

EXPERT REPORT OF CHRISTOPHE BRUNSKI

1. I have been asked by lawyers for Mr. Julian Assange to clarify a number of matters of in relation to the translation of the European Arrest Warrant (EAW) certified by the Serious Organised Crime Agency (SOCA) on 2 December 2010.
2. I am a qualified and experienced linguist and translator. I have worked full-time for the past seven years on a self-employed, freelance basis. Work is contracted to me from translation agencies around the world, though primarily from companies located in the United States and the UK. I translate documentation in numerous fields from Swedish, Danish, Norwegian and French into English. Working through translation agencies puts me in a position where I am seldom in direct contact with end clients; so while I am not always ultimately aware of the application of the documents I translate, it is clear that much of this work has been entered as supporting material for litigation. I hold a Bachelor of Arts degree from Hampshire College in Amherst, Massachusetts, USA, and a Master's of Language and Culture from Linköpings Universitet in Linköping, Sweden.
3. For the purposes of this statement, I have been provided with and analysed, the European Arrest Warrant dated 2 December 2010 ("the EAW"). I have been asked my opinion as an experienced translator regarding the translation of the EAW provided to SOCA by a translator appointed by the Swedish National Police Board.
4. I have been asked about the use of the word *lagföring*. The translation of the word *lagföring* as *criminal prosecution* in the EAW of 2 December 2010 is too narrow. *Lagföring* is a general term which relates to the entire legal process and can be used in either civil or criminal context. It is something of an umbrella term that encompasses other stages and legal procedures that are more strictly defined in and of themselves. There are more precise terms for prosecution in Swedish, namely *åta* or *åklaga*, both meaning to prosecute or indict.
5. I have taken a passage from the website of the Swedish Prosecution Authority (the *Aklagarmyndigheten*, also translated as Swedish Office of Public Prosecutions) that illustrates the various contexts in which these terms are used and demonstrates a clear instance of how *lagföring* is less specific than *åta*. From {HYPERLINK "<http://www.aklagare.se/Om-oss/Statistik/Lagforing/>"} :

Aklagarmyndighetens verksamhetsmål är att lagföring ska ske för fler brott och att fler personer ska lagföras. Lagföring vid Aklagarmyndigheten är vanligen att en person blivit åtalad men innefattar även utfärdande av strafföreläggande och åtalsunderlåtelse.

The operative goal of the Swedish Prosecution Authority is for more crimes to be brought to court and for more people to be subject to criminal proceedings. Criminal proceedings within the Swedish Prosecution Authority usually entail that a person has been *prosecuted or indicted* but can also include issuing penal court orders or summons and right of refusal to prosecute a case.

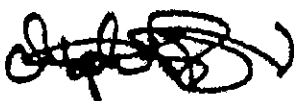
6. I have also been asked about the translation of *överåklagare*, which is the title of the issuing authority, Marianne Ny, in the Swedish version of the EAW. It is incorrectly translated as "Director of Public Prosecution" in the certified English version of the EAW. The term *överåklagare* should preferably be translated in English as a *senior prosecutor*, and usually refers, in more exact terms and in a Swedish context, to a

prosecutor who is the head of a department in the office of the Prosecutor General or head of a so-called development centre (*utvecklingscentrum*). (The Swedish Prosecution Authority has three development centres: Stockholm, Göteborg and Malmö, which are tasked with carrying out methodological and legal changes within various crime areas and accounting for collective proficiency within their areas of responsibility.) The Swedish equivalent of the Director of Public Prosecutions such as it exists in the UK is in fact the Prosecutor General, *Riksåklagaren*, as explained in the definition below, given again on the website of the Swedish Prosecution Authority. From {
 "http://www.aklagare.se/settings/Ordlista/?word=Riks%C3%A5klagaren&pageType=Ord" }:
 HYPERLINK

Riksåklagaren är landets högsta åklagare och enda **allmänna åklagare** i **högsta domstolen**. Riksåklagaren är också **chef för Åklagarmyndigheten**, som omfattar samtliga **åklagare** i Sverige med undantag för dem som är anställda på Ekobrottsmyndigheten, EBM. Riksåklagaren är dock högsta **åklagare** även för Ekobrottsmyndighetens åklagare.

The Prosecutor General is the country's highest prosecutor and the only **public prosecutor** in the **Supreme Court**. The Prosecutor General is also the **director of the Swedish Prosecution Authority**, which includes all **prosecutors** in Sweden with the exception of those who are employed at the **Swedish Economic Crime Authority**. The Prosecutor General is, however, the highest **prosecutor** even for the prosecutors of the Swedish Economic Crime Authority.

7. Therefore, the English translation of the EAW provided by the Swedish National Police Board has incorrectly denoted Ms. Ny's title. She is not the Prosecutor General/Riksåklagaren, thereby not the equivalent of the Director of Public Prosecutions.
8. I understand my duties as an expert witness and that that the purpose of this report is to assist the court. I can confirm that its contents are true to the best of my knowledge and belief.



Signed:

CHRISTOPHE BRUNSKI

Date: ...2 February 2011.....