

19 June 2014

Assange: Still Under Siege in London

Julian Assange has now been confined for two years in the limited space of Ecuador's embassy, denied his right to asylum by British and Swedish governments acting on behalf of the United States.

Today marks the second anniversary of Julian Assange's forced confinement in the London embassy of Ecuador, which has granted him asylum for an indefinite period. He entered the embassy on 19 July 2012 in order to avoid extradition to Sweden for questioning on suspicion of minor criminal offences in that country (see "Suspected of what, exactly?", page 2). Under heavy pressure from the United States, but claiming to be motivated by its legal obligations to Sweden, the U.K. government has refused to grant safe passage of Assange from the embassy to the country of Ecuador.¹

There is strong reason to believe that Sweden has also been acting on behalf of the United States in this matter, and would subsequently extradite Assange to the United States where he is threatened with severe punishment for committing acts of journalism.² That belief appears to have been confirmed by the behaviour of Swedish officials during the past year.

The clearest indication of official Sweden's posture was its reaction to a visit by Eva Joly, an influential Member of the European Parliament. A native of Norway, Ms. Joly has spent most of her adult life in France where she distinguished herself as an investigating magistrate. Her most notable success involved corruption at the state oil company, Elf Aquitaine, regarded as the worst financial scandal in Europe since World War II.

"Common toolbox" of solutions

Having become increasingly concerned about the effects of long-term confinement on the health of Julian Assange, and by what she regards as violations of his legal and human rights, Ms. Joly visited Sweden in March 2014 in hopes of discussing the case with the Swedish officials involved. Based on her considerable experience of intergovernmental co-operation in matters of criminal law, she believes that "we have a common European toolbox" of possible solutions to the Assange case.



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Eva Joly

According to Eva Joly, the available solutions include:

- A video interview, of the sort which is used on a daily basis in all European courts. It is an option that is readily available to Swedish prosecutors if they do not want to question Assange in London.
- A trial *in absentia*, which would permit Assange to remain in the safety of Ecuador's London embassy while the trial is conducted in Sweden. The only requirements are that he consent to such a procedure and that he is represented by legal counsel in court.
- Delegation of the trial to another jurisdiction, e.g. the judicial system of Ecuador. "It is useful tool in the toolbox which I have used myself," notes Ms. Joly.

In the event that Assange were to be found guilty by either a Swedish or other court, any sentence of imprisonment could be served in Ecuador.

Suspected of what, exactly?

It has been widely and frequently reported that Julian Assange is wanted in Sweden for questioning on suspicion of "rape". But the illegal activities of which Swedish authorities have decided to suspect him do not constitute rape, as that term is commonly understood. According to the Oxford Dictionary, for example, it is "The crime of forcing another person to have sexual intercourse with the offender against [his or her] will."

Nothing in the testimony of the two alleged victims conforms with that definition. On the contrary, both women have acknowledged that they:

- actively sought Assange's attentions
- engaged in repeated acts of *consensual* sex with him
- were never subjected to violence or the threat of violence by him.

In short, they were not forced to have sexual intercourse with Julian Assange, but did so willingly and invitingly.

Of what, then, is he suspected? As Swedish lawyer Svante Thorsell has explained, "In other countries, rape is a crime in which someone attempts to compel sexual intercourse by means of physical violence. In Sweden it can mean something else, which does not involve physical violence.... In this case, it is a question of whether or not a condom has been used, and whether consent has been active or passive."³

Australian lawyer Geoffrey Robertson, who assisted Assange in the British extradition hearings, further explains: "It turns out that Sweden has three classes of rape — extreme, serious and minor. Assange was charged with 'minor rape'.... It amounted to allegations of having consensual sex without a condom, the use of which had been an implied condition of the consent.... In the case of both complainants, the police dossier confirmed that the sexual engagements were not merely consensual, but actively desired."⁴

For additional details and clarifications, see pages 13 – 27 and 36 – 39 in *Suspicious Behaviour*.⁵

Not welcome

“All this is possible”, asserts Eva Joly. “I do not understand why Julian Assange should give up his human right to asylum in order to answer the questions of prosecutors in Sweden.”

