

Evidence File #1: Julian Assange is an Award-Winning Journalist Evidence that Refutes the 'Hacker Narrative'

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 - Book review excerpt and image of Kevin Gosztola's book, 'Guilty of Journalism - The Political Case Against Julian Assange'.

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WikiLeaks and Assange's Awards and Recognition

https://challengepower.info/assange_s_awards_and_recognition



The Hon Anthony Albanese MP
Prime Minister
Parliament House
CANBERRA ACT 2600
A.Albanese.MP@aph.gov.au

Senator the Hon Penny Wong
Minister for Foreign Affairs
PO Box 6100
Parliament House
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foreign_minister@dfat.gov.au

20 June 2022

Dear Prime Minister and Minister for Foreign Affairs,

The Media, Entertainment & Arts Alliance urgently asks you to intervene on behalf of Julian Assange after the UK Home Secretary determined the United States could extradite Assange to face charges of espionage. If convicted he could be jailed for up to 175 years.

The WikiLeaks publisher has been a Journalist member of MEAA since 2007. He carries an International Federation of Journalists' press card.

The decision to uphold extradition to the US imperils journalism everywhere. We urge the Australian government to call on our nation's traditionally close relationship with the US to advocate that the charges be dropped, which would allow Assange to be released from prison and reunited with his family.

<https://www.meaa.org/download/meaa-letter-to-pm-and-foreign-minister-re-julian-assange-extradition-220620/>

IFJ International Federation of Journalists
16 December 2022


Assange: IFJ and EFJ co-sign open letter to US President

Founder of WikiLeaks Julian Assange is jailed in the UK awaiting extradition to the US to face charges of espionage. If found guilty, he faces a jail term of up to 175 years. Together with EU lawmakers, Assange's wife Stella and organisations defending press freedom and human rights, the International and European Federation of Journalists (IFJ-EFJ) have co-signed an open letter to US President Joe Biden asking him to pardon Assange.



<https://www.ifj.org/media-centre/news/detail/category/press-releases/article/assange-ifj-and-efj-co-sign-open-letter-to-us-president>

Courts Recognize Julian Assange as “Journalist” and WikiLeaks as “Media Organization”

 **WikiLeaks** @wikileaks

In his rejection of the DNC's lawsuit against WikiLeaks Judge John G. Koeltl wrote on the DNC publications: "This type of information is plainly of the type entitled to the strongest protection that the First Amendment offers."

Full text of the dismissal: courthousenews.com/wp-content/upl...

The DNC's published internal communications allowed the American electorate to look behind the curtain of one of the two major political parties in the United States during a presidential election. This type of information is plainly of the type entitled to the strongest protection that the First Amendment offers.

<https://twitter.com/wikileaks/status/1158335903619792896?s=20>

<https://www.courthousenews.com/wp-content/uploads/2019/07/DNC-dism.pdf>

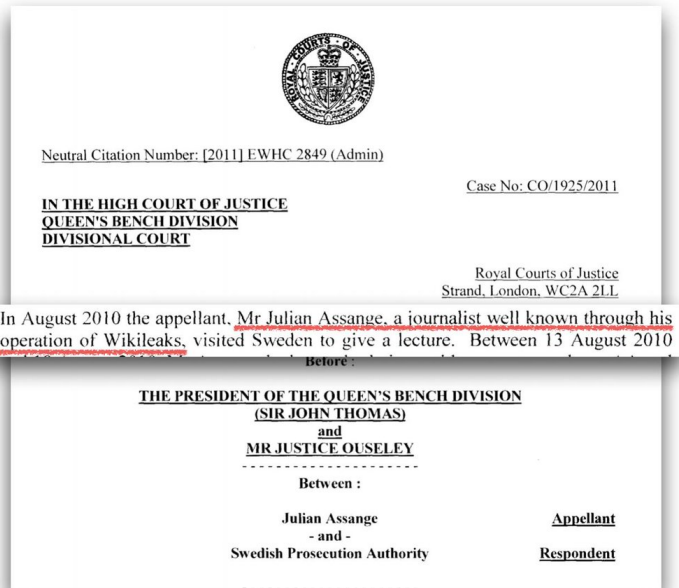
 **Kristinn Hrafnsson** @khrfnsson

The UK courts and tribunals recognise @wikileaks as media organisation and #Assange as a journalist. At least they get this right. So should everyone else.



4:28 AM · May 16, 2019

<https://twitter.com/khrfnsson/status/1128940213743566849?s=20>



Neutral Citation Number: [2011] EWHC 2849 (Admin) Case No: CO/1925/2011

**IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION
DIVISIONAL COURT**

Royal Courts of Justice
Strand, London, WC2A 2LL

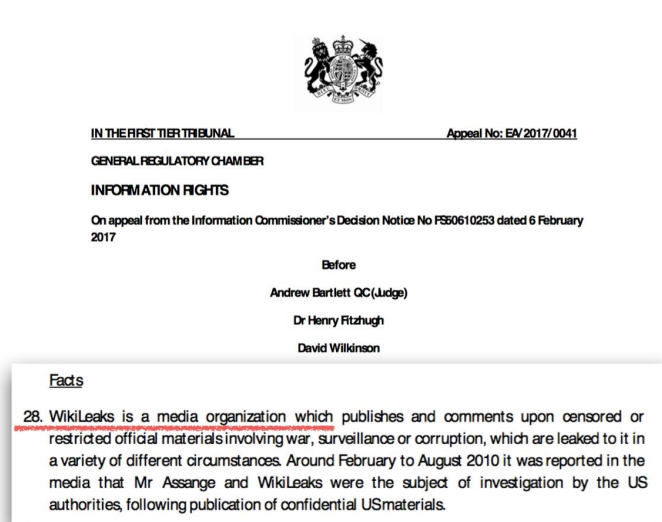
In August 2010 the appellant, Mr Julian Assange, a journalist well known through his operation of Wikileaks, visited Sweden to give a lecture. Between 13 August 2010

