



SENATOR SCOTT LUDLAM
AUSTRALIAN GREENS
SENATOR FOR WESTERN AUSTRALIA

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20 June 2012

Dear Ambassador Alban Mora,

I write in support of Mr. Julian Assange's application to your government for protection and to testify to the indifference of the Australian government to his plight. This is a letter I regret writing because I strongly hoped for better from my government, and because I want him to be free to return to this country.

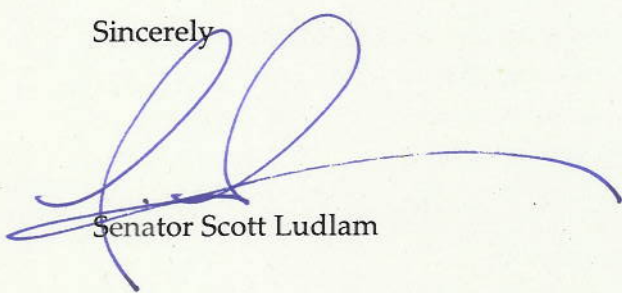
I have asked many questions of the government in good faith, as recently as today. I have also made freedom of information requests that would have provided an opportunity for the government to explain and provide evidence of its efforts – they have not been answered to the point of being in breach of the government's own Freedom of Information legislation. I have also visited the Australian representatives in the UK and Sweden to urge for greater engagement.

I am able to supply you with more detailed documentation to substantiate this statement. Attached are my efforts of today in the Australian parliament. Many documents supporting these contentions are available on my website. <http://scott-ludlam.greensmps.org.au/wikileaks>

For these reasons I believe I am qualified to make the observation that I strongly believe Mr. Assange is in need of a government willing to stand up for his civil and political rights.

On behalf of myself, my staff and very many Australian citizens, I urge you to favourably consider Mr. Assange's application for safe harbour from the risks posed by the reported sealed indictment of a US Grand Jury, and to the threats against his life made by senior political figures in the USA and media commentators. It would appear that his own government refuses this responsibility to protect a citizen from such threats.

Sincerely



Senator Scott Ludlam

CC His Excellency Mr Raul Gangotena Rivadeneira



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STATEMENT

Australian Government's failure drives Assange to Ecuador asylum bid

Media release: Australian Greens communications spokesperson Senator Scott Ludlam.
June 20th, 2012

WikiLeaks founder Julian Assange's dramatic bid for political asylum in Ecuador is a clear declaration of no confidence in the Australian Government's willingness to protect him from US prosecution, the Australian Greens said today.

A statement from the Ecuadorian foreign ministry notes Mr Assange has argued: "a regrettable factual statement of abandonment received by the authorities of my country, Australia".

The statement notes that the matters subject to grand jury investigation in the United States carry long jail terms and potentially the death penalty.

"Against this, we have the Australian government's feeble assurances that it has done all it can. Apart from recklessly declaring the work of WikiLeaks illegal, the Australian Government's contribution has amounted to malign indifference," Australian Greens communications spokesperson Scott Ludlam said today. "I hope to raise the issue later today in Senate question time."

"It is highly significant that the Ecuadorian authorities have contacted the British, Swedish and US governments on this matter but not Canberra.

"For the time being, this matter is in the hands of Ecuadorian authorities. I urge them to consider carefully the targeted campaign of political harassment, character assassination and financial sanctions that has been levelled at the WikiLeaks publishing organisation.

"While we wait, the Australian Government might want to reconsider on which side of history it is choosing to stand."

Media contact: Giovanni Torre – 0417 174 302

QUESTION WITHOUT NOTICE

Senator LUDLAM (Western Australia) (14:49): My question is to the Minister representing the Prime Minister, Senator Evans. On what basis have grossly irresponsible statements been made by lawyers within our cabinet: the Prime Minister saying that the work of WikiLeaks was illegal, the Attorney-General saying that Mr Julian Assange had fled Sweden, and the former Attorney-General even threatening to cancel this Australian citizen's passport?