She was to get no explanation from the Swedish officials most directly responsible for the Assange case. Minister of Justice Beatrice Ask claimed she had no time to meet with the visiting legal expert; chief prosecutor Anders Perklev and case prosecutor Marianne Ny offered no explanation for their refusal to do so. None of the three indicated any willingness to welcome Ms. Joly on some later occasion.

“Of course, they have no obligation to meet with me,” she acknowledged. “But in my experience, that is very unusual. In fact, I cannot recall any similar occasion.... This is clearly a difficult question which Swedish officials are very reluctant to discuss. That is unfortunate, because the case involves important issues of legal and human rights which concern everyone, not only Julian Assange.”

Noting that the Swedish pursuit of Assange had persisted for over three years, i.e. since December 2010, Eva Joly said, “I am concerned that the circumstances of the case have led to disproportionate and unusually harsh restrictions on Julian Assange’s human rights and personal freedom.”

The reluctance of Swedish authorities even to discuss the case with her came as something of a shock. “Normally when I — as an MEP and chair of a committee in charge of 59 billion euros per year — ask for an appointment, I get it.”

Her experience contrasts sharply with the warm reception given two months earlier to Eric Holder, the U.S. Attorney General (minister of justice). On that occasion he met with his Swedish counterpart, Beatrice Ask, and also with Prosecutor-General Anders Perklev — the latter an unusual choice of discussion partner for a U.S. cabinet minister. Government assertions that the Assange case was not on the agenda were greeted with widespread scepticism.

“Hardly anything in this muddled mess is more revealing than the refusal of Marianne Ny, Anders Perklev and Beatrice Ask even to meet with Eva Joly, who is known all over the world for her integrity,” observed retired Swedish judge Brita Sundberg-Weitman, who has followed the case from the beginning. “Short of openly declaring that they are doing the bidding of the United States, they could hardly be more clear about the underlying reason for their behaviour.”⁶

“The matter is closed”

Brita Sundberg-Weitman has herself been subjected to similar treatment by Sweden’s Parliamentary Ombudsman. According to its own description, the task of the Ombudsman’s office is to determine if government officials and agencies “follow the laws and regulations which govern their duties — especially those laws which concern the rights and duties of individuals in relation to society”.

On that basis, Brita Sundberg-Weitman in April 2014 formally requested the Ombudsman to evaluate the conduct of the prosecution with particular reference to:

- 9 § of the Swedish Constitution, which stipulates that all government officials and agencies shall observe every individual’s equality before the law, and conduct their duties in an objective and impartial manner.

- Article 6 of the European Convention on Human Rights which states that “everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal”.

In her petition to the Ombudsman, Judge Sundberg-Weitman noted that a similar request in 2012 had been rejected on the grounds that the matter was then under judicial review. However, “Now, it is obvious that no judicial process or investigation of any kind is being conducted.”

She further noted that Eva Joly and other legal experts had criticized the Swedish prosecution for its passivity which, “according to them is due to considerations of prestige, or to political pressure ‘from above’.”

Judge Sundberg-Weitman therefore called upon the Ombudsman to investigate the prosecution’s passivity during several years, with special consideration to the Swedish Constitution and the European Convention, and also to the issue of proportionality cited by Eva Joly (cf. page 3).

The response of Ombudsman Cecilia Renfors was as follows: “You have requested an investigation of the Prosecution Authority. Your request does not occasion any measure or statement by me. The matter is closed.”

That was it. Not a word on the proportionality principle, the Swedish Constitution or the European Convention on Human Rights.

“Given that the decision is totally lacking in any explanation, it is open to speculation,” observes Brita Sundberg-Weitman. “According to law, it is the Ombudsman’s duty to keep a watchful eye on precisely the fundamental laws which I cited, and which are intended to protect against the abuse of power.