**THE PRESIDENT OF THE QUEEN'S BENCH DIVISION
(SIR JOHN THOMAS)
and
MR JUSTICE OUSELEY**

Between :

Julian Assange **Appellant**
- and -
Swedish Prosecution Authority **Respondent**

https://www.wired.com/images_blogs/threatlevel/2011/11/assange-judgment.pdf



IN THE FIRST TIER TRIBUNAL Appeal No: EA/2017/0041

GENERAL REGULATORY CHAMBER

INFORMATION RIGHTS

On appeal from the Information Commissioner's Decision Notice No FS50610253 dated 6 February 2017

Before

Andrew Bartlett QC (Judge)
Dr Henry Fitzhugh
David Wilkinson

Facts

28. WikiLeaks is a media organization which publishes and comments upon censored or restricted official materials involving war, surveillance or corruption, which are leaked to it in a variety of different circumstances. Around February to August 2010 it was reported in the media that Mr Assange and WikiLeaks were the subject of investigation by the US authorities, following publication of confidential US materials.

<https://www.scribd.com/document/368013590/First-Tier-Tribunal-Appeal#>

IN REJECTING DNC LAWSUIT AGAINST WIKILEAKS, JUDGE STRONGLY DEFENDED FIRST AMENDMENT RIGHTS OF JOURNALISTS

01 AUG
2019



KEVIN GOSZTOŁA

SHADOWPROOF

In a clear defense of the First Amendment, a federal judge ruled the Democratic National Committee cannot hold WikiLeaks or its founder, Julian Assange, liable for publishing information that Russian agents were accused of stealing.

The DNC sued President Donald Trump's campaign, the Russian Federation, Assange, and WikiLeaks on April 20, 2018, alleging the dissemination of materials "furthered the prospects" of the Trump campaign. They argued officials "welcomed" the assistance of agents allegedly working for the Russian Federation.

At the time, DNC chair Tom Perez accused WikiLeaks of helping to perpetrate a "brazen attack" on democracy. However, Judge John Koeltl in the Southern District of New York saw through the DNC lawsuit and recognized the impact it would have on press freedom.

Koeltl highlighted the case of the Pentagon Papers, where the Supreme Court held there was a "heavy presumption" against the "constitutional validity of prior restraints" (suppressing) the publication of information.

Whether or not WikiLeaks knew the materials were obtained illegally, they were protected by the First Amendment.

"The First Amendment prevents such liability in the same way it would preclude liability for press outlets that publish materials of public interest despite defects in the way the materials were obtained so long as the disseminator did not participate in any wrongdoing in obtaining the materials in the first place," Koeltl asserted.

Acknowledging how WikiLeaks and various groups suggested this lawsuit threatened freedom of the press, Koeltl noted the DNC's response. "This case does not threaten freedom of the press because WikiLeaks did not engage in normal journalistic practices by, for example, 'asking foreign intelligence services to steal 'new material' from American targets.'"

Yet, the DNC's own allegations were, "WikiLeaks sent GRU operatives using the screen name Guccifer 2.0 a private message, asking the operatives to 'send any new material [stolen from the DNC] here for us to review.'"

The judge reasoned, "This was not a solicitation to steal documents but a request for material that has been stolen. Journalists are allowed to request documents that have been stolen and to publish those documents."

An amicus brief submitted to the federal court in the Southern District of New York by the Knight First Amendment Institute, Reporters Committee for Freedom of the Press, and the ACLU highlighted several examples of public interest stories published in the past decades that were based on stolen or illegally acquired information.

Reporting on Watergate relied on anonymous sources. Activists stole files from the FBI in 1971 that exposed COINTELPRO. Big Tobacco and scandals at global finance companies were exposed through illegal methods.

"An anonymous source sent more than 2.6 terabytes of encrypted information to a German newspaper and a U.S. investigative journalism non-profit," the groups recounted. "Known as the 'Panama Papers,' these internal files of a now-defunct Panamanian law firm detailed a transnational tax evasion scheme developed for wealthy clients around the world. The disclosure of the files sparked public debate and multiple proposals for legal reform."

Koeltl recognized the public interest value of the materials that were published by WikiLeaks, as well as other media organizations during the 2016 presidential election. He especially focused on the DNC's claim that WikiLeaks was prohibited from publishing alleged "trade secrets."

"If WikiLeaks could be held liable for publishing documents concerning the DNC's political, financial, and voter-engagement strategies simply because the DNC labels them 'secret' and trade secrets, then so could any newspaper or other media outlet. But that would impermissibly elevate a purely private privacy interest to override the First Amendment interest in the publication of matters of the highest public concern," Koeltl declared.

He added, "The DNC's published internal communications allowed the American electorate to look behind the curtain of one of the two major political parties in the United States during a presidential election. This type of information is plainly of the type entitled to the strongest protection that the First Amendment offers."

"Indeed, the DNC alleges that the publication of the stolen documents was so significant that it had an impact on the course of a presidential election. The DNC's conclusory allegations that 'donor lists' and 'fundraising strategies' were among those documents are insufficient to pierce the shield that the First Amendment provides for core political speech," Koeltl concluded.

Within the lawsuit, the DNC never alleged that WikiLeaks agreed to participate in the theft or that it advance knowledge of plans to hack the DNC. There was no factual allegation ever made, which suggested Trump campaign officials, Assange, or WikiLeaks had known Russian Federation agents were planning to hack the DNC's computers until after they were compromised.

"The DNC argues that the various meetings and conversations between the defendants in this case and with persons connected to the Russian government during the time that Russian GRU agents were stealing the DNC's information show that the defendants conspired with the Russian Federation to steal and disseminate the DNC's materials," Koeltl mentioned. "That argument is entirely divorced from the facts actually alleged."

Furthermore, the DNC maintained that WikiLeaks knew the materials were stolen and coordinated with Russian intelligence agents. Therefore, they should be "considered an after-the-fact conspirator for the theft based on its coordination to obtain and distribute the stolen materials."

