

RUSSIAN FLIGHT: THE TIMING OF THE ASSANGE CHARGES

The Department of Justice charged Julian Assange when they did to stave off an attempt to help Assange flee to Russia.

That's one important takeaway from the date of the complaint, December 21, 2017. Days earlier, Ecuador had submitted diplomatic credentials for Assange to the British government, with the intent that he would move (or, according to the less reliable Guardian, be secretly exfiltrated) to Russia under protection of diplomatic status.

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.

Ecuador abandoned its decision shortly after, according to the letter.

British authorities have said they will arrest Assange if he leaves the embassy, meaning he would have needed to be recognized as a diplomat in order to

travel to Moscow.

The US finalized the complaint the same day the UK rejected the Ecuadorian request (though the accompanying 26-page affidavit suggests it been in the works for some time). The next day the US sent a formal extradition warrant to the UK. All this happened under dramatically increased (and visible) surveillance from Ecuador's security contractor, UC Global; Assange boosters have tried to spin this attempt as a US kidnapping attempt, which is presumably what they would have called a failed exfiltration attempt.

The timing of two of the other sets of charges against Assange can also be fairly readily explained. Assange was formally indicted on March 6, 2018, the day before the 8-year statute of limitations on the CFAA charge would expire. The most recent superseding indictment, obtained on June 24, 2020, expanded the CFAA conspiracy charge through 2015, which seems to be another effort to expand the conspiracy before statutes toll. The next overt acts in WikiLeaks' efforts to undermine the US came in March and April 2016. Unless Assange is pardoned and released (as I've noted, a pardon may not have the effect Assange boosters want it to), I think it highly likely DOJ will supersede again after inauguration to include, at a minimum, the Vault 7 publication, and probably some overt acts tied to the 2016 election interference. Depending on UK willingness to add to the total charges, the US might well add foreign agent charges they've alluded to.

Only the timing of the indictment adding the Espionage charges on May 23, 2019 can't be readily explained (though it came in the wake of the Mueller Report and the larger Russian investigation which is, per the SSCI Report, what led to a better understanding of the degree to which Russia had "co-opted" WikiLeaks).

It is a testament to the power of WikiLeaks' propaganda efforts that the entire focus on Julian Assange's prosecution has been on false

claims about why DOJ decided to prosecute him while Trump was President and not on the specific timing of the first charge against him, which ties it to Assange's relationship with Russia.

Quite honestly, the US probably would have been far better off had Assange's attempt to flee to Russia succeeded. That would have made clear even to the dead-enders that Assange had become little more than a Russian tool, and thereby diminished WikiLeaks' allure and efficacy as a cover for leaks going forward. Instead, they've made of Assange a martyr about whom most journalism organizations in the world are enthusiastically repeating false propaganda.