



Our last update on the Assange case from Taylor Hudak

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Taylor Hudak (TH): Hi everyone, I'm journalist Taylor Hudak with another Julian Assange case update. After a nearly 15 year long legal battle, WikiLeaks founder Julian Assange is now a free man in his home country of Australia. After months of intense negotiations between Julian Assange's legal team and the United States Department of Justice a plea deal was agreed upon in this unprecedented press freedom case.

Journalist: Sorry, Jeremy, I need to interrupt. We now have a live feed, basically, of Julian stepping out of the plane and coming back. Oh, it's such a – He's walking on the tarmac.

TH: On Monday, June 24th, Julian Assange was granted conditional bail from Belmarsh prison in London to travel to the Northern Mariana Islands, specifically Saipan, to enter a guilty plea on one count of conspiracy. The Northern Mariana Islands, which is a territory of the United States, is a group of islands in the western Pacific Ocean, with Saipan being the largest island in the region. According to a UK court order signed by Justice Jeremy Johnson, Assange left the jurisdiction at around 6:30 in the evening on June 24th. At around that time, he boarded a plane for a more than 20 hour journey from London to Saipan, and he was accompanied by members of his legal team, including Jennifer Robinson and Barry Pollack, as well as Australian Ambassador to the United States Kevin Rudd. Assange landed in Saipan on the morning of Wednesday, June 26th. Once he arrived at the courthouse, he was greeted by the press and media personnel as he entered the NMI district court before Judge Ramona V. Manglona.

Journalist: Mr. Assange, any comment?

Journalist: Julian, how are you feeling?

Journalist: Mr. Assange, any comment to your supporters out there?

TH: During the hearing, Assange entered a guilty plea on count one, which in the agreement reads: "conspiracy to obtain documents, writings and notes connected with the national defence, and wilfully communicate documents relating to the national defence from a person having both lawful and unauthorised possession of same, in violation of 18 U.S.C., section 793 (g)". During the hearing, Judge Manglona explained the process as well as the plea agreement to Assange. After describing the nature of the charge, the judge asked Assange

what it is that he did that would constitute the crime charged. He responded with the following.

Julian Assange (JA): Working as a journalist, I encouraged my source to provide information that was said to be classified in order to publish that information. I believed the First Amendment protected that activity, but I accept that was a violation of the Espionage Act statute.

Judge Manglona: So you had certain belief, but you understand what the law actually says as well?

JA: I believe the First Amendment and the Espionage Act are in contradiction with each other. But I accept that this would be difficult to win in such a case given all the circumstances.

TH: Near the conclusion of the hearing, Judge Manglona addressed Assange and sentenced him to time served.

Judge Manglona: Mr Assange, you stand before me to be sentenced in this criminal action and as I stated under the sentencing factors after considering the guideline range here and the agreement, I would note the following.

First, timing matters, I will say this, if this case were brought before me some time near about 2012 or thereabouts, without the benefit of what I know now, which is that you've actually served a period of imprisonment, that based on what we've just discussed is at least five years, at apparently one of the harshest facilities in the United Kingdom, would it be fair to say it's possibly equivalent to the Bureau of Prisons, supermax, that is a significant fact. There's another significant fact – the government has indicated there is no personal victim here. That tells me I can surmise that the dissemination of information that occurred in this instance did not result in any known physical injury...

I am in fact sentencing you to a period of time served... Assuming you in fact comply with all terms and conditions and there is no breach of the plea agreement, it would end the case with me here on Saipan.

TH: The judge then declared Julian Assange a free man and wished for peace to be restored.

Judge Manglona: With this pronouncement, it appears that you will be able to walk out of this courtroom a free man. I do hope that there will in fact be some peace restored. Mr. Assange, apparently it's an early happy birthday to you. I understand your birthday is next week.

JA: That is correct, your honor.

Judge Manglona: It is probably the first one you celebrate outside of prison or any type of a limitation, so I hope you will start your new life in that positive note.

JA: Thank you.

Judge Manglona: Good luck to you. Thank you. We stand adjourned.

JA: Thank you, your honor.

TH: As per the plea agreement, Assange will not be prosecuted for any material published prior to entering the agreement. It is worth noting that prior to the hearing, the agreement required Assange to take all action within his control to return to the United States or destroy any unpublished information in his possession or in the possession of WikiLeaks or an affiliate.