“It is ironic, to say the least,” observes Judge Sundberg-Weitman, “that the Ombudsman’s office, which often criticizes other agencies for poorly justified decisions, can offer no other response than ‘Your request does not occasion any measure or statement by me’.”

Prominent critics

The official responses, or rather non-responses, to the well-founded initiatives of Eva Joly and Brita Sundberg-Weitman may be regarded as confirmation of the Swedish government’s long-suspected collusion with the United States in the Assange case.

There does not seem to be any other explanation for the extraordinary behaviour of the Swedish prosecution, including its obstinate refusal to interview Assange in London — in the embassy or via telecommunications — as numerous legal experts have urged. The prosecution has offered no credible explanation for that refusal.

In the early months of 2014 — with the case having dragged on for over three years for no apparent reason and with no formal charges having been laid, thus causing



Pernille Toft

Ombudsman Cecilia Renfors

great personal harm to Julian Assange and widespread damage to the international reputation of Sweden — several prominent Swedes went public with their disapproval of the prosecution's conduct.

One of them was retired prosecutor Rolf Hillegren, who in January published an opinion piece which stated his belief that “few people with reasonably good training in the evaluation of evidence would conclude anything other than that the case should be dismissed.... The situation regarding the two women [involved] has mainly to do with differences of opinion regarding the use of condoms — a type of dispute that is not usually resolved in our courts.”

Unfortunately, argued Hillegren, “Prestige has become involved and the prosecutor has painted herself into a corner. There she remains and, alas, she has taken with her a large portion of the Swedish justice system which has now shamed itself for over three years.”

Hillegren also noted that there is nothing to prevent the prosecutor, Marianne Ny, from questioning Assange in London. That point has also been made by Justice Stefan Lindskog of Sweden's Supreme Court, who has stated that the Assange case is “a mess” and that, “It is possible that the prosecutor could travel to London and interrogate him there. I have no answer to the question, why that has not happened.”

The prosecution's obstinacy was condemned in February by Anne Ramberg, head of the Swedish Bar Association: “This has developed into something of a circus,” she observed. “A little pragmatism is needed to bring an end to this circus. One should have gone to London to interview him.... It is not inconceivable that an interview with Assange would result in the case being dropped. But that possibility will be excluded by not taking contact with him.”

Another critical opinion piece was published in January by an experienced attorney and teacher of law who asserted that the Assange case is a judicial scandal like few others in Swedish history. “The arrest of Assange has been ordered because he has not presented himself in Sweden for interrogation — nothing more than that,” wrote Svante Thorsell. “He has never refused to be interviewed; on the contrary he has welcomed it, if conducted in England. For reasons of prestige, the prosecutor refuses to make such a visit. It is routine for such interviews to be held where the suspect is located.... The circus of the Assange case has been driven by considerations of prestige. The servants of the court have served themselves, not justice.”

The first-ever criticism by a member of the Swedish Parliament was offered in February by Johan Pehrson, the Liberal Party's spokesperson on judicial matters. “This is an exceptional case,” observed Pehrson, who sits on the parliament's Justice Committee. “One may therefore consider whether or not the prosecutor should make every possible effort to resolve this matter.... The case has major political and international implications. No one is served by the present situation.”

Although expressed with typical Swedish understatement, the political significance of Pehrson's remarks was not lost on Anders Perklev who sharply responded that, “It is quite remarkable that a member of parliament should openly question a prosecutor's decisions in a specific case. It goes against the fundamental separation of powers between legislative and executive authorities in Sweden.”⁷

Perklev did not respond to the substance of the criticism, however; and Prosecutor Ny has attempted to deflect complaints with such cryptic statements as, “There is

a significant risk that an interview in London would not move the investigation forward". But that sort of curious reasoning has failed to convince, especially since other Swedish prosecutors have been willing to take such a "risk" in places as distant and diverse as Rwanda and the Balkans.

