

Swedish Court Injects Some Sense into the Assange Case

Eight years late, the request for a European Arrest Warrant for Assange was finally put to the appropriate authority, writes Craig Murray.

By [Craig Murray](#)

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When, eight years late, the European Arrest Warrant request for Julian Assange was finally put before a Swedish court, the [court refused](#) to issue it.

Readers of this blog are amongst the very few people who have [had the chance to learn](#) that the original European Arrest Warrant for Julian Assange from Sweden was not issued by any court but by a prosecutor; that this was upheld in the U.K. Supreme Court despite the court's open acknowledgement that this was not what the U.K. Parliament had intended by the phrase that the warrant must come from a "judicial authority;" and that the law had been changed immediately thereafter so it could not be done again.

Consequently, in seeking a new European Arrest Warrant against Assange, Swedish prosecutors had finally, eight years on, to ask a court for the warrant. And the court looked at the case and declined, saying that the move would be disproportionate. It therefore remains the case that there is no Swedish extradition warrant for Assange. This is a desperate disappointment to the false left in the U.K., the Blairites and their ilk, who desperately want Assange to be a rapist in order to avoid the moral decision about

prosecuting him for publishing truths about the neocon illegal wars that they support.

Weak Evidence

The problem is that the evidence of sexual crimes was always extremely, extremely weak to anybody who took the trouble to examine it – which is why the same false left were desperate to convince us that it was wrong to examine the evidence as the “victim” must always be believed, a strange abandonment of the entire principle of justice.

In the lesser charge, which fell through the statute of limitations, Anna Ardin claimed that during the act of sex Julian Assange had deliberately torn the condom with his fingers. But the torn condom she produced to police had none of Assange’s DNA on it, a physical impossibility.

In the remaining charge of “rape, less serious,” Sofie Wilen alleges the following. She had consensual sex with Assange in her bed. She then dozed and was “half asleep” when Assange started having sex with her again. He states that she was fully awake and responsive through a series of sexual acts.

I have looked Julian Assange in the eye when he explained what happened, and believed him. I have not had the same opportunity with Sofie Wilen, and quite possibly she is equally honest in her account of events and I would believe her too. They had both been drinking. The difficulty is that this scenario is incapable of proof. A private sexual act that everybody agrees started and was consummated as fully consensual, but then continues or resumes as one partner is drifting off or has drifted off, but the other partner says

they were still awake, absent a recording is quite simply incapable of proof either way.

Seeking DNA Test, Not Rape Charge

What is beyond doubt true is that Sofie Wilen had no thought she had been raped when she met police to ask if Assange could be compelled to take a DNA test – a visit to the police which had been encouraged by Anna Ardin (she of the faked condom evidence). Ardin was present during Wilen's police interview.

At the police station, Wilen texted a friend at 14.25 "did not want to put any charges against JA but the police wanted to get a grip on him."

At 17.26 she texted that she was "shocked when they arrested JA because I only wanted him to take a test."

The next evening at 22.22 she texted "it was the police who fabricated the charges."

Despite this, Wilen's lawyer is adamant that she now does wish a prosecution to proceed. The problem is that question of proof. As the court has seen, there is none.

Willing to Be Interviewed

Julian Assange was interviewed in detail in Sweden before he was given permission to leave the country when the case was dropped by the chief prosecutor of Stockholm. When it was reopened by another prosecutor (possibly in Sweden), who issued the European Arrest Warrant, Assange at all times during his detention in the U.K. declared his willingness to be interviewed again, and eventually was interviewed over

two days in the Ecuadorian Embassy in November 2016.

Julian Assange has never tried to avoid the investigation in Sweden. His concern was always that the whole thing was cooked up as a ruse to get him into custody for extradition to the U.S.A. Events have proved this to be true.

To return to Sweden, the remaining question at issue is a very simple one. Was Sofie Wilen awake and responsive when sex was resumed, as Julian Assange insists, or was she “half-asleep” as Sofie says? Exhaustive questioning both in Stockholm and London has failed to produce an answer which could convince a court to issue a warrant. Prosecutor Eva-Marie Persson is now going to apply to interview Assange again. I genuinely cannot see what she feels this is going to achieve, unless she hopes to harass an ill man into a false confession.

The Swedish courts have finally injected a note of realism. The evidence Assange broke any law in Sweden has never stacked up. At some point, this poisonous farrago of prosecutorial grandstanding and Swedish sexual politics needs to be brought to a close.

