

European Arrest Warrants at center of Scottish National Party's repressive agenda

By Steve James
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A feature of the British government's parliamentary maneuvering over the European Arrest Warrant (EAW) was the support offered by the Scottish National Party (SNP) for the anti-democratic measure.

Last month, the SNP's six Westminster MPs voted with the Conservative and Liberal Democrat coalition and the Labour Party opposition to uphold the right of any European Union (EU) state to demand the arrest and extradition of any citizen to any country within the EU, without any prima facie evidence of a crime having been committed or any charges being brought.

The EAW, operating since 2004 under the pretext of prosecuting the "war on terror", replaced a range of extradition agreements between individual governments under whose terms broader legal challenges could be mounted by individuals facing extradition. The EAW, along with the Foreign Intelligence Unit, the European Criminal Records Information System and a Prisoner Transfer Framework hugely strengthened police and state co-operation across the EU while effectively repudiating swathes of legal rights for the citizenry of the continent.

Under the EAW agreement, individuals can be arrested for acts that are not a crime in the country in which they are residing and for offences carrying a minimum prison sentence of as little as one year. Rights of a country to refuse to arrest and extradite its own citizens are severely restricted.

The number of EAWs rose from 3,000 in 2004 to 15,827 in 2009, the last year for which comprehensive statistics are available. However, British statistics show 3,870 warrants issued in 2009-2010 compared with 7,881 between 2013 and 2014. Extrapolated to the entire EU, these figures would suggest that somewhere over 30,000 EAWs were issued last year. In 2007, an

EU report noted that EAWs had been issued for minor offences such as possession of tiny amounts of cannabis or ecstasy, theft of two car tyres, driving under the influence of alcohol and ... the theft of a piglet.

The most famous victim of the EAW system is Julian Assange, founder and editor of WikiLeaks. Since 2010, Assange has been the target of a Swedish, British and US-orchestrated frame-up. Concocted rape allegations were used to issue an EAW specifying that Assange must be handed over to Swedish authorities. Under the terms of Sweden's bilateral extradition agreement with the US, Assange would undoubtedly be speedily handed over to the US government. Fearing for his life and deprived of legal defence by the British government, Assange has, since 2012, been incarcerated in the Ecuadorean embassy in London.

None of these issues caused the SNP's Westminster MPs, led by the party's pro-NATO defence spokesman Angus Robertson, any cause for concern. In fact, since 2012, the SNP has criticised the British government from the right, over the possibility that the Conservative Party's divisions over Europe might compromise the functioning of the EAW.

Two years ago, former Scottish Justice Secretary Kenny MacAskill complained that any Westminster threat to the EAW was "jeopardising the administration of justice in Scotland."

Holyrood SNP member Colin Weir complained at the time that "the Tories are prepared to assist criminals fleeing from justice." "Senior police officers", Weir continued, "are aghast at these plans."

In March this year, the SNP's Roseanna Cunningham, Scottish Minister for Community Safety and Legal Affairs, told the Scottish parliament's Justice Committee that the SNP's primary concern was

that, in the event of the British government opting out of the EAW, that transitional measures would immediately be put in place. Cunningham continued, “We are not seeing the issues and concerns that are being raised south of the border.”

Scotland’s experience with the EAW had been, she insisted, “largely positive.” Cunningham admitted that 152 EAW warrants were issued in 2012 and 149 in 2013 from across Europe for arrests in Scotland, while 32 EAWs were issued in 2012 and 25 in 2013 from Scotland for arrests elsewhere. Asked to comment on whether EAW use had led to any miscarriages of justice, Cunningham insisted there was no reason for concern.

Julian Assange’s name was not mentioned once in the justice committee hearing, or in any of numerous SNP comments on the EAW.

The SNP’s unbreakable commitment to the EAW and hostility to Assange expresses a number of things about the party and its supporters:

Firstly, its right-wing, law-and-order character is fully on display. SNP support for the EAW stands alongside its consolidation of the Scottish police into one national Police Scotland force under Chief Constable Stephen House. House was recently voted the second most powerful person in Scotland in a poll for the *Glasgow Herald*, after First Minister Nicola Sturgeon.

Earlier this year, Police Scotland attracted worldwide attention for having a far higher stop and search rate, particularly of teenagers, than both London and New York. During youth riots that gripped a number of English towns and cities in 2011, the Scottish government despatched hundreds of riot police to England to assist in the suppression of young people. Last year, Police Scotland initiated the routine arming of a number of police officers.

Secondly, support for the EAW is in line with the SNP’s support for the European Union. In the SNP’s most recent press release on the matter, MSP Christina McKelvie insisted that the EAW “is a concrete example of how Scotland benefits from being in the EU.”

The SNP view membership in the warmongering, corporate-dominated EU power bloc, whether Scotland is in or out of the UK, as essential to its financial and business interests. During the recent referendum, the

SNP insisted that an independent Scotland would seek EU membership, notwithstanding the austerity policies being imposed by EU institutions on Europe’s workers.

SNP endorsement of the EAW speaks volumes for the pseudo-left tendencies that have universally endorsed the party and Scottish independence as progressive and a left alternative to the Labour Party. Not a single such grouping has attacked the SNP for its support of the EAW. Instead they are seeking an electoral pact with the SNP to ensure the maximum number of nationalist MPs are elected to Westminster in 2015—even as the SNP is mooting a post-election coalition with the Labour Party.

Just as the ex-left have covered for the SNP’s right-wing, tax-cutting character, they have also ignored its anti-democratic credentials. In this is expressed their own hostility towards the defence of democratic rights. These groupings represent an aspiring and upwardly mobile layer of the middle class seeking a greater share of the pickings from the exploitation of the working class. If this requires the suppression of democratic norms, then so be it.

Speaking for all of them, the web site of the misnamed International Socialist Group (ISG), which came out of the Socialist Workers Party, continues to prominently host a 2012 article entitled “Assange.” The article is subheaded “Assange committed rape and should face trial in Sweden.”

To contact the WSWs and the
Socialist Equality Party visit:

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