Nevertheless, the experience of Eva Joly (cf. page 3) and other indications suggest that not much has changed. The Swedish prosecution seems determined to carry on as unusual, with the support of its own government and apparently in deference to the wishes of the United States'.

The work continues

Doubtless to the dismay of his pursuers, Assange's confinement to the Ecuadorian embassy has not rendered him ineffectual. Via the Internet — originally developed as a U.S. military project — and assisted by friends and associates who are free to come and go, he has been able to continue his work with WikiLeaks and related matters.

One such matter is the thus far successful effort of whistleblower Edward Snowden to avoid the clutches of the U.S. government.⁸ That drama began in early June 2013, a few weeks before the first anniversary of Assange's stay in the Ecuadorian embassy, and the support provided by WikiLeaks was crucial in preserving Snowden's liberty. Among other things, Sarah Harrison — a close associate of Assange — was dispatched to join Snowden in Hong Kong and assisted his perilous flight to Russia. She remained by his side for four months while he sought asylum in a variety of countries — for the time being unsuccessfully, due to obstacles and pressures imposed by the United States — and was eventually granted a one-year residence permit by Russia (which is soon to expire).

Financial support was also provided and, according to WikiLeaks spokesman Kristinn Hrafnsson, "We have been helping him on two fronts: on one side, our legal team has been in contact and consultation and advising his legal team — for obvious reasons our legal team has vast knowledge in matters of extradition so it's quite natural that they could assist in many ways. Secondly we have been a go-between, carrying messages from Mr. Snowden and his team to officials and governments."⁹

The "knowledge in matters of extradition" which proved so useful to Edward Snowden was, of course, acquired in connection with the Swedish prosecution's



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Sarah Harrison (far left) at October 2013 dinner in Moscow to celebrate presentation of the Sam Adams Award for Integrity in Intelligence to Edward Snowden (second from left).

pursuit of Julian Assange. There is another Swedish connection: The official U.S. documents leaked by Snowden have confirmed that the Swedish intelligence community has long been and is still collaborating in the worldwide spying activities of the United States, especially those directed at Russia.¹⁰ That certainly helps to explain the seemingly inexplicable behaviour of official Sweden in the Assange case.

It may be assumed that Swedish intelligence personnel are doing all they can to monitor Snowden's activities during his forced exile in Russia, where he continues to receive support from WikiLeaks. Among other things, Assange is a trustee of his legal defence committee and ten days ago helped to launch the "Stand with Snowden" campaign of Courage, a new international organization devoted to supporting whistleblowers and other "truthtellers". Based in Germany, the organization's acting director is Sarah Harrison, who is unable to return to the United Kingdom due to the looming threat of persecution by its (and her) government.¹¹

"WikiLeaks was crucial in preventing Snowden from ending up in a U.S. maximum security prison," concludes lawyer/journalist Glenn Greenwald, the principal recipient of the Snowden materials. "I do not think that there would have been any other group or person that would do what WikiLeaks and Sarah Harrison did for Edward Snowden at that moment. He was the world's most wanted, sought in the viewfinder of the most powerful government on the globe."¹²

Snowden himself has said that, "They are absolutely fearless in putting principles above politics. Their mere existence has stiffened the spines of institutions in many countries, because editors know that if they shy away from an important but controversial story, they could be scooped by the global alternative to the national press.... They run towards the risks everyone else runs away from — and during a time when government control of information can be ruthless."¹³

Confounding the global elite

The principal function of WikiLeaks remains that of publishing documents which powerful interests would prefer to keep secret. In November 2013 the draft text of the Intellectual Property Rights chapter of the Trans-Pacific Partnership (TPP) was released. That was followed up in January with the draft of the Environment chapter.

As explained by WikiLeaks: "The TPP is the forerunner to the equally secret US-EU pact TTIP (Transatlantic Trade and Investment Partnership), for which President Obama initiated US-EU negotiations in January 2013. Together, the TPP and TTIP will cover more than 60 per cent of global GDP. Both pacts exclude China.

