

II. Censorship and War

Julian Assange: 'I Plead Guilty to Journalism'

by EIR Staff

Oct. 10—Speaking for the first time in public since his June 24, 2024 release from Belmarsh Prison in London, WikiLeaks founder Julian Assange testified Oct. 1 before the Committee on Legal Affairs and Human Rights of the Parliamentary Assembly of the Council of Europe (PACE) in [Strasbourg, France](#). At the plenary debate one day later, the full Parliamentary Assembly recognized Assange as a “political prisoner” in a vote of 88 for, 13 against, with 20 abstentions. Although the decision to recognize Assange as a political prisoner comes at a late date, it is welcomed the world over.

PACE, which comprises parliamentarians from the 46 member nations of the Council of Europe (27 of them members of the European Union), had played an important role in fighting for Assange’s freedom during the five years of his incarceration, held without charges, at the high-security Belmarsh Prison, as he fought extradition to the United States.

In his carefully worded and moving testimony, Assange asserted:

I’m not free today because the system worked. I am free today after years of incarceration because I pled guilty to journalism. I pled guilty to seeking information from a source ... to obtaining information from a source. And I pled guilty to informing the public what that information was. I did not plead guilty to anything else.

The case of Julian Assange is a blatant example of the U.S. practice of extraterritoriality of national law, whereby conduct considered a crime under U.S. law—committed anywhere in the world, by a citizen of any

country—may be subject to prosecution by U.S. courts and extradition sought for that purpose. But in addition, a completely new legal position was also asserted in this affair, namely, that only United States citizens have the right to free speech under the First Amendment to the Constitution. As Assange put it: “Euro-



Council of Europe

Julian Assange at the Council of Europe in Strasbourg, France. Here he addresses the Committee on Legal Affairs and Human Rights of the Parliamentary Assembly of the Council of Europe.

peans and other nationalities do not have free speech rights, but the U.S. claims its Espionage Act still applies to them, regardless of where they are. So, Europeans in Europe must obey the U.S. secrecy law with no defenses at all.”

The Parliamentary Assembly, in its resolution, calls on the United States to “urgently reform” its Espionage Act to protect journalists and whistleblowers who reveal serious crimes, and to investigate the charges disclosed by Wikileaks.

Assange thanked PACE for what they did in his

own case, and spoke of the work yet to be done against “transnational repression.” His concluding words, after the question-and-answer period were:

The basic fundamental liberties which sustain us

all have to be fought for. When one of us falls through the cracks, soon enough, those cracks will widen and take the rest of us down. Thank you for your courage in this and other settings, and keep up the fight.

Julian Assange in Strasbourg

Julian Assange addressed the Committee on Legal Affairs and Human Rights of the Parliamentary Assembly of the Council of Europe (PACE) on Oct. 1, 2024. Excerpts from his address and the question-and-answer period follow. The full transcript is available from Wikileaks. Sub-headings have been added.

The transition from years of confinement in a maximum-security prison to standing here before the representatives of 46 nations and 700 million people is a profound and surreal shift. The experience of isolation for years in a small cell is difficult to convey; it strips away one’s sense of self, leaving only the raw essence of existence. I am not yet fully equipped to speak about what I have endured—the relentless struggle to stay alive, both physically and mentally—nor can I speak yet about the deaths by hanging, murder, and medical neglect of my fellow prisoners....

I eventually chose freedom over unrealizable justice, after being detained for years and facing a 175-year sentence with no effective remedy. Justice for me is now precluded, as the U.S. government insisted in writing into its plea agreement that I cannot file a case at the European Court of Human Rights or even a freedom of information act request over what it did to me as a result of its extradition request.

I want to be totally clear. I am not free today because the system worked. I am free today after years of incarceration because I plead guilty to journalism. I plead guilty to seeking information from a source. I plead guilty to obtaining information from a source. And I plead guilty to informing the public what that information was. I did not plead guilty to anything else.

I hope my testimony today can serve to highlight the weaknesses of the existing safeguards and to help those whose cases are less visible but who are equally vulnerable....

‘Hold Power to Account’

When I founded WikiLeaks, it was driven by a simple dream: to educate people about how the world works so that, through understanding, we might bring about something better. Having a map of where we are lets us understand where we might go. Knowledge empowers us to hold power to account and to demand justice where there is none. We obtained and published truths about tens of thousands of hidden casualties of war and other unseen horrors, about programs of assassination, rendition, torture, and mass surveillance.