Craig Murray is an author, broadcaster and human rights activist. He was British ambassador to Uzbekistan from August 2002 to October 2004 and rector of the University of Dundee from 2007 to 2010. This article is from his [website](#).

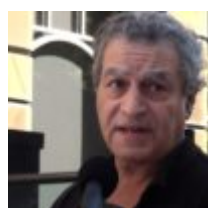
More Good News for Assange: Swedish

Court Blocks Extradition; US Says No Vault 7 Indictment

A Swedish court has blocked prosecutors' request for a European Arrest Warrant forcing an interview with Assange in London, and *Politico* reports there will be no indictment of Assange on Vault 7.

By [Joe Lauria](#)

Special to Consortium News



Imprisoned *WikiLeaks* publisher Julian Assange scored two legal victories on Monday when a Swedish court refused prosecutors' request to have Assange arrested and extradited from Britain to Sweden, while the U.S. Justice Dept. said it would not prosecute Assange for the publication of the CIA Vault 7 files, according to a report in *Politico*.

The Uppsala District Court [rejected](#) a request for a European Arrest Warrant for Assange based on a [reopened](#) 2010 investigation into sexual assault allegations that has been twice dropped before. Without the warrant Assange cannot be extradited to Sweden to be questioned.

Eva-Marie Persson, Sweden's deputy director of public prosecutions, who last month announced the reopening of the probe and Sweden's extradition request to Britain, said she is deciding whether to appeal the ruling. In the meantime, Persson said she'd seek a European Investigation Order, which would allow her to travel to Belmarsh prison in London and interview Assange there.

"I think it is a big victory for Julian Assange, the first

one in a long time, and a well-deserved one,” said Assange’s Swedish lawyer, Per Samuelson. “It is also a victory for Sweden, who upheld the rule of law and it’s a defeat for the prosecutors, who were once again punished for not having conducted the case in a correct way. It’s a step in the right direction.”

Pressure on Britain

The pressure is now fully back on Britain alone to decide whether to extradite Assange to the United States to face espionage charges for the conduct of investigative journalism, as the U.S. indictment itself describes.

The sexual assault allegations against Assange, which followed months after the Iraq War Logs and Afghan War diaries were released, were first dismissed in 2010 by then Swedish chief prosecutor Eva Finne, just a day after the allegations were made on Aug. 20, 2010.

An arrest warrant was anceled on Aug. 21. Finne said that day: “I don’t think there is reason to suspect that he has committed rape.”

Assange then left Sweden for Britain with Sweden’s permission in September. When he arrived in Britain an international arrest warrant was issued for him on Nov. 18, 2010.

Assange turned himself in on Dec. 7 and was released on bail. He fought Sweden’s extradition requests after Sweden refused to give his lawyers an assurance he would not be then extradited to the U.S., where he now faces extradition and prosecution under the Espionage Act.

When his final appeal was lost, Assange asked for and received political asylum in Ecuador's London embassy where Assange had lived from June 2012 to April 11 this year. That day Ecuador lifted his asylum and allowed British police to enter the embassy to arrest him.

Under intense British pressure, Sweden's prosecutor Marianne Ny declined to drop the case for a second time and refused for years to travel to London to interview Assange, at Assange's request. However, six days after the Nov. 8, 2016 U.S. presidential election, an election Assange was accused of interfering with through his journalistic work, Ny relented and questioned Assange in the embassy. Six months later, for the second time, the investigation was indeed dropped.

Assange is serving a 50-week sentence at Belmarsh prison in London for skipping bail when he entered the embassy.

Meanwhile in the United States, the online news site *Politico* reported that the Justice Department has decided not to charge Assange in the release of Vault 7, which exposed some of the CIA's most closely held secret spying methods. *Politico* cited "a U.S. official and two other people familiar with the case."

Politico said the decision surprised former U.S. officials and national security "experts" given the anger it aroused in the CIA, whose director at the time of the release, Mike Pompeo, then labelled *WikiLeaks* a "non-state hostile intelligence service."

The DOJ may have decided it had just run out of time to bring the new indictment since it has a June 12 deadline to

present to Britain all the charges it wants to bring against Assange before the UK can decide on the U.S. extradition request.

“There is a comfort level within the national security establishment of where the charges ended up,” the U.S. national security official told *Politico*.

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