But the judge called it "irrelevant" whether WikiLeaks may have solicited stolen documents from Russian Agents

"A person is entitled to publish stolen documents that the publisher requested from a source so long as the publisher did not participate in the theft," Koeltl clearly stated.

If WikiLeaks was held liable, this would render "any journalist who publishes an article based on stolen information a co-conspirator in the theft."

Joshua Dratel, an attorney for WikiLeaks, told the Associated Press he was "very gratified with the result, which reaffirms First Amendment principles that apply to journalists across the board, whether they work for large institutions or small independent operations."

Despite the arguments of the federal judge in defense of the First Amendment, DNC deputy communications director Adrienne Watson signaled the DNC may not back down from its lawsuit.

Watson maintained the opinion raises "serious concerns about our protections from foreign election interference and the theft of private property to advance the interests of our enemies."

"At a time when the Trump administration and Republican leaders in Congress are ignoring warnings from the president's own intelligence officials about foreign interference in the 2020 election, this should be of concern to anyone who cares about our democracy and the sanctity of our elections," Watson said.

Under President Barack Obama's administration, Democrats largely ignored or supported a grand jury investigation into WikiLeaks. Several Democratic lawmakers endorsed the prosecution of Assange.

Assange was indicted under the Espionage Act by President Donald Trump's administration. That indictment was roundly condemned by journalists at media organizations and press freedom groups as a dangerous escalation against freedom of the press.

Because a Democratic presidential administration never really shut down the grand jury investigation, the Justice Department under Trump was able to pick up where the Obama administration left off—even if the administration had recognized it had a "New York Times problem" where it could not prosecute WikiLeaks staffers without also going after journalists at establishment media outlets.

The initial response of the DNC to the outcome of this lawsuit, as well as the fact that WikiLeaks and Assange were ever sued, shows how contempt for freedom of the press under the First Amendment is not and has never been limited to the Trump White House.

<https://shadowproof.com/2019/08/01/in-rejecting-dnc-lawsuit-against-wikileaks-judge-strongly-defended-first-amendment-rights-of-journalists/>

Excerpt: "[Judge] Koeltl recognized the public interest value of the materials that were published by WikiLeaks, as well as other media organizations during the 2016 presidential election. He especially focused on the DNC's claim that WikiLeaks was prohibited from publishing alleged "trade secrets."

"If WikiLeaks could be held liable for publishing documents concerning the DNC's political, financial, and voter-engagement strategies simply because the DNC labels them 'secret' and trade secrets, then so could any newspaper or other media outlet. But that would impermissibly elevate a purely private privacy interest to override the First Amendment interest in the publication of matters of the highest public concern," Koeltl declared.

This type of information is plainly of the type entitled to the strongest protection that the First Amendment offers."

Extradition Hearing Witness Testimony: Assange first publisher indicted under Espionage Act

Full Witness Archive: <https://www.tareqhaddad.com/the-archives/>

DAY 17 (30 Sept 2020)

Witness #40: Jameel Jaffer (Executive Director Knight First Amendment Institute)

"The indictment of Mr. Assange poses a grave threat to press freedom in the United States. This case is the first in which the U.S. government has relied on the 1917 Espionage Act as the basis for the prosecution of a publisher. The indictment focuses almost entirely on the kinds of activities that national security journalists engage in routinely and as a necessary part of their work ..."

<https://www.tareqhaddad.com/wp-content/uploads/2020/10/2020.09.30-Assange-Extradition-Hearings-Statement-of-Jameel-Jaffer.pdf>

US v Julian Paul ASSANGE

Witness Statement #40 Jameel Jaffer

Dated 17 Jan 2020

EXCERPT:

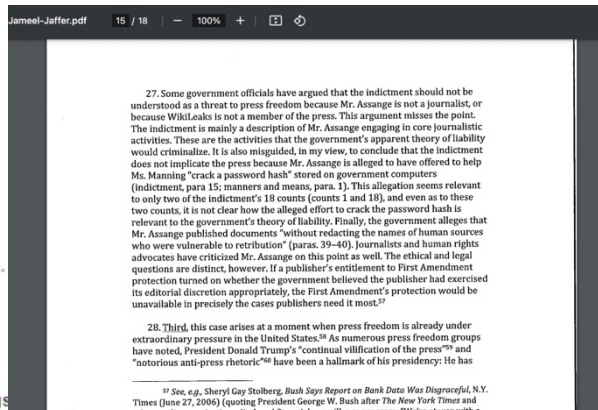
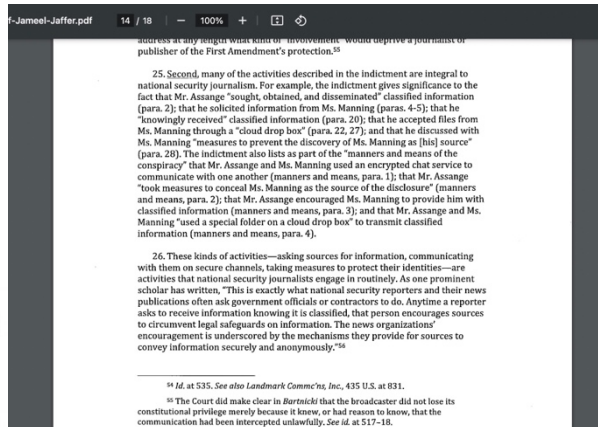
1. I am the Executive Director of the Knight First Amendment Institute at Columbia University in New York City. I have held this position since September 2016. For the preceding fourteen years, I served on the staff of the American Civil Liberties Union, including as Director of its National Security Project and then as a Deputy Legal Director, in which capacity I oversaw the organization's work relating to free speech, privacy, technology, national security, and international human rights. I have litigated and argued cases at all levels of the U.S. judicial system, including in the U.S. Supreme Court; testified before Congress and other government bodies; and written scholarly and popular articles, as well as two books, on topics relating to national security and civil liberties. [...]