We revealed not just when and where these things happened but frequently the policies, the agreements, and structures behind them. When we published *Collateral Murder*, the infamous gun camera footage of a U.S. Apache helicopter crew eagerly blowing to pieces Iraqi journalists and their rescuers, the visual reality of modern warfare shocked the world. But we also used interest in this video to direct people to the classified policies for when the U.S. military could deploy lethal force in Iraq and how many civilians could be killed before gaining higher approval. In fact, 40 years of my potential 175-year sentence was for obtaining and releasing these policies. The practical political vision I was left with after being immersed in the world’s dirty wars and secret operations is simple: Let us stop gagging, torturing, and killing each other for a change. Get these fundamentals right and other political, economic, and scientific processes will have space to take care of the rest. WikiLeaks’ work was deeply rooted in the principles that this Assembly stands for. Journalism that elevated freedom of information and the public’s right to know found its natural operational home in Europe. I lived in Paris and we had formal corporate registrations in France and in Iceland. Our journalistic and technical staff were spread throughout Europe. We published to the



U.S. Department of Justice

Former U.S. Attorney General William Barr.

world from servers based in France, Germany, and Norway....

U.S. Government Launches Investigation

But 14 years ago, the United States military arrested one of our alleged whistleblowers, Private First Class Manning, a U.S. intelligence analyst based in Iraq. The U.S. government concurrently launched an investigation against me and my colleagues. The U.S. government illicitly sent planes of agents to Iceland, paid bribes to an informer to steal our legal and journalistic work product, and without formal process pressured banks and financial services to block our subscriptions and freeze our accounts.

The UK government took part in some of this retribution. It admitted at the European Court of Human Rights that it had unlawfully spied on my UK lawyers during this time. Ultimately this harassment was legally groundless.

President Obama's Justice Department chose not to indict me, recognizing that no crime had been committed. The United States had never before prosecuted a publisher for publishing or obtaining government information. To do so would require a radical and ominous reinterpretation of the U.S. Constitution. In January 2017, Obama also commuted the sentence of Manning, who

had been convicted of being one of my sources.

Mike Pompeo's Key Role

However, in February 2017, the landscape changed dramatically. President [Donald] Trump had been elected. He appointed two wolves in MAGA hats: Mike Pompeo, a Kansas Congressman and former arms industry executive, as CIA Director; and William Barr, a former CIA officer, as U.S. Attorney General.

By March 2017, WikiLeaks had exposed the CIA's infiltration of French political parties, its spying on French and German leaders, its spying on the European Central Bank, European economics ministries, and its standing orders to spy on French industry as a whole. We revealed the CIA's vast production of malware and viruses, its subversion of supply chains, its subversion of antivirus software, cars, smart TVs and iPhones.

CIA Director Pompeo launched a campaign of ret-



U.S. State Department/Freddie Everett

Former CIA Director Mike Pompeo, who directed the CIA to assassinate Julian Assange.

tribution. It is now a matter of public record that under Pompeo's explicit direction, the CIA drew up plans to kidnap and to assassinate me within the Ecuadorian Embassy in London and authorized going after my European colleagues, subjecting us to theft, hacking

attacks, and the planting of false information. My wife and my infant son were also targeted.

A CIA asset was permanently assigned to track my wife and instructions were given to obtain DNA from my six-month-old son's nappy. This is the testimony of more than 30 current and former U.S. intelligence officials speaking to the U.S. press, which has been additionally corroborated by records seized in a prosecution brought against some of the CIA agents involved.

The CIA's targeting of myself, my family and my associates through aggressive extrajudicial and extraterritorial means provides a rare insight into how powerful intelligence organizations engage in transnational repression. Such repressions are not unique. What is unique is that we know so much about this one due to numerous whistleblowers and to judicial investigations in Spain. This Assembly is no stranger to extraterritorial abuses by the CIA. PACE's groundbreaking report on CIA renditions in Europe exposed how the CIA operated secret detention centers and conducted unlawful renditions on European soil, violating human rights and international law.

In February this year, the alleged source of some of our CIA revelations, former CIA officer Joshua Schulte, was sentenced to forty years in prison under conditions of extreme isolation. His windows are blacked out, and a white noise machine plays 24 hours a day over his door so that he cannot even shout through it. These conditions are more severe than those found in Guantanamo Bay.

Transnational repression is also conducted by abusing legal processes. The lack of effective safeguards against this means that Europe is vulnerable to having its mutual legal assistance and extradition treaties hijacked by foreign powers to go after dissenting voices in Europe. In Mike Pompeo's memoirs, which I read in my prison cell, the former CIA Director bragged about

how he pressured the U.S. Attorney General to bring an extradition case against me in response to our publications about the CIA.