Senator CHRIS EVANS (Western Australia—Minister for Tertiary Education, Skills, Science and Research and Leader of the Government in the Senate) (14:50): I thank the senator for his question, which I got advised was on Twitter. So thank you for giving us pre-warning of the question. It does not make answering it any easier, but I do appreciate that at least my staff are on it. I personally have not yet mastered Twitter, and I am of the view that anyone over 20 should not play with it, but anyway. I neither tweet nor Twitter. But the question obviously goes to the issue of Mr Julian Assange. As the senator would be aware, there have been some developments in matters concerning him today, where he has sought, as I understand, protection in a consulate in London. I understand that is designed to have him be considered for asylum in Ecuador.

Senator Ludlam: Mr President, I rise on a point of order. My point of order is one of relevance. I did not mention Twitter in my question. I also did not ask for an exposition of what has occurred in London overnight. I am interested in the minister justifying the statements by senior members of the Australian government about the illegality of the work of WikiLeaks, and I ask you to draw the minister to that question.

The PRESIDENT: I draw the minister's attention to the question. The minister has 46 seconds remaining to answer the question.

Senator CHRIS EVANS: I was not trying to be unhelpful, but the senator did ask questions about this some time ago. This matter has been debated in the Senate previously by him and questions have been asked. I am not sure how seeking to again debate with the government or ask questions of the government about those issues, which I think are probably six months or a year old now, is particularly helpful. The government has continued to support Mr Assange by making sure he has proper consular assistance. What occurs in terms of the laws in other countries is obviously a question for them, but we continue to provide whatever assistance we can. (Time expired)

Senator LUDLAM (Western Australia) (14:53): Mr President, I ask a supplementary question. With friends like the Australian government, who needs enemies, hey?

Senator Ronaldson: You're part of it. You are in government, you fool. You're a complete and utter goose.

Senator LUDLAM: I am pretty sure shrieking is—

Honourable senators interjecting—

The PRESIDENT: I remind senators that comments at the start of questions is out of order.

Honourable senators interjecting—

The PRESIDENT: Order! Just a moment, Senator Ludlam, you are entitled to silence.

Senator LUDLAM: Will the government apologise for these comments and withdraw these prejudicial statements made against an Australian citizen who has not been charged with any crime in any country?

Senator CHRIS EVANS (Western Australia—Minister for Tertiary Education, Skills, Science and Research and Leader of the Government in the Senate) (14:54): I am not sure that I have anything to add to what both the Prime Minister and the Attorney-General have said in relation to these matters previously. As I understand it, Mr Assange's legal proceedings relate to a request by Sweden for his extradition from the UK for investigation in relation to alleged sexual offences. Those matters have been proceeding in England according to British law, as they should. As I say, this government continues to provide Mr Assange with any consular assistance we can or that he seeks. The decision about how he responds to these matters, including seeking asylum in the Ecuadorian consulate, is obviously a question for him. Quite frankly, Senator, it does not matter whether I am a friend or not of Mr Assange; he has the full rights of an Australian citizen and he has received the full support that any other Australian would receive from our consular services.

Senator LUDLAM (Western Australia) (14:55): Mr President, I ask a further supplementary question. Given that Australian citizen Julian Assange feels that he has been effectively abandoned by his government and has indeed sought asylum in Ecuador—

Senator Brandis: Precious possum!

Senator Ronaldson: Spare me.

Senator LUDLAM: Mr President, there is a great deal of shrieking going on.

The PRESIDENT: Order! Senator Ludlam is entitled to be heard in silence.

Senator LUDLAM: Thank you, Mr President. Will this government seek assurances from the United States government that they will not prosecute this Australian citizen for his journalism and his publishing work?

Senator CHRIS EVANS (Western Australia—Minister for Tertiary Education, Skills, Science and Research and Leader of the Government in the Senate) (14:56): As I understand it, the current proceedings Mr Assange is dealing with is seeking asylum in the Ecuadorian embassy in London. I am not sure why our response would be directed at the United States of America. What we have made clear in previous advice to the Senate is that we have no advice from US officials of any indictment against Mr Assange or that the US has decided to seek his extradition. I think that has been repeated by US officials. As I say, Mr Assange is being sought by the Swedish authorities for extradition from the UK. Legal proceedings have taken place in recent months. The question of how he responds to that is clearly a matter for him, but the Australian government continues to provide the same consular services to him as we would provide to any other citizen.