2. At the request of attorneys for Julian Paul Assange, I am providing this report about the implications for press freedom of the U.S. government's indictment of Mr. Assange under the 1917 Espionage Act.¹

3. The indictment of Mr. Assange poses a grave threat to press freedom in the United States. This case is the first in which the U.S. government has relied on the 1917 Espionage Act as the basis for the prosecution of a publisher. The indictment focuses almost entirely on the kinds of activities that national security journalists engage in routinely and as a necessary part of their work—cultivating sources, communicating with them confidentially, soliciting information from them, protecting their identities from disclosure, and publishing classified information.

The indictment's implicit but unmistakable claim is that activities integral to national security journalism are unprotected by the U.S. Constitution and even criminal.

<https://www.tareqhaddad.com/wp-content/uploads/2020/10/2020.09.30-Assange-Extradition-Hearings-Statement-of-Jameel-Jaffer.pdf>



27. "Some government officials have argued that the indictment should not be understood as a threat to press freedom because Mr. Assange is not a journalist, or because WikiLeaks is not a member of the press. This argument misses the point. The indictment is mainly a description of Mr. Assange engaging in core journalistic activities. These are the activities that the government's apparent theory of liability would criminalize. It is also misguided, in my view, to conclude that the indictment does not implicate the press because Mr. Assange is alleged to have offered to help Ms. Manning "crack a password hash" stored on government computers. [...] it is not clear how the alleged effort to crack the password hash is relevant to the government's theory of liability [...] If a publisher's entitlement to first Amendment protection turned on whether the government believed the publisher had exercised editorial discretion appropriately, the First Amendment's protection would be unavailable in precisely the cases publishers need it most." - Witness Jameel Jaffer (Testimony pdf - page 15)

<https://www.tareqhaddad.com/wp-content/uploads/2020/10/2020.09.30-Assange-Extradition-Hearings-Statement-of-Jameel-Jaffer.pdf>

US Dept of Justice Charges Assange with Conspiracy to Commit Computer Intrusion – ‘Chat Log’

<https://www.justice.gov/opa/pr/wikileaks-founder-charged-computer-hacking-conspiracy>

<https://www.computerweekly.com/news/252489645/Forensic-expert-questions-US-claims-that-Assange-conspired-to-crack-military-password>

Context: This 5-yr prison charge attempts to portray Assange as a *hacker* rather than a journalist. The alleged hacking didn't happen, according to expert testimony at Manning's court martial hearing in 2013 and again was debunked at Assange's 2020 extradition hearing. The only evidence that the U.S. had about alleged "conspiracy" was Chelsea Manning's chat log in which she asked a person named "Nathaniel Frank" to help her crack a password hash. Nathaniel Frank said in the chat that he would look into it and ultimately Frank wasn't able to do anything. Chelsea has been identified as "Nobody." "Nathaniel Frank" has never been identified. Below, excerpts of letter by Ann Batiza, Ph.D. to Milwaukee senator using *Computer Weekly* excerpts and 155-pg Assange High Court Appeal.

dawgnetwork@jabber.ccc.de	Nobody	2010-03-08 15:55:28	any good at lm hash cracking?
pressassociation@jabber.ccc.de	Nathaniel Frank	2010-03-08 16:00:28	yes
pressassociation@jabber.ccc.de	Nathaniel Frank	2010-03-08 16:00:44	donations; not sure.
pressassociation@jabber.ccc.de	Nathaniel Frank	2010-03-08 16:00:55	something in order of 5M
pressassociation@jabber.ccc.de	Nathaniel Frank	2010-03-08 16:01:30	but we lost our CC processor, so this is making matters somewhat painful.
pressassociation@jabber.ccc.de	Nathaniel Frank	2010-03-08 16:02:23	we have rainbow tables for lm
dawgnetwork@jabber.ccc.de	Nobody	2010-03-08 16:04:14	80c11049faebf441d524fb3c4cd5351c
dawgnetwork@jabber.ccc.de	Nobody	2010-03-08 16:05:07	i think its lm + lmrnt
dawgnetwork@jabber.ccc.de	Nobody	2010-03-08 16:05:38	anyway...
dawgnetwork@jabber.ccc.de	Nobody	2010-03-08 16:06:08	need sleep >yawn>
dawgnetwork@jabber.ccc.de	Nobody	2010-03-08 16:09:08	not even sure if thats the hash... i had to hexdump a SAM file, since i dont have the system file...
pressassociation@jabber.ccc.de	Nathaniel Frank	2010-03-08 16:10:06	what makes you think it's lm?
pressassociation@jabber.ccc.de	Nathaniel Frank	2010-03-08 16:10:19	its from a SAM?
dawgnetwork@jabber.ccc.de	Nobody	2010-03-08 16:10:24	yeah
pressassociation@jabber.ccc.de	Nathaniel Frank	2010-03-08 16:11:26	passed it onto our lm guy
dawgnetwork@jabber.ccc.de	Nobody	2010-03-08 16:11:40	thx

<https://s3.documentcloud.org/documents/886185/pe-123.pdf>

There is now more evidence – from the prosecution's own statement – that there is no evidence to support the allegation that Julian hacked into US computers or helped Chelsea Manning do so.

The reporting by *Computer Weekly* at the time of the extradition hearing helps explain the new evidence.

Below is an image from sections 15.34, 15.35, and 15.39 of the 155-page appeal, recently filed by Assange's lawyers. <https://www.craigmurray.org.uk/wp/wp-content/uploads/2023/06/assangehighcourtappeal.pdf>

In this statement "Kromberg" refers to the U.S. prosecutor that was providing allegations for the British barrister, James Lewis, who was trying this case in the U.K. court.

Note that in section 15.34 of the appeal, Julian's lawyers state, "the US Government (belatedly) disavowed any suggestion that Manning was attempting to decrypt the password hash in order to access any of the databases with which this indictment is concerned ..."