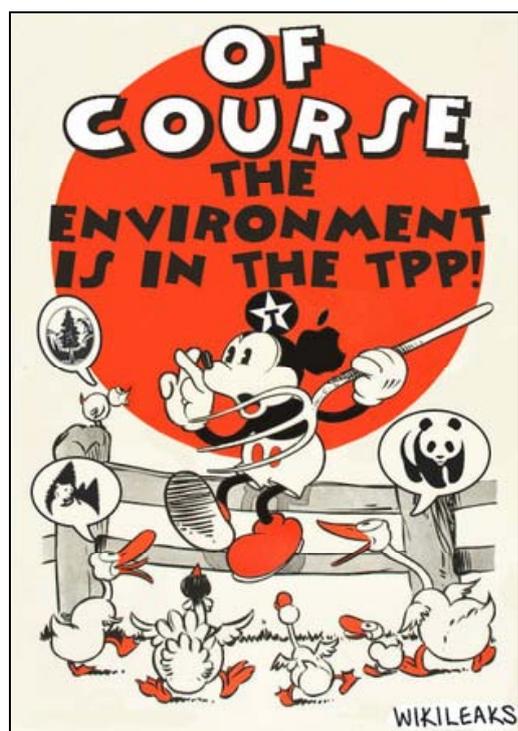
"Since the beginning of the TPP negotiations, the process of drafting and negotiating the treaty's chapters has been shrouded in an unprecedented level of secrecy. Access to drafts of the TPP chapters is shielded from the general public. Members of the US Congress are only able to view selected portions of treaty-related documents in highly restrictive conditions and under strict supervision. It has been previously revealed that only three individuals in each TPP nation have access to the full text of the agreement, while 600 'trade advisers' — lobbyists guarding the interests of large US corporations such as Chevron, Halliburton, Monsanto and Walmart — are granted privileged access to crucial sections of the treaty text."

The draft of the Intellectual Property chapter, alone, contains some 30,000 words, and the key section on enforcement has "far-reaching implications for individual rights,

civil liberties, publishers, Internet service providers and Internet privacy, as well as for the creative, intellectual, biological and environmental commons. Particular measures proposed include supranational litigation tribunals to which sovereign national courts are expected to defer, but which have no human rights safeguards. The TPP IP Chapter states that these courts can conduct hearings with secret evidence.”

The implications were summarized by Julian Assange: "If instituted, the TPP's IP regime would trample on individual rights and free expression, as well as ride roughshod over the intellectual and creative commons. If you read, write, publish, think, listen, dance, sing or invent; if you farm or consume food; if you're ill now or might one day be ill, the TPP has you in its crosshairs."¹⁴

Unlike the draft text on Intellectual Property, the Environment chapter is primarily notable for what it omits. WikiLeaks spokesman Kristinn Hrafnsson observes that it



“does not include enforcement mechanisms serving the defence of the environment; it is vague and weak” as reflected in phrases such as “where possible and appropriate... make every effort... by any technological means available agreed by the consulting Parties... on the basis of objectivity, reliability and sound judgment... provided that the disputed Parties so agree... exercise restraint in taking recourse... adopt or maintain appropriate measures”, etc.

Both “appropriate” and “may” recur 43 times in the 23-page draft. Other favourites include “enhance” (12 x), “consider” (12), “encourage” (11), “address” (10), “endeavour” (9) and “seek” (9).

The emphasis is on self-regulation and voluntary measures, but even such measures should avoid “the creation of unnecessary barriers to trade”.¹⁵

The WikiLeaked documents provoked alarm and outrage around the world, causing indefinite delays in plans of the U.S. and other governments to orchestrate rapid and uninformed approval of the TPP.