Indeed, acceding to Pompeo's efforts, the U.S. Attorney General reopened the investigation against me that Obama had closed and re-arrested Manning, this time as a witness. Manning was held in prison for over a year and fined a thousand dollars a day in a formal attempt to coerce her into providing secret testimony against me. She ended up attempting to take her own life. We usually think of attempts to force journalists to testify against their sources. But Manning was now a source being forced to testify against their journalist.

By December 2017, CIA Director Pompeo had got

his way, and the U.S. government issued a warrant to the UK for my extradition. The UK government kept the warrant secret from the public for two more years, while it, the U.S. government, and the new President of Ecuador moved to shape the political, legal, and diplomatic ground for my arrest.

When powerful nations feel entitled to target individuals beyond their borders, those individuals do not stand a chance unless there are strong safeguards in place and a state willing to enforce them. Without them no individual has a hope of defending themselves against the vast resources that a state aggressor can deploy. If the situation were not already bad enough in my case,

the U.S. government asserted a dangerous new global legal position: Only U.S. citizens have free speech rights. Europeans and other nationalities do not have free speech rights. But the U.S. claims its Espionage Act still applies to them regardless of where they are. So, Europeans in Europe must obey U.S. secrecy law with no defenses at all as far as the U.S. government is concerned.

An American in Paris can talk about what the U.S. government is up to—perhaps. But for a Frenchman in Paris to do so is a crime without any defense and he may be extradited just like me.



U.S. District Court, Southern District of NY

Joshua Schulte, who leaked CIA information, was sentenced on February 1, 2024 to 40 years in prison under harsh conditions amounting to cruel and inhuman punishment.

Criminalizing Newsgathering

Now that one foreign government has formally asserted that Europeans have no free speech rights, a dangerous precedent has been set.... The rights of journalists and publishers within the European space are seriously threatened. Transnational repression cannot become the norm here. As one of the world's two great norm-setting institutions, PACE must act.

The criminalization of newsgathering activities is a threat to investigative journalism everywhere. I was formally convicted, by a foreign power, for asking for, receiving, and publishing truthful information about that power while I was in Europe. The fundamental issue is simple: Journalists should not be prosecuted for doing their jobs. Journalism is not a crime; it is a pillar of a free and informed society....

Freedom of expression and all that flows from it is at a dark crossroad. I fear that unless norm-setting institutions like PACE wake up to the gravity of the situation it will be too late. Let us all commit to doing our part to ensure that the light of freedom never dims, that the

pursuit of truth will live on, and that the voices of the many are not silenced by the interests of the few.

Why the 'Security State' Targeted Assange

(From the Question and Answer period)

We performed a legal analysis to understand what the abilities and limitations were within Europe for publishing documents from a number of different countries, including the United States.

We understood that, in theory, Article 10 [of the U.S. Constitution], should protect journalists in Europe. Similarly, looking at the U.S. First Amendment to its Constitution, that no publisher had ever been prosecuted for publishing classified information from the United States—either domestically or internationally.

I expected some kind of harassment, legal process. I was prepared to fight for that. I believe the value of these publications was such that it's okay to have that fight, and that we would prevail because we had understood what was legally possible.

My naivete was believing in the law. When push comes to shove, laws are just pieces of paper, and they can be reinterpreted for political expediency.

They are the rules made by the ruling class more broadly and, if those rules don't suit what it wants to do, it reinterprets them or, hopefully, changes them, which is clearer. In the case of the United States, we angered one of the constituent powers of the United States—the intelligence sector, the security state, the secrecy state.

It was powerful enough to push for a reinterpretation of the U.S. Constitution. The U.S. First Amendment seems pretty black and white to me. It's very short. It says the Congress shall make no law restricting speech or the press....

[P]erhaps, ultimately, if it had gotten to the Supreme Court of the United States, and I was still alive in that system, I might have won, depending on what the makeup was of the U.S. Supreme Court. But, in the meantime, I had lost 14 years in the house arrest, embassy siege, and maximum-security prison.

So, I think this is an important lesson, that when a major power faction wants to reinterpret the law, it can push to have the element of the state—in this case, the U.S. Department of Justice—do that. And it doesn't care too much about what is legal; that's something for a much later date. In the meantime, the deterrent effect that it seeks, the retributive actions that it seeks, have had their effect.



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