

## WIKILEAKS TELLS OFF THE DNC FOR RIGGING THE NEWS

----- Forwarded message -----

From: WikiLeaks / Sunshine Press

Date: Sat, Dec 1, 2017

Subject: WikiLeaks/Assange response to strange FPF "ultimatum"

To: [Freedom of Press Foundation board]

It is ironic that the organization John Perry Barlow and I conceived in 2011 to protect WikiLeaks and its donors from politically induced financial censorship is now apparently considering doing just that.

Shockingly, I received an email (via my lawyer Jennifer Robinson) from the Freedom of the Press Foundation giving WikiLeaks a previously undiscussed unilateral 10-day ultimatum.

The pressure against WikiLeaks, its staff and its allies has increased as a result of our CIA and Democratic party publications. The financial censorship of WikiLeaks is ongoing in various ways as is our litigation in response.

WikiLeaks is in the middle of publishing the largest CIA leaks in history (Vault7 and Vault8). December 7 marks the eighth year of my arbitrary detention which continues in violation of two UN rulings. The U.S. grand jury against WikiLeaks has been expanded to include our CIA publications. Randy Credico, a free speech activist, comedian, and political commentator has just been subpoenaed by the House Intelligence Committee to appear on December 15. He will likely go to jail for refusing to testify in the witch

hunt

against WikiLeaks. Trump's CIA chief Mike Pompeo takes every opportunity he can to attack WikiLeaks, vows to "take down" WikiLeaks and states that WikiLeaks has no 1st Amendment protections.

US donors are the majority of our donor base. FPF's anonymizing structure and tax-deductibility have been very important in reassuring donors that it is safe for them to support WikiLeaks. We don't advertise the banking blockade because we found that doing so creates anxiety in donors as to the legality of donating to WikiLeaks.

Our litigation in the US, and at the EU Commission have reached impasses. The case in Iceland, which follows a contractual chain to VISA International in California has proceeded to the damages phase at the Icelandic Supreme Court. WikiLeaks does not engage with any of the financial services companies directly due to blockades and the elevated risk of blockades, of which the FPF ultimatum is somehow a bizarre reflection. Wau Holland is not WikiLeaks. It performs a similar proxy role as FPF for Europe.

The FPF originated in a meeting between John Perry Barlow and me at the Frontline Club in London in 2011 and subsequent phone calls. This is not to diminish extraordinary work of numerous others who subsequently became involved. The financial blockade was one of several fronts we faced, along with a US grand jury, a Pentagon "war room" (their term, not mine), and an intense propaganda offensive by the US military, the political class and virtually all establishment media.

Barlow and I decided it was critical to set up a First Amendment organization in the US to improve WikiLeaks prospects for survival

since the majority of its donors are in the United States.

Free speech organizations are typically captured because they rely on foundations and indirect government grants to survive. Some are cold war relics, others are tools of current US foreign policy or have become service organizations to the establishment press. None were brave or resilient enough to take press freedoms seriously.

John, who had co-founded EFF in 1990, brought them in. On their legal advice, WikiLeaks would conceal its role in initiating FPF to discourage financial intermediaries from extending their blockade to FPF and to strengthen its litigation opportunities. But in reality, WikiLeaks and its lawyers (including Michael Ratner and Jennifer Robinson) were directly involved in not only the idea to create FPF, but in its establishment. Its mission statement derives from my draft and I and secured most of FPF's seed funding. I nominated Glenn Greenwald, Daniel Ellsberg, John Cusack, Laura Poitras to the board to join John Perry Barlow.

In an email from August 23rd, 2013, Timm refers to FPF's mission statement as "the mission statement WikiLeaks wrote when we first started FPF last year".

The WikiLeaks and EFF sides synced with a conference call between me, JPB, Rainey, Timm, Marcia Hoffman, Michael Ratner, Shane Kadidal, Baher Azmy, Renata Avila, Cindy Kohn and Jennifer Robinson in early March 2012. By mid April, Timm (who was then at EFF and whose Twitter account was "@WikiLeaksLegal") informed us that Rainey was trying

to find a web developer, and that he was working on incorporation and finalising the board: "I am waiting to hear back from Barlow and Michael Ratner about a couple other possible board members. So I am going to finalize the board, and then when we are officially incorporated and have the website, we can all schedule a call again to talk about roll out." By 23 May, we were informed that a developer had been newly hired and "Barlow is working on raising our start-up costs". By August 1, 2012, the web developer had created 80% of the website, and papers had been submitted for incorporation. Timm wrote "a sincere apology for not getting this all up sooner, as we wanted. Our day jobs seem to have gotten in the way! But we are super excited to finally launch." Start-up costs were estimated at USD 15,000.