Barry Pollack: The prosecution of Julian Assange is unprecedented in the hundred years of the Espionage Act. It has never been used by the United States to pursue a publisher, a journalist like Mr. Assange. And he has suffered tremendously in his fight for free speech, for freedom of the press, and to ensure that the American public and the world community gets truthful and important newsworthy information. We firmly believe that Mr. Assange never should have been charged under the Espionage Act and engaged in an exercise that journalists engage in every day, and we're thankful that they do. It is appropriate, though, for this fight to end, and it is appropriate for the judge, as she did today, to determine that no additional incarceration of Mr. Assange would be fair, would be appropriate, and it is time for him to be reunited with his family.

TH: Shortly after the hearing, and after a brief press conference in Saipan, Assange was then transferred to Canberra, Australia, his final destination. There he received a warm welcome from supporters and his wife Stella and family.

Journalist: It's such a great moment. He is clenching his fist... one moment in history to witness and be a part of it. Oh my God, it is hard not to be emotional under these circumstances.

TH: For years, we have warned that this case poses a serious threat to press freedom globally, and went contrary to the First Amendment in the United States. This still holds true. Julian Assange did, in fact, have to plead guilty to one count of conspiracy to obtain and disclose national defence information. In other words, he had to plead guilty to doing journalism and he was punished for it.

Jennifer Robinson: An award winning Australian journalist who has been nominated for the Nobel Peace Prize for his publications, has spent more than five years in a high security prison because of this extradition request from the United States. In order to win his freedom, Julian pleaded guilty to conspiracy to commit espionage for publishing evidence of US war crimes, human rights abuse, and US wrongdoing around the world. This is journalism. This is the criminalisation of journalism.

TH: It is important to note that the plea agreement itself does not set a judicial precedent, as it is not a court decision. However, the prosecution itself does. But that threat to journalism

was always there since the day the US DOJ issued an indictment. According to Assange's lawyer Jennifer Robinson, the legal team had been working to engage with the United States Department of Justice to negotiate a plea deal for some time, but they were not receiving any responses. However, after Australian Ambassador to the United States Kevin Rudd visited Washington, things started to change. According to Robinson, negotiations had taken place over several months and started to advance within the past month in particular. This is around the same time that two UK High Court judges granted Assange permission to appeal, on grounds that he would be prejudiced at trial in the United States by reason of his nationality. There were concerns that Assange would not receive First Amendment protections in the United States, as he is an Australian citizen and not an American citizen.

Rebecca Vincent: And it was always an uphill battle. This was by no means a certainty that we would ever get him out. So, you know, this is a case, in fact, it's the most probably complex case I've ever worked on in 18 years of human rights work. It really tested the limits of our democracies. It called into question what is journalism? It called into question the values that we all hold dear, freedom of information, freedom of expression, what the public has the right to know.

TH: Now, many are curious, what will Julian Assange do now? Will he eventually continue his work through WikiLeaks, and if so, when? Or will he choose a different path in this new phase of his life? His wife, Stella shared that he will always remain dedicated to human rights and justice. And the priority right now is for him to restore his health and to adjust to life as a free man.

Stella Assange: Julian just got back from a 72 hour flight, long flight to freedom, and five years of incarceration in a high security prison and seven years before that, arbitrarily detained in the Ecuadorian embassy and a year and a half before that, he was under a house arrest. He is just savouring freedom for the first time in 14 years. He needs time to rest and to recover. And he's just rediscovering normal life, and he needs space to do that.

TH: After five years of extradition proceedings and nearly 15 years of legal uncertainty, the United States case against WikiLeaks founder Julian Assange has officially come to an end. Julian Assange is now a free man in his home country and no longer faces prosecution. Assange's freedom was made possible due to a collective effort by activists, journalists, lawyers, campaigners and negotiators behind the scenes and by those of you who actively sought out truthful information about this case and used your knowledge to make a difference. I give a big thank you to each of you who have watched our Julian Assange case updates during the past several years. It was a big responsibility and honour to keep you informed on this very important press freedom case, and I appreciate your support of me and acTVism Munich for our coverage. And so, with all that being said, I want to thank you all one last time for watching this final Julian Assange case update. I'm journalist Taylor Hudak, please continue to actively seek out the truth and take care.

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