Then Assange's lawyers provide the citation for that disavowal in the prosecution's own statement - from U.S. prosecutor, Gordon Kromberg:

It was now... 'not alleged that the purpose of the hash-cracking agreement was to gain anonymous access to the NetCentric Diplomacy database or, for that matter, any other particular database' (Kromberg 4, CB/12/pg 1009 – 1030, §10-17)

The concession

- 15.34. The US Government finally (belatedly) disavowed any suggestion that Manning was attempting to decrypt the passcode hash in order to access any of the databases with which this indictment is concerned (namely, those containing the war diaries, Guantánamo briefs, rules of engagement or cables). It was now '...not alleged that the purpose of the hash-cracking agreement was to gain anonymous access to the NetCentric Diplomacy database or, for that matter, any other particular database' (Kromberg 4, CB/12/pg1009 – 1030, §10-17).
- 15.35. It is accepted that withdrawal of a misleading allegation can cure a *Zakrzewski* abuse, and that should have been the end of the issue.
- 15.49. In sum, (a) the US had been caught lying about the evidence underlying its passcode hash conspiracy allegation. Mr Eller's evidence was not 'an alternative narrative' (Judgment §380) to that allegation; it brought to the DJ's attention the content of the US Government's own (concealed) evidence. That ought to have been met by a stay of proceedings for abuse. (b) But the US retreated from its allegations before the DJ's ruling was due. That ought to have been the end of the matter. (c) Yet the US then sought to resuscitate its lying allegations with absurd alternative suggestions and speculation. Clinging to a misleading allegation in this way ought to have left the DJ with no choice but to invoke *Zakrzewski*. Instead, the DJ wrongly regarded that as raising 'a matter for trial'.



*Computer Weekly*¹ reported on the extradition hearing (which mainstream media did not cover) and discussed the evidence presented to refute the prosecution’s assertions.

Below is a slightly abbreviated account of their report. I’ve highlighted the key points made. *The magazine cites the testimony of an expert witness for the defense, Patrick Eller. Eller was a “former criminal investigator in the US Army” and is currently a college professor and CEO of Metadata Forensics.* His entire written testimony (and qualifications) can be found [here](#).¹

Computer Weekly emphasized the following points while reporting on Patrick Eller’s testimony:

- **The person Manning chatted with was not identified as Assange and there was no evidence the hash was cracked.**

CW (Computer Weekly): According to a Jabber chat log, Manning asked a person called Nathaniel Frank – alleged but not proven to be Assange – whether he was any good at cracking a password hash. Manning sent Assange [the person alleged to be Assange] a hexadecimal string that she had found on her computer network.

CW: The discussion ended after “Frank” passed the hash to an expert to look at and later reported that he [Frank] had “no luck so far” in decrypting it.

- **Manning had access to all the material she leaked.**

CW: Eller, CEO of Metadata Forensics, said in written submissions to the court that Manning did not need access to the ftp account to access any of the material she passed on to WikiLeaks.

¹ <https://www.tareqhaddad.com/wp-content/uploads/2020/09/2020.09.25-Assange-Extradition-Hearings-Statement-of-Patrick-Eller.pdf>

CW: "Manning already had legitimate access to all of the databases from which she downloaded data" he [Eller] said. "Logging into another user account would not have provided her with more access than she already possessed."

- **Cracking the password was not technically possible – and the government already knew that from Manning's trial.**

CW: Eller said it would have been technically impossible at that time for Assange or Manning to decrypt the password [neither was in possession of a missing piece].

CW: He [Eller] said he had not changed his view in the light of evidence by the prosecution today that security vulnerabilities had previously been found in the Windows passwords software in use at the time.

CW: "No, I don't change my opinion," he said, adding that his opinion was shared by a government expert in Manning's court martial.

CW: Eller told James Lewis for the prosecution that Microsoft issued a patch which fixed the problem in December 1999 to protect against an attack by strongly encrypting the password. Cracking that password would not help Manning access anonymous files.

- **Manning's use of that password would *not* have helped her access files anonymously.**

CW: There was no advantage in Manning using the ftp account if she wanted to hide her identity, Eller told the court.

CW: "Even if Manning was in fact logged into the ftp user account rather than her own normal account, this would have no effect on tracking," he said in his witness statement.

CW: "Merely logging into a different local user account on the computer (such as ftp user) would not anonymise Manning at all because the IP address of the computer would remain the same regardless of what user account is in use."

CW: "If Manning had wanted access from an account that wasn't her own, she could have done so without cracking any passwords because she had access to the accounts of other soldiers in the SCIF," said Eller.

- **Manning was likely trying to crack the password to upload movies, games or install chat.**

CW: Eller said that in his view, the allegation that Manning was trying to crack the password to access sensitive data was not tenable.

CW: Before allegedly chatting with Assange on Jabber, Manning had already downloaded and leaked hundreds of thousands of documents using her normal account on two secure computers that she used regularly.

CW: These included the Iraq and Afghan war logs, the rules of engagement and "Collateral murder" video, and the Guantanamo detainee assessment briefs.

CW: There was no evidence that Manning had attempted to download these documents anonymously and no indication that she was trying to crack the ftp user account password, said Eller.

CW: "The technical impossibility of using the ftp user account to download data anonymously, combined with Manning's past behaviour of downloading hundreds of thousands of documents from her own account, indicate that it is highly unlikely that Manning's attempt to crack the ftp user password had anything to do with leaking documents," he wrote.

CW: Manning already knew how to access data on her own local computer anonymously by booting it with a Linux CD and reading the files, bypassing the access controls of the Windows operating system.

CW: Manning was regarded as a technical expert and was often asked by other soldiers to help them install unauthorised software.

CW: Eller said there were many potential reasons why Manning would want to crack a password, including installing software for her colleagues.