Warns Joseph Stiglitz, a Nobel laureate in economics: “There is a real risk that [the TPP] will benefit the wealthiest sliver of the American and global elite at the expense of everyone else. The fact that such a plan is under consideration at all is testament to how deeply inequality reverberates through our economic policies... Critics of the TPP are so numerous because both the process and the theory that undergird it are bankrupt. Opposition has blossomed not just in the United States, but also in Asia, where the talks have stalled.”¹⁶

The executive director of the Sierra Club, a leading U.S. environmental organization, has lamented that, “This draft chapter falls flat on every single one of our issues — oceans, fish, wildlife, and forest protections — and in fact, rolls back on the progress made in past free trade pacts.”¹⁷

It remains to be seen whether such critics and the interests they represent will be sufficient to derail or significantly alter the contents of the TPP. But at least the relevant documents are now openly available for discussion, due to the efforts of Julian Assange and his WikiLeaks associates.

This and other initiatives are described in detail on the WikiLeaks website.¹⁸

The year(s) ahead

In the short term, there does not appear to be any risk that Ecuador will revoke Assange's asylum status or kick him out of its London embassy. The government of Rafael Correa has repeatedly affirmed its original decision to grant asylum on humanitarian grounds, most recently twelve days ago.¹⁹

President Correa has said that, "If [they] want to keep him there for 30 years, he'll stay there 30 years." But that is a commitment which he, personally, cannot guarantee. Correa's current and final term is due to expire in 2017 (although the constitution may be amended to allow indefinite re-election). A lot can happen in three years, e.g. a coup or an assassination, as many Latin American leaders have experienced. That applies especially to those who have displeased the United States, and granting asylum to Assange is far from the only mischief perpetrated by Correa in the *yanquis'* self-proclaimed backyard (a metaphor repeated recently by the U.S. foreign minister).

One nearly successful coup against him has already been attempted — in 2010, presumably with the connivance of the C.I.A. The empire has been more successful in Honduras and Paraguay, where "left-leaning" presidents have been replaced by reactionary U.S. vassals. Hugo Chávez's successor in Venezuela, Nicolás Maduro, is currently being subjected to a protracted destabilization campaign which ominously resembles the one that terminated the government and the life of Chile's Salvador Allende on 11 September 1973. Maduro's chances of long-term survival, politically and/or physically, do not look especially good. And if he falls, Ecuador's President Correa or Bolivia's President Morales, or both, will probably move to the top of the hit list.

These and related considerations suggest that Julian Assange's indefinite term of refuge in Ecuador's embassy may turn out to be all too definite.

In the meantime, the U.S. government has not relented in its efforts to secure his capture, or its plans to persecute him if those efforts should succeed. A secret grand jury established in 2010 to develop charges against Assange is still active, and one month ago it was reported that "Papers released in U.S. legal proceedings have revealed that a 'criminal/national security investigation' by the U.S. Department of Justice and FBI probe of WikiLeaks is 'a multi-subject investigation' that is still 'active and ongoing' more than four years after the anti-secrecy website began publishing secret U.S. diplomatic and military documents."²⁰

Among the documents leaked by Edward Snowden was reference to a "Manhunting Timeline" concerning Assange and his WikiLeaks associates: "The United States on 10 August [2010] urged other nations with forces in Afghanistan, including Australia, United Kingdom and Germany, to consider filing criminal charges against Julian Assange, founder of the rogue WikiLeaks Internet website and responsible for the unauthorized publication of over 70,000 classified documents covering the war in Afghanistan. The documents may have been provided to WikiLeaks by Army Private First Class Bradley Manning. The appeal exemplifies the start of an international effort

to focus the legal element of national power upon non-state actor Assange and the human network that supports WikiLeaks.”

During the military trial of Bradley (now Chelsea) Manning — a parody of justice that ended with him being sentenced to 35 years in prison — prosecutors made frequent reference to Julian Assange, tending to confirm a widespread belief that the trial was as much or more about the absent WikiLeaks editor as the accused in court. In its closing arguments, the prosecution made 20 direct references to Julian Assange and even more to WikiLeaks, which it characterized as a bunch of “information anarchists”.