Take Note Speech

Senator LUDLAM (Western Australia) (15:30): I move:

That the Senate take note of the answers given by the Minister representing the Prime Minister (Senator Evans) to questions without notice asked by Senator Ludlam today relating to WikiLeaks.

I put three very simple questions to the minister, who obviously—as this story has been very widely reported on this morning—should, quite frankly, have been better briefed. He should have been paid the respect by the Prime Minister's office of having some material to hand that would have directly addressed the questions. I am getting a little tired of hearing Australian government ministers, and indeed the Prime Minister—and the Deputy Prime Minister was at it again yesterday—

Senator Boswell interjecting—

The DEPUTY PRESIDENT: On my left, order!

Senator LUDLAM: There was a noise; thank you, Mr Deputy President. They are insisting that they have provided full consular assistance for Julian Assange. Now, if consular assistance extends to pronouncing Mr Assange as having broken laws and the work of WikiLeaks as illegal, that is the kind of consular assistance you could do without. If it extends to the Attorney-General threatening to rip up Mr Assange's passport, that is also the kind of consular assistance you could probably do without if you were in the circumstances that Mr Assange is in. Our present Attorney-General saying that Mr Assange had fled Sweden was really not a helpful form of consular assistance and probably best done without.

I did not get to engage with Senator Evans on the substance of the question of why apologies have not been rendered to this Australian citizen who is facing quite possibly

extremely serious charges should the United States move to prosecute him. And there is evidence on the record that a grand jury was empanelled in late 2010 and then spent at least a year working on prosecutions potentially for espionage, for treason and for computer hacking offences that could potentially lead to Mr Assange spending his life in a supermax prison in the United States. You would not have thought the situation was so serious from the strange shrieks and howls of derision that were echoing across the chamber when I put entirely sensible questions to Senator Evans earlier this afternoon. What we are seeking—and let me be completely clear—is not consular assistance as though this were some form of regular case. We are seeking for the Australian government to establish whether such a prosecution and extradition to the United States is afoot or not. It is deadly simple. It is an unambiguous ask for the Australian government to simply establish whether there will be a prosecution or not and, if it turns out that there is, to stick up for the guy. For once, can we look after one of our own, and not leave him exposed to the kinds of danger that he clearly is exposed to?

I am not sure that it is well understood in Australia just how toxic the media and political culture has become in the United States, a country still, I think, traumatised—and perhaps rightly so—by the horrific attacks of September 11, 2001. Accusing an individual of terrorism in the United States carries a very severe resonance, and you do not throw around accusations of terrorism lightly in the media and political context in the United States at the moment. But of course, from the Vice President of the US down, that is exactly what has been occurring. These are not simply fringe voices from the far right, although quite clearly they are all over it, from former US vice presidential candidate Sarah Palin, who said that he should be targeted like the Taliban—that is helpful!—to former adviser Thomas Flanagan to Canadian Prime Minister Stephen Harper, who said, 'I think Assange should be assassinated.' FOXNews commentator Eric Bolling said:

Assange should be put underground.... He should be put in jail or worse, hanged in a public forum. A Washington Times columnist, Jeffrey Kuhner—'Assassinate Assange' was the headline of this helpful and constructive piece—said that Assange 'poses a clear and present danger to American national security.'

These are extremely serious charges that are potentially about to be levelled by the US government against an Australian citizen. He is not, I believe—given the enormously prejudicial comments that have permeated the media environment in the United States—guaranteed of anything like a fair trial or even fair incarceration. Look at what alleged whistleblower Bradley Manning has been treated to for well over a year now, and for a long period of that time he was incarcerated in solitary confinement. That is what the WikiLeaks legal team believes Mr Assange will be exposed to if he is deported or extradited to the United States. Against the seriousness and gravity of doing that to a publishing organisation, the kinds of responses we received to what I think were entirely sensible questions during question time this afternoon and over preceding weeks are unhelpful and contemptuous. I invite the government to take another look at the side of history on which it is choosing to stand as it considers how to deal with the matter of Julian Assange and the WikiLeaks publishing organisation. I thank the Senate.

Question agreed to.