from London in 2017, before settling on a pseudo-legal criminal indictment. He would be hauled before a kangaroo court in the Eastern District of Virginia, with a jury likely stacked by the very same CIA officers and their relatives. The hearings would proceed in secret and Assange's detention regime would be one of total isolation.

With this hanging over his head, the document suggests that perhaps Assange will feel compelled to plead guilty to the "crime" of journalism, revealing the illegal killings of civilians, torture and other violations of international law.

Tranter notes that following a redacted section, the document continues: "However, the UK High Court's judgment does note that the US has provided an assurance that they will consent to Mr Assange being transferred to Australia to serve any custodial sentence on him if he is convicted."

The US "assurances" are not worth the paper they are written on. Their sole aim was to overcome an earlier British court ruling, which found that Assange's extradition would be "oppressive" because of his deep on-going health issues and the horrific conditions in which he would be held in a US prison.

The assurances, accepted by a British High Court as bona fide last October, asserted that Assange's conditions of detention would not be as bad as his lawyers claimed. But those very assurances made plain that the intelligence agencies, including the CIA, would have complete control over the circumstances of Assange's imprisonment, which could be changed at any time.

The second, June 8 document, is a "ministerial submission," entitled "Julian Assange – extradition request from the United States to the United Kingdom." It recommends that Dreyfus "note" the situation confronting Assange, in the lead up to an announcement by British Home Secretary Priti Patel on whether she would approve extradition. Several weeks later, Patel gave her green light.

The submission to Dreyfus bluntly stated: "The UK Home Secretary is due to make a final decision on Mr Assange's extradition to the US by 20 June. Mr Assange will have one final

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avenue of appeal with the leave of the High Court, otherwise he must be extradited within 28 days of the Secretary of State's decision."

And again: "If Mr Assange is extradited, convicted and sentenced in the US, he may apply for transfer to Australia under the International Transfer of Prisoner's Scheme. This will require the consent of the US and Australian authorities.

"The UK High Court's judgment notes that the US has provided an assurance that it will consent to Mr Assange being transferred to Australia to serve any custodial sentence imposed on him if he is convicted."

Later on, the document stated: "'If Mr Assange is convicted and sentenced to imprisonment in the US, it will be possible for him to apply under the ITP scheme to serve the remainder of his sentence in Australia. A transfer would also require the consent of the US, the Australian Government (through you as Attorney-General), and the relevant minister in the state into whose prison Mr Assange would be transferring.

"In making any such decision, the department would provide you with advice on factors such as the extent to which the transfer would assist the prisoner's rehabilitation, sentence enforcement, community safety and any relevant humanitarian considerations, in addition to any conditions of transfer required by the US.'"

In other words, as far as the Labor government is concerned, Assange's extradition is a done deal. Also striking is the fact that the documents do not countenance the possibility that he would be found "not guilty" in a US court. The entire thrust of the two documents is that the extradition and successful prosecution have already been stitched up, in a conspiracy involving the British government, the UK courts, the American authorities and the Labor administration.

Once Assange were in the US, moreover, the documents acknowledge that any "prison transfer" would be dependent upon the acquiescence of the American government whose President, Joe Biden, has previously branded Assange as a "high-tech terrorist." A prison transfer, even in the unlikely event that it occurred, would mean years more of Assange's incarceration, in Britain, the US and then Australia.

The contempt of the government for Assange is summed up by the reference to "factors such as the extent to which the transfer would assist the prisoner's rehabilitation." Assange does not need to be rehabilitated. He is a heroic journalist who has done a major service to humanity. It is the war criminals he has exposed who need to be placed in an institution.

Obviously it is unknown what is contained in the redacted section. It may deal with the elephant in the room, which is excluded from the rest of the documents. Assange's doctors, lawyers and family have all testified that the WikiLeaks founder would take his life if he were to be extradited to the US. That judgment was effectively upheld by the British District Court, before it was overturned on the basis of the bogus US assurances.

All of the talk about "prison transfers" and the like is therefore window dressing for what would amount to a death sentence.

The documents reveal the sinister character of statements by Labor leaders, including Prime Minister Anthony Albanese, Foreign Minister Penny Wong and Dreyfus, that the Assange case has 'gone on for too long," and "needs to be brought to a close." When asked by journalists, each has refused to elaborate on what this precisely means.

One thing that is entirely absent from the documents is any suggestion that Labor has so much as suggested the US government drop the charges against Assange and end the extradition proceedings. The continuation of the judicial frame-up and victimisation is taken as given.

The documents vindicate the warnings of the Socialist Equality Party that the greatest mistake defenders of Assange could make would be to harbour illusions that Labor will act to free the WikiLeaks founder.

The 2010-2013 Gillard Labor government initiated Australia's collaboration with the persecution of Assange. Gillard slandered Assange by falsely claiming that he had broken Australian laws. Assange publicly accused Gillard and other senior ministers of secretly collaborating with the American state against him and other Australian citizens associated with WikiLeaks.

Those actions were bound up with the Gillard government's full-throated support for the "pivot to Asia," a vast military build-up aimed at preparing for an aggressive US-led war against China.

A decade on and the military preparations are far advanced. The new Labor government is functioning as an attack dog of the Biden administration throughout the region. Last week, during a visit to Washington, Defence Minister Richard Marles hailed the US-Australia alliance as "unbreakable," as he outlined a further massive military build-up.

The documents confirm that the fight for Assange's freedom requires a political struggle by the working class, the social constituency for democratic rights, against the Labor government and all of its defenders. A Labor government will only intervene diplomatically and legally to free Assange, if it is forced to do so by a mass movement from below.

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