“They seem to be at least planting in the public's mind that there's some agreement, conspiracy or aiding and abetting between WikiLeaks and Bradley Manning,” concluded Michael Ratner, the prominent civil rights attorney representing Assange in the United States. “How can you doubt they're going after Julian Assange? There were so many mentions of Julian Assange and WikiLeaks, it looked like they were the bull's eye of the case.”²¹

That certainly seems to have been the conclusion of the BBC, as indicated by this headline from its website on 18 July 2013:

	<p>Wikileaks accused loses challenge A US military judge refuses to dismiss the most serious charge facing Bradley Manning, the soldier accused of leaking thousands of secret documents. Profile: Bradley Manning ▶ Manning case in 80 seconds</p>
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Confining network

As noted above, Sweden is a vital node in the worldwide surveillance network organized and operated under the direction of the United States. Great Britain's place in the network is even more central, of course. As demonstrated by the events of recent years, whistleblowers like Snowden and WikiLeaksers like Assange pose a serious threat to the secrecy that such a network requires in order to fester and expand.

There can be little doubt that the collaboration of the three countries in massive surveillance on a global scale is a key factor in the protracted confinement of Julian Assange. It has certainly been an expensive business, as indicated by the illustration on the following page — nearly £6.4 million (USD 10.8 million) in *direct* costs during the past two years.²²

It is inconceivable that the British government would squander so much of its taxpayers' money — and very likely much more to come — merely to underwrite the arbitrary whims of a Swedish prosecutor.

The weakness and absurdity of the case against Assange were highlighted in March 2014 when the British Parliament adopted changes to the U.K. law on extradition. With those changes, it is no longer permissible to extradite anyone who has not been formally charged with any crime.²³ The parliamentary debate made specific reference to Julian Assange who the Swedes, after more than three years, have yet to charge with any sort of crime.



That was a key issue during the extradition proceedings; but the British courts chose to interpret prosecutor Ny’s reluctance to file charges against Assange as clear intent to do so — a style of reasoning that has numerous antecedents in the writings of Charles Dickens and other keen observers of British justice.²⁴

Under the new law, Julian Assange could not be *legally* extradited to Sweden, and would be free to leave the embassy and travel to Ecuador. But the government argues that the law may not be applied retroactively and therefore has no relevance for the Assange case. Even if it did, it cannot be certain that the law would be obeyed.

That question arises from the dubious behaviour of the British government to date. Numerous legal experts and the government of Ecuador have argued that blocking Assange’s passage to the country that has granted him asylum is a violation of his basic rights. That is very likely correct. But confirmation of his right to free passage would require a ruling by a competent international court, and there is no guarantee that the British government would honour a decision in favour of Assange.

In short, barring some extraordinary development, there is scant reason to expect that Julian Assange will be released from his British semi-captivity anytime soon. But it has thus far failed to prevent him from continuing his work with WikiLeaks, etc.

“A big satisfaction has been keeping our people from getting arrested, detained or jailed, keeping the organization functioning, keep it from going bankrupt,” he confided slightly less than a year ago. “They have not dismantled the organization, they have not been able to put any members of our team in prison yet. And although I am in a difficult position, I have been able to keep working.

“If someone told you that a small, radical publisher was going to take on the White House, the CIA, the Department of Defense, the Pentagon, the NSA and the FBI, what chance would you give it to still exist three years later? You would say none at all. But here we are, and that is a satisfaction.”²⁵

A year later, there is still more cause for satisfaction, and no indication that Assange’s capacity for work or thought has diminished. The main concern of his supporters is

the potential impact of prolonged confinement on his physical health. Prison inmates are usually granted at least one hour per day outdoors; but Assange does not even have that, and the resulting lack of direct sunlight could lead to any of the medical problems associated with vitamin D deficiency.

Human rights appeal

It may be that Assange's pursuers are hoping that he will be stricken with an illness so serious that it will force him to leave the embassy for medical treatment, and thus imprisonment. That is one reason for the urgency of an appeal submitted by 59 international organizations to the United Nations four days ago, June 15th.

