

THE ASSANGE COMPLAINT WAS FILED THE DAY THE UK REJECTED ASSANGE'S DIPLOMATIC STATUS

EDVA has released the affidavit and original complaint charging Julian Assange with conspiring with Chelsea Manning to crack a password. Two things support the likelihood that this extradition request arose in response to Ecuador's attempt to get Assange diplomatic status that would allow it or Russia to exfiltrate him from London.

As I noted earlier, the extradition warrant itself dates to December 22. But the complaint and supporting affidavit date to December 21, 2017. That's the day, according to multiple reports, that the British government denied Ecuador's request to grant Assange "special designation" as a diplomat.

Ecuador last Dec. 19 approved a "special designation in favor of Mr. Julian Assange so that he can carry out functions at the Ecuadorean Embassy in Russia," according to the letter written to opposition legislator Paola Vintimilla.

"Special designation" refers to the Ecuadorean president's right to name political allies to a fixed number of diplomatic posts even if they are not career diplomats.

But Britain's Foreign Office in a Dec. 21 note said it did not accept Assange as a diplomat and that it did not "consider that Mr. Assange enjoys any type of privileges and immunities under the Vienna Convention," reads the letter, citing a British diplomatic

note.

The Guardian (which is less reliable when it pertains to stories about Assange) claims that this effort was meant to support an exfiltration attempt, possibly to Russia.

Russian diplomats held secret talks in London last year with people close to Julian Assange to assess whether they could help him flee the UK, the Guardian has learned.

A tentative plan was devised that would have seen the WikiLeaks founder smuggled out of Ecuador's London embassy in a diplomatic vehicle and transported to another country.

One ultimate destination, multiple sources have said, was Russia, where Assange would not be at risk of extradition to the US. The plan was abandoned after it was deemed too risky.

The operation to extract Assange was provisionally scheduled for Christmas Eve in 2017, one source claimed, and was linked to an unsuccessful attempt by Ecuador to give Assange formal diplomatic status.

The supporting affidavit is notable because it is even more troubling than the indictment itself is for its description of Assange's work with Manning to publish classified documents.

But it's also notable for the case it makes that Assange took refuge in the Ecuadorian embassy not to hide from the Swedish prosecution but from US prosecution.

Assange has made numerous comments reflecting that he took refuge in the Ecuadorian embassy to avoid extradition and charges in the United States.

For example, in 2013, the WikiLeaks

website posted an affidavit by Assange concerning alleged monitoring of his activities and the search and seizure of his property. In the affidavit, Assange acknowledged that he was “granted asylum after a formal assessment by the government of Ecuador in relation to the current and future risks of persecution and cruel, inhuman and degrading treatment in the United States in response to my publishing activities and my political opinion. I remain under the protection of Ecuador in London for this reason.” See https://wikileaks.org/IMG/html/Affidavit_of_Julian_Assange.html.

On May 19, 2017, in response to Sweden’s decision to discontinue its investigation regarding suspected rape by Julian Assange, Assange publicly stated, “While today was an important victory and an important vindication ... the road is far from over The war, the proper war, is just commencing. The UK has said it will arrest me regardless. Now the United States, CIA Director Pompeo, and the U.S. Attorney General have said that I and other WikiLeaks staff have no rights ... we have no first amendment rights.. .and my arrest and the arrest of our other staffis a priority.... The U.K. refuses to confirm or deny at this stage whether a U.S. extradition warrant is already in the U.K. territory. So, this is a dialogue that we want to happen. Similarly, with the United States, while there have been extremely threatening remarks made, I am always happy to engage in a dialogue with the Department of Justice about what has occurred.” <https://www.bloomberg.com/news/articles/2017-05-19/swedishprosecutors-to-drop-rape-investigation-against-assange>.

It seems likely that the UK rejected Ecuador's request, in part, *because* the US lodged an extradition request, possibly because they learned of the exfiltration plan.

If so, that may change the extradition calculus significantly, even if Sweden refiles its request. The UK may have already agreed that Assange was only ever fleeing US prosecution. Indeed, their decision back in December 2017 may have served precisely to enable the arrest that occurred last Thursday.

If that's right, there's little chance the UK will give precedence to Sweden – though Labour within the UK and a number of entities in the EU are fighting this extradition request.

As I've noted, this all took place against the background of the Vault 7 prosecution which implicated Assange in far more activities unrelated to journalism, ones that the United States' Five Eyes partner would likely be very sympathetic to. And that may well be what this indictment was always a placeholder for. Yes, the government may fill in a larger conspiracy in-between 2010 and 2017. But this action seems to have as much to do with what Assange did in 2017 as he was doing in 2010.

Update: Corrected indictment dating to December 22; I meant the extradition warrant.