

U.S. congressional representatives demand that Biden drop Julian Assange's case

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Washington, October 23 (RHC)-- U.S. congressional Reps. Thomas Massie, R-Ky., and James McGovern, D-Mass., are circulating a letter to their colleagues in the House of Representatives calling on President Biden to end the prosecution of Wikileaks founder Julian Assange, who is facing a possible extradition to the U.S. for publishing classified U.S. military documents.

In a "Dear Colleague" letter obtained by the media, the two congressmen asked fellow House members to join their bipartisan effort to "strongly encourage the Biden administration to withdraw the U.S. extradition request currently pending against Australian publisher Julian Assange and halt all prosecutorial proceedings against him as soon as possible."

The separate letter the congressmen are referring to, also obtained by the media, will be sent to Biden after Massie and McGovern gather signatures from House members. Lawmakers have until Thursday to sign the letter.

The bipartisan congressional effort to free Assange comes a month after a delegation of Australian lawmakers across the political spectrum visited Washington, D.C., and met with members of Congress, U.S. officials and civil rights groups, including the American Civil Liberties Union and the Foundation for Individual Rights and Expression, to demand the U.S. drop the charges against Assange, who could be sentenced to up to 175 years in an American maximum-security prison.

Australian Prime Minister Anthony Albanese is in Washington this week to meet with Biden and is expected to bring up Assange's case. Albanese has repeatedly called on the U.S. in recent months to end the prosecution of Assange.

A spokesperson for the Australian government said in a statement that it "has made clear its view that Mr. Assange's case has dragged on for too long and that it should be brought to a close."

The statement continued: "The Prime Minister and Foreign Minister have expressed this view to the governments of the United Kingdom and United States and we will continue to do so. The Australian Government cannot intervene in another country's legal or court processes just as they are unable to intervene in Australia's. We continue to convey our expectations that Mr. Assange is entitled to due process, humane and fair treatment, access to proper medical care, and access to his legal team."

In April, Rep. Rashida Tlaib, D-Mich., led a letter to the Justice Department demanding that the charges against Assange be dropped. "Deep concerns about this case have been repeatedly expressed by international media outlets, human rights and press freedom advocates," Massie and McGovern wrote in the letter. "Last April, several Members of Congress argued to Attorney General Merrick Garland that '[e]very day that the prosecution of Julian Assange continues is another day that our own government needlessly undermines our own moral authority abroad and rolls back the freedom of the press under the First Amendment at home.' One example: the Assange case has been cited by officials of the People's Republic of China to claim that the U.S. is 'hypocritical' when it comes to support for media freedom."

Assange would face trial in Alexandria, Virginia, if he exhausts his legal appeals and is extradited to the U.S. He is facing 17 charges for allegedly receiving, possessing and communicating classified information to the public under the Espionage Act and one charge alleging a conspiracy to commit computer intrusion.

The charges followed the 2010 publication of cables U.S. Army intelligence analyst Chelsea Manning leaked to WikiLeaks that detailed alleged war crimes committed by the U.S. government in Iraq, Afghanistan and the Guantánamo Bay, Cuba, detention camp. The materials also exposed instances of the CIA allegedly engaging in torture and rendition.

Wikileaks' "Collateral Murder" video showing the U.S. military gunning down civilians in Iraq, including two Reuters journalists, was also published 13 years ago.

"Mr. Assange, the founder of WikiLeaks, faces multiple charges under the Espionage Act due to his role in publishing classified documents about the U.S. State Department, Guantánamo Bay, and wars in Iraq and Afghanistan," the letters to House members and the president read. "He has been detained on remand in London since 2019 and is pending extradition to the U.S., having lost his appeal of the extradition order in the courts of the United Kingdom."

Massie has previously sponsored bipartisan legislation to reform the Espionage Act and protect whistleblowers and journalists.

Assange has been held at London's high-security Belmarsh Prison since he was removed from the Ecuadorian Embassy on April 11, 2019, for breaching bail conditions. He had sought asylum at the embassy since 2012 to avoid being sent to Sweden over allegations he raped two women because Sweden would not provide assurances it would protect him from extradition to the U.S. The investigations into the sexual assault allegations were eventually dropped.

U.S. prosecutors and critics of Assange have argued WikiLeaks' publication of classified material put the lives of U.S. allies at risk, but there is no evidence the publishing of the documents put anyone in danger.

In their letter to Biden, Massie and McGovern cite an open letter penned last year by the editors and publishers of U.S. and European news outlets that worked with Assange on the publication of excerpts from more than 250,000 documents he obtained in the Cablegate leak — The Guardian, The New York Times, Le Monde, Der Spiegel and El País — calling for the U.S. to end its prosecution against Assange.

"Deep concerns about this case have been repeatedly expressed by international media outlets, human rights and press freedom advocates, and Members of Congress, among others," the letter to Biden reads. "To cite only a few of the commentaries, in November 2022, The New York Times, The Guardian, Le Monde, DER SPEIGEL and El País came together to express their grave concerns about the continued prosecution of Julian Assange for obtaining and publishing classified materials, arguing that 'publishing is not a crime.'"

The Obama administration decided not to indict Assange in 2013 over WikiLeaks' publishing the classified cables in 2010 because it would have had to also indict journalists from major news outlets who published the same materials. Former President Obama also commuted Manning's 35-year sentence for violations of the Espionage Act and other offenses to seven years in January 2017, and Manning, who had been imprisoned since 2010, was released later that year.

Former President Trump's Justice Department later moved to indict Assange under the Espionage Act, and the Biden administration has continued to pursue his prosecution.

"We believe the Department of Justice acted correctly in 2013, during your vice presidency, when it declined to pursue charges against Mr. Assange for publishing the classified documents because it recognized that the prosecution would set a dangerous precedent," the letter to Biden reads. "We note that the 1917 Espionage Act was ostensibly intended to punish and imprison government employees and contractors for providing or selling state secrets to enemy governments, not to punish journalists and whistleblowers for attempting to inform the public about serious issues that some U.S. government officials might prefer to keep secret."

The letter adds: "We are aware that the Assange case has been cited by officials of the People's Republic of China to claim that the U.S. is 'hypocritical' when it comes to its purported support for media freedom. We are also well aware that should the U.S. extradition and prosecution go forward, there is a significant risk that our bilateral relationship with Australia will be badly damaged."

During the Trump administration, the CIA allegedly had plans to kill Assange over the publication of sensitive agency hacking tools known as "Vault 7," which the agency said represented "the largest data loss in CIA history," Yahoo reported in 2021. The agency was accused of having discussions "at the highest levels" of the administration about plans to assassinate Assange in London and allegedly acted upon orders from then-CIA director Mike Pompeo to draw up kill "sketches" and "options."

The agency also had advanced plans to kidnap and rendition Assange and had made a political decision to charge him, according to the report.

WikiLeaks also published internal communications in 2016 between the Democratic National Committee and presidential candidate Hillary Clinton's campaign that revealed the DNC's attempts to boost Clinton in that year's Democratic primary.

"It is the duty of journalists to seek out sources, including documentary evidence, in order to report to the public on the activities of government," the lawmakers said in their letter to Biden. "The United States must not pursue an unnecessary prosecution that risks criminalizing common journalistic practices and thus chilling the work of the free press. We urge you to ensure that this case be brought to a close in as timely a manner as possible."

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