Witness Patrick Eller's testimony provided evidence and expert opinion that says: (Summary)

- 1. Assange was not identified as the person Manning was talking to.**
- 2. Manning already had access to all the files she leaked.**
- 3. There is no evidence the password hash Manning asked for help with was cracked.**
- 4. Cracking the password was not technically possible. (This is the most important point and it was conceded by the prosecution.)**
- 5. The password could not confer anonymity.**
- 6. It is likely the password was for uploading software for entertainment.**

Because this computer intrusion charge was so hollow, the government suborned perjury from Sigurdur Thordarson, a known fraudster and pedophile, in order to bolster the "hacking" charge. Thordarson subsequently recanted admitting he lied. Therefore, he lost his immunity from Icelandic prosecution previously arranged for by the FBI, and is currently in jail. *(End of Batiza letter excerpts)*

More on US govt's key witness Sigurdur "Siggi" Thordarson - admitted false testimony and jailed indefinitely in Iceland:

'Key witness in Assange case jailed in Iceland after admitting to lies and ongoing crime spree'

"Sigurdur Thordarson, a key witness for the FBI against Julian Assange, has been jailed in Iceland. The notorious alleged hacker and convicted pedophile was remanded to custody in Iceland's highest security prison, Litla Hraun, on September 24 [2021] ... Thordarson was given immunity by the FBI in exchange for testimony against Julian Assange. Thordarson was arrested the same day he arrived back in Iceland from a trip to Spain, and was subsequently brought before a judge after police requested indefinite detention intended to halt an ongoing crime spree. The judge apparently agreed that Thordarson's repeated, blatant and ongoing offences against the law put him at high risk for continued re-offending." <https://heimildin.is/grein/14117/>

The conspiracy to commit a computer crime charge is not actually about hacking — it's about establishing legal precedent to [charge publishers](#) with conspiring with their sources, something that so far the U.S. government has failed to do because of the First Amendment.

Feb 2013 Manning Court Martial statement emphasized: Manning acted alone

"...no one associated with the WLO [WikiLeaks Organization] pressured me into giving more information. The decisions that I made to send documents and information to the WLO and website were my own decisions, and I take full responsibility for my actions." -Bradley [Chelsea] Manning

Alexa O'Brian's transcript of Manning's Court Martial sentencing, Feb 28, 2013: <https://archive.ph/oKQbj>

Pfc. Manning
Court excerpts:
I thought about-- well, after I made a phone call-- I made a few phone calls. I made at least one phone call to The Washington Post, and then I called the New York Times and sort of got the same response. And then, I also-- and then I also thought about going-- there is an Albritton Communications' office where Politico operates, and I thought about going down there.
Judge Lind
Okay. And then ultimately what decision did you make?
Pfc. Manning
I-- with time running out on my-- my mid-tour leave, I decided that I was going to upload it to-- to WikiLeaks, but I decided before-- before I lost a good internet connection-- before I lost really strong
Judge Lind
And whose drop box was it?

Pfc. Manning
It was-- somebody within the WikiLeaks organization-- I never got a full identification as to who-- but guided me to that-- and it resolved-- the IP address resolved to that website, your Honor.

This is a transcript of the Article 39(a) Providence Inquiry held on February 28, 2013 at Fort Meade, Maryland in US v Pfc. Manning. It may contain omissions or errors.

- Judge: Army Col. Denise Lind
- Prosecution: Captain Ashden Fein, Captain Joe Morrow, Captain Angel Overgaard
- Defense: Mr. David Coombs, Captain Joshua Tooman, Major Thomas Hurley

**During the pretrial proceedings, court-martial and sentencing of Pfc. Manning, Chelsea requested to be identified as Bradley and addressed using the male pronoun. In a letter embargoed for August 22, 2013 Chelsea proclaimed that she is female and wished to be addressed from that moment forward as Chelsea E. Manning.*

For me, representing WikiLeaks and Assange, it was extremely important to hear Manning emphasize having acted alone. "The decisions that I made to send documents and information to the website were my own decisions," she said. Though she communicated with WikiLeaks via online chat, she never knew who exactly was on the other end of the chat. Nor did WikiLeaks know who she was. So despite all the torture the military had subjected her to, Manning refused to implicate anyone at WikiLeaks in her decisions. She said WikiLeaks did not seek to influence or pressure her in any way. It acted just as any other journalistic enterprise would when receiving documents from a whistleblower.

Michael Ratner

Moving the Bar: My Life as a Radical Lawyer

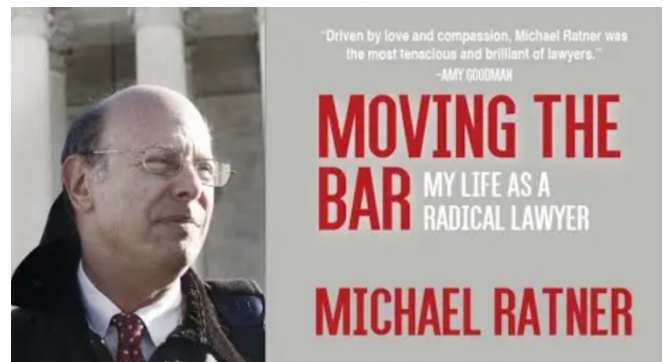
https://x.com/Stella_Assange/status/1702430226247258221?s=20

"...the U.S. government's strategy against Assange had become more apparent. Prosecutors in the Manning case revealed internet chat logs between Manning and an unnamed person at WikiLeaks who they said colluded with Manning by helping the accused traitor engineer a reverse password. Without supporting evidence, prosecutors claimed the unnamed person was Assange. Both Manning and Assange denied it. [...] The case against Manning was also a case against WikiLeaks and Julian Assange. The two were inextricably linked."

