

# WikiLeaks' Assange can continue extradition fight

5 December 2011, By DAVID STRINGER , Associated Press



WikiLeaks founder Julian Assange gestures as he talks during a news conference in central London, Thursday, Dec. 1, 2011. The whistle-blowing website has released details of companies it says are selling information obtained by monitoring people's mobile phones and computers. According to Assange, more than 150 organizations around the world have the ability to use phones as tracking devices as well as intercept messages and listen to calls. (AP Photo/Lefteris Pitarakis)

(AP) -- A British court Monday gave WikiLeaks founder Julian Assange permission to continue his legal battle to avoid extradition to Sweden over sex crimes allegations.

The decision means Assange does not face immediate deportation. British judges said Assange could apply to the Supreme Court to hear one specific point of his legal case - but there is no guarantee that the higher court will accept his request.

In his judgment, Judge John Thomas said Assange had only a small prospect of convincing the Supreme Court of his arguments.

The "chances of success may be extraordinarily slim" for Assange's appeal, Thomas said.

Assange's lawyers had argued that every European arrest warrant issued by police or prosecutors was flawed, because neither should be considered a judicial authority.

The High Court judges did not indicate whether they agreed with the argument, but said Assange's legal team should have the chance to ask the Supreme Court to grant them a hearing. Assange said he was pleased by the ruling.

"The High Court has decided that an issue that arises from my own case is of general public importance and may be of assistance in other cases and should be heard at the Supreme Court," he said outside the courthouse.

"I think this is the right decision and I am thankful, the long struggle for justice for me and for others continues."

Assange now has 14 days to submit a written request to the Supreme Court, Assange's lawyer Gareth Peirce said.

Assange's Swedish lawyers also hailed the decision.

"This is positive news for Julian Assange and means he will remain in the U.K. while the court assesses his appeal," Assange's Swedish lawyer Per E. Samuelsson said. "It is something we have fought for."

Claes Borgstrom, the lawyer representing the two women bringing sex crime charges against Assange, called the decision regrettable.

"My clients have waited for over a year for a legal conclusion of this and now they will have to wait even longer," Borgstrom said. "Then it will still end with Assange being transferred to Sweden. The rules are very clear about this."

"I regret he himself doesn't choose to hand himself over," Borgstrom added.

He said the two women had hoped that the last word would be said in the extradition case Monday.

"Now they have to wait for another few months. We are hardened by now, but of course this is still stressful," he said.

Assange was accused of rape, coercion and molestation following encounters with two Swedish women in August 2010. Swedish authorities issued a European Arrest Warrant on rape and molestation accusations, and Assange was arrested in London in December.

He was released on bail on condition that he live - under curfew and electronically tagged - at a supporter's country estate in eastern England.

In February, Judge Howard Riddle ruled that Assange can be extradited to Sweden to face questions about the allegations, rejecting claims by him that he would not face a fair trial there.

Assange appealed, and Assange and his lawyer appeared at the High Court on July 12 to argue that the sexual encounters were entirely consensual and legal in the context of English law.

Two High Court judges rejected the 40-year-old hacker's challenge, and Assange challenged the judges' decision, filing papers to ask for his case to be taken to the Supreme Court.

Some of Assange's supporters gathered outside the court before the hearing began. One banner draped over railings outside the court read "Free Assange. Free Manning," referring to U.S. Army analyst Bradley Manning who is in custody at Fort Leavenworth prison in Kansas, suspected of disclosing secret intelligence to WikiLeaks.

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