



RESOLUTION