We secured two-thirds of the initial USD 15,000 seed funding which was sent from the Bertha Foundation.

But beyond the process itself, it is important to recall why FPF was set up.

John and I felt strongly that donating to WikiLeaks was an act of free speech and free association. The fundamental motivation of the FPF was not only to protect WikiLeaks' directly but also to protect its US readers' speech and associational rights in their act of donating to WikiLeaks. FPF was also designed to litigate on behalf of WikiLeaks and its donors. Its name was chosen for the impression that it would convey on a docket.

The structure of FPF is the way it is because it was customized to counter political and legal pressure against WikiLeaks, its donors, and upstream financial intermediaries. FPF was set up to anonymize WikiLeaks donors by also collecting for other organizations so that financial records could not be used to determine which organization received funds from which donor.

The FPF faces criticism for receiving donations on our behalf, but that is its function. If it bows to political pressure it becomes part of the problem it was designed to solve and yet another spurious free speech organization--of which there are plenty. WikiLeaks cannot be 'cycled off' as political pressure increases or as FPF seeks to embrace establishment foundations such as Ford, whose historical relationship with the CIA is well documented. To do so is a betrayal of the FPF's founding purpose.

Even before FPF's letter, I had sought and obtained legal advice from my DC-based defense attorney, Barry Pollack, in relation to the possibility of setting up a 501c3 that could receive WikiLeaks contributions in the US. I was not confident that all FPF board members would be able to stand the political pressure over our publications. WikiLeaks will never forego asserting its rights, even in the face of such potential conflicts. Barry advised against setting up a 501c3 in the United States as it would increase the DOJ's ability to assert jurisdiction and hence make it easier to prosecute our staff.

Through a Daily Beast article by "Kevin Poulsen", who interviewed former FPF board member Xenia Jardin, I learned that the board's weakening resolve is due to a Micah Lee initiative asking his fellow board members to "cut ties" with WikiLeaks.

Poulsen is a key actor in the imprisonment of Chelsea Manning, and a confidant of Adrian Lamo. Poulsen and Lee have both been developers of SecureDrop. Poulsen manipulated the alleged Manning-Assange chat logs in an attempt to frame WikiLeaks (see for example Glenn Greenwald's article "The worsening journalistic disgrace at Wired" for more background. As the article puts it: "At the heart of the WikiLeaks/Manning saga lies the efforts of a self-proclaimed journalist [Poulsen] to conceal the truth"). This is the person Jardin used to publicize the move to cut WikiLeaks off from its donor base on Lee's initiative.

When I learned that Jardin had been put on the board in December 2012, I sent a message to Timm: "I've no recollection of ever meeting Xenia and have definitely never worked with her yet she goes around saying [I] have.. penning dozens of snide, unhelpful articles in BoingBoing about us. We've seen her as an opponent for a long time based on those articles. Perhaps she's shifted her politics given the new opportunity... I don't know, but her politics are not anti-censorship. Not anti-war. Not anti-empire. I don't think she has any politics. She's an exhibitionist and a networker-- what's to stop her swapping sides when she gets a better offer? Be careful."

Although I have never met or communicated with Lee and know little

of him. But research shows that starting in early 2016 he has engaged in an online vilification campaign against WikiLeaks (and me). Some examples:

"..Julian [is] a rapist, liar, & ally to fascists";  
"I wonder, now that Obama has commuted @xychelsea's sentence, will Julian Assange turn himself in for US extradition";  
"Julian Assange is not a co-founder of @freedomofPress. This is another lie. I know, I'm a co-founder";  
"We can't trust them [WikiLeaks]";  
"Assange's fall to bigotry";  
"WikiLeaks/Julian also champion far-right conspiracy theories";  
"Assange makes up a narcissistic, self-serving, offensive conspiracy theory (sic) to make @xychelsea's story more about him";  
"This is just Julian defending a Nazi" in response to my tweet ["US 'liberals' today celebrate the censorship of right-wing UK provocateur Milo Yiannopoulos over teen sex quote."]

Like Jardin, this is not a person who takes his legal and ethical responsibilities as an FPF board member or director seriously. FPF's founding purpose was to defend WikiLeaks and its donors from persecution not to contribute to it.

The Lee initiative to cut WikiLeaks off from its US donors is a sad business.

Should FPF decide to "cut off" WikiLeaks, the timing, transfer, and auditing of funds, the notification sent to all past and current WikiLeaks donors, and how to deal with monthly donors, should be agreed between FPF and WL.

Julian Assange