"Though [Manning] communicated with WikiLeaks via online chat, she never knew who exactly was on the other end of the chat. Nor did WikiLeaks know who she was. So despite all the torture the military had subjected her to, Manning refused to implicate anyone at WikiLeaks in her decisions." Excerpts: Michael Ratner's 'Moving the Bar'

Over the next few weeks I did not send any additional information to the WLO. I continued to converse with Nathaniel over the Jabber client and in the WLO IRC channel. Although I stopped sending documents to WLO, no one associated with the WLO pressured me into giving more information. The decisions that I made to send documents and information to the WLO and website were my own decisions, and I take full responsibility for my actions. -Bradley Manning

Facts regarding the unauthorized storage and disclosure of other Government documents. <https://archive.ph/oKQbj>



<https://www.orbooks.com/catalog/moving-the-bar/>

"...the prosecution was trying not just to convict Manning but to set the stage for a later prosecution of WikiLeaks and Julian Assange. The chief prosecutor claimed that WikiLeaks was not a journalistic enterprise, that it was a group of "information anarchists." And he tried to paint WikiLeaks and Julian Assange as Manning's co-conspirators ... he mentioned Assange 10 times, WikiLeaks at least 20 times."

-Michael Ratner, 'Moving the Bar - My Life as a Radical Lawyer' Excerpts about the 2013 Manning Court Martial trial

"... the dozen or so lawsuits CCR filed "seeking to expose and end rendition, illegal drone strikes, the wars in Afghanistan and Iraq, and the torture at Guantanamo and other secret U.S. prisons." But each time the government would tell the courts, "You can't litigate this. National Security." "We had reached a dead end." **And then all of a sudden the truth tellers told the truth. "With acts of great courage, they revealed to the world what this country is actually doing. [...]** As a result, we're seeing the unraveling of governments and corporations all over the world." **"My experience has taught me that the truth has a way of coming out, even when the most powerful government on earth tries to crush it."** - Michael Ratner (LA Progressive review)

'Julian Assange Unleashed A Revolution In Journalism'

<https://independentaustralia.net/politics/politics-display/julian-assange-unleashed-a-revolution-in-journalism,17520>

Independent **IA** Australia

POLITICS > OPINION

Julian Assange unleashed a revolution in journalism

By [John Jiggins](#) | 17 May 2023, 12:00pm | [8 comments](#) | [📄](#)

Despite criticisms, the work done by Julian Assange in exposing the truth cements his status as one of the most important journalists of our time, writes Dr John Jiggins.

ACCORDING TO Dr [Suelette Dreyfus](#), [WikiLeaks](#) founder [Julian Assange](#) was the most original voice in 21st-Century journalism. She justified this claim by referencing the invention of the anonymous digital drop box that [WikiLeaks](#) and Assange pioneered, which allowed whistleblowers to transfer information to the public while preserving their anonymity.

This invention was widely imitated by copycats like [The New York Times](#) and the [ABC](#), who never defended Assange or his journalism, and treated his outrageous persecution as the normal outcome of a justice system.

The [Walkley Award](#) to [WikiLeaks](#) in 2011 for 'outstanding contribution to journalism' cited the invention of the digital drop box.

The judges said:

This innovation could just as easily have been developed and nurtured by any of the world's major publishers – but it wasn't.

Yet so many eagerly took advantage of the secret cables to create more scoops in a year than most journalists could imagine in a lifetime.

As well as the digital drop box, [WikiLeaks](#) pioneered analysing large data sets in a collaborative way with the massive [Cablegate](#) files, working with a global coalition that included 89 major publications including [The New York Times](#), [The Guardian](#), [Le Monde](#) and [La Republica](#).

Yet while this famous Australian journalist is being tortured to death, slowly crucified by the governments of the UK and the U.S., facing the ludicrously vengeful punishment of 175 years in prison when he is extradited to the U.S., there is no outcry of support from our media. For over a decade – zero support.

Instead, he is subjected to ludicrous insults like the ridiculous claim that he is [not really a journalist](#).

Julian Assange has won 24 major awards for journalism and social activism, receiving glowing endorsements from the most prominent journalists in the world.

Assange restored to journalism its noblest ideal, an ideal that has been increasingly perverted and debased by the corporate media in their quest for power: the idea of journalists as a Fourth Estate.

In the 18th Century, the English Government was based on three estates: the clergy, the House of Lords and the House of Commons.

The idea of journalists as a Fourth Estate, serving as a public watchdog and informing the citizenry about their government, emerged in the revolutionary era during the transition from monarchy to democracy when journalists like [Thomas Paine](#) inspired the [American Revolution](#), urging the 13 colonies to break away from the British Empire and govern themselves.

The legacy of these courageous journalists was the first amendment to the [U.S. Constitution](#), which guarantees the right to free speech and a free press, a guarantee that is under its greatest attack with the persecution of Julian Assange, who is being brutally punished for the crime of journalism.

The Walkley Award panel acknowledged Assange's extraordinary achievement in public interest journalism, unleashing what they [described](#) as 'an avalanche of inconvenient truths in a global publishing coup'.

The Award [read](#):

This year's winner has shown a courageous and controversial commitment to the finest traditions of journalism: justice through transparency.

WikiLeaks applied new technology to penetrate the inner workings of government to reveal an avalanche of inconvenient truths in a global publishing coup.

Its revelations, from the way the war on terror was being waged, to diplomatic bastardry, high-level horse-trading and the interference in the domestic affairs of nations, have had an undeniable impact.

The corporate media avoid condemning Assange's persecution partly through jealousy, but largely because of their anger at being revealed to be corrupt warmongers, who are serially dishonest and massively compromised.

In the centuries that separate us from Thomas Paine and the American Revolution, journalism became dominated by giant corporations and family dynasties like the [Packers](#) and the [Murdochs](#).

These press barons misused their media power to spin the news to become powerful political actors, boosters of their chosen politicians and policies. What matters for the corporate journalists they employ was not truth but the narrative the corporate agenda demands.

The Murdoch Press has become the most powerful political party in Australia, [according](#) to former Prime Minister [Malcolm Turnbull](#). Another former Prime Minister, [Kevin Rudd](#), [described](#) it as a cancer eating the heart of Australian democracy. Murdoch's empire has a near monopoly in Queensland, controlling not just the [Courier Mail](#), but every newspaper in regional Queensland.

The First World War further deformed corporate journalism, as the state harvested the propaganda power of the corporate media to convince young men everywhere to slaughter each other on an industrial scale.

Journalists of this era were christened the "stenographers of power" who reported the dictates of the war boosters and the war makers unquestioningly.

The Second World War intensified this marriage between the deep state and the corporate media. When Britain's ally against Hitler's Germany was Stalin's Soviet Union, the British press lauded Soviet dictator Joseph Stalin and christened him [Uncle Joe](#). Alarmed by the valorisation of Stalin, one conservative confronted Churchill.

"Don't worry," Churchill replied: "*We can turn it on and off like a tap.*"

And they did. Uncle Joe became the new Hitler, then [Chairman Mao](#), [Uncle Ho](#), [Saddam Hussein](#), [Osama bin Laden](#), [Colonel Gaddafi](#) and Syria's [Bashar al-Assad](#) as the endless wars rolled on.

In 2003, every newspaper in Australia campaigned for the [Iraq War](#), a crime of military aggression against a sovereign nation, which constitutes the ultimate war crime. Their embedded reporters reported the war from the perspective of the U.S. military, until [WikiLeaks](#) revealed their lies with the [Collateral Murder](#) video and the [Iraq war logs](#). These revelations made [WikiLeaks](#) famous and made Assange the target of the [Five Eyes](#).

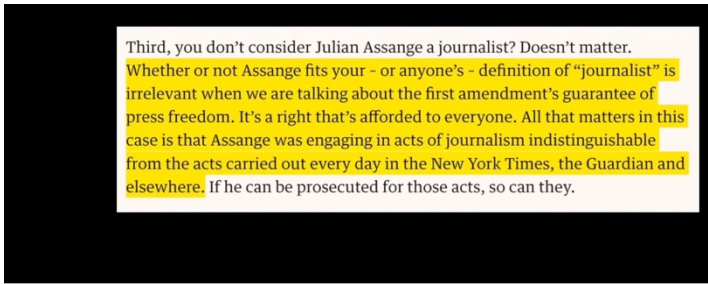
Over the past year, our media has recklessly campaigned for a war with China. According to the China hawks, 2027 is the year pencilled in for this war. This flock of vultures circle our planet, raucously squawking [Orwell's](#) famous paradox that '*war is peace*'.

In 2006, Julian Assange unleashed his revolution in journalism by adopting the Fourth Estate ideal of journalism that the mainstream media had abandoned. Instead of causing wars, [WikiLeaks](#) stopped them.

The persecution of Julian Assange shows the extraordinary propaganda power of the Five Eyes. For exposing their crimes, Assange, a hero of truth, was transformed into the most dangerous man in the world, his hideous persecution – openly, lawfully – sending its [Dalek](#) command to journalists everywhere to obey or be exterminated!

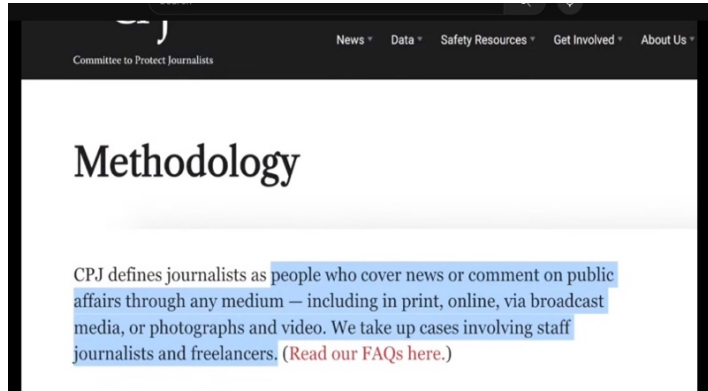
'Why It Matters Whether You Consider Julian Assange A Journalist—Or Not'

Journalist, Kevin Gosztola's video: <https://www.youtube.com/watch?v=EjJbdolcRtE>



Why It Matters Whether You Consider Julian Assange A Journalist—Or Not
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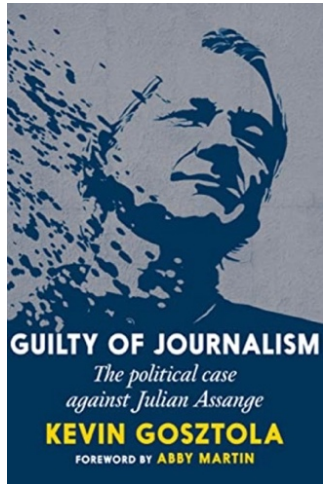
"The US Justice Department's prosecution depends on the public believing that somehow Assange was not a journalist when he published documents submitted by Chelsea Manning in 2010. Taking a position that Assange is a journalist confronts the very misinformation and disinformation that has helped facilitate his arbitrary detention. That is why I open the book [Guilty of Journalism] with the clear statement, "Assange is a Journalist". The CPJ has declined to label Assange as a 'journalist', but their own definition of what makes someone a journalist clearly covers Assange: "People who cover news or comment on public affairs through any medium [...]" Assange commented on public affairs on CNN, Al Jazeera English, and on the progressive independent news program Democracy NOW."
- Kevin Gosztola Video Excerpts at 1:05 min



Kevin Gosztola @kgosztola
Why It Matters Whether You Consider Julian Assange A Journalist—Or Not



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Why It Matters Whether You Consider Julian Assange A Journalist—Or Not



Book Review: **"Guilty of Journalism outlines how WikiLeaks exposed the reality of American wars, the United States government's unprecedented indictment against Assange as a publisher, and the media's role in persuading the public to "shoot the messenger." The new book by Kevin Gosztola, who has spent the last decade covering Assange, WikiLeaks, and the wider war on whistleblowers, tells the full story based on testimony from dozens of witnesses. It examines abuses of power by the CIA and the FBI, including a spying operation that targeted Assange's family, lawyers, and doctors. Guilty of Journalism offers a balanced and comprehensive perspective on all the events leading up to what press freedom advocates have called the trial of the century."**
<https://www.sevenstories.com/books/4493-guilty-of-journalism>