Among them are the American Association of Jurists, the Arab Lawyers Union, the Eva Joly Institute for Justice & Democracy, the International Association of Democratic Lawyers, the Indian Association of Lawyers, Charta 2008 of Sweden, the Asociación Pro Derechos Humanos de España, the Instituto Mexicano de Derechos Humanos y Democracia, the Associação de Rádios Públicas do Brasil and the Fundación Pueblo Índio del Ecuador.²⁶

Submitted in connection with the forthcoming Universal Periodic Review of human rights in Sweden, the appeal consists of three separate reports which "expose numerous systematic deficiencies in Swedish pre-trial procedures, like the routine placement of persons who have not been charged with any crime in indefinite, isolated, or unexplained pre-charge detention.

"The methods employed by the prosecutor in Mr. Assange's case are a clear violation of his fundamental human rights, yet they remain beyond the reach of judicial review....

"The entire international community has witnessed the opportunistic manipulation of the accusations against Mr. Assange, in an attempt to destroy his reputation and to prevent his freedom and his ability to act politically. It is obvious that this unprecedented situation has not come about as a result of the alleged acts committed in Sweden, but rather due to the clear political interference by powerful interests in response to Mr. Assange's journalistic and political activities. This situation has turned Julian Assange into a political prisoner, who is effectively condemned to house arrest without any charges having been brought against him, without being able to exercise his right to due process."²⁷

Notes

1. For details, see “A Year of Living Productively”. *Nordic News Network*, 4 July 2013. www.nnn.se/nordic/assange/productive.pdf
2. See “Sweden, Assange & USA.” *Nordic News Network*, 28 December 2010. www.nnn.se/nordic/assange/assange-usa.pdf
3. “Mounting Criticism of Swedish Prosecution”. *Nordic News Network*, 2 Feb. 2014. www.nnn.se/nordic/assange/critics.pdf
4. Geoffrey Robertson, “The refugee”. *Sydney Morning Herald*, 2 November 2013. www.smh.com.au/lifestyle/the-refugee-20131028-2waew.html
5. *Suspicious Behaviour*. *Nordic News Network*, 7 April 2012. www.nnn.se/nordic/assange/suspicious.pdf
6. For more details on Eva Joly’s attempt to speak with Swedish officials, see “Solution to the Assange case? Not interested.” *Nordic News Network*, 31 March 2014. <http://www.nnn.se/nordic/assange/joly.pdf>
7. The quotations and other information under the heading of “Prominent critics” on pages 4 – 5 are taken from the article “Mounting Criticism of Swedish Prosecution”. *Nordic News Network*, 2 February 2014. www.nnn.se/nordic/assange/critics.pdf
8. Glenn Greenwald *et al.* “Edward Snowden: the whistleblower behind the NSA surveillance revelations”. *The Guardian*, 9 June 2013. www.theguardian.com/world/2013/jun/09/edward-snowden-nsa-whistleblower-surveillance
9. “A Year of Living Productively”. *Nordic News Network*, 4 July 2013. www.nnn.se/nordic/assange/productive.pdf
10. (a) Julian Borger, “GCHQ and European spy agencies worked together on mass surveillance”. *The Guardian*, 1 November 2013. www.theguardian.com/uk-news/2013/nov/01/gchq-europe-spy-agencies-mass-surveillance-snowden
(b) “Sweden spying on Russian business targets, including energy.” *AFP/Voice of Russia*, 8 Dec. 2013. http://voiceofrussia.com/news/2013_12_08/Sweden-spying-on-Russian-business-targets-including-energy-report-8190/
11. “Launch of Courage and Snowden Campaign in Berlin.” *Courage*, 9 June 2014. <https://couragefound.org/2014/06/launch>
12. *This Day in WikiLeaks*, 2014-05-26. www.thisdayinwikileaks.org/2014/05/26-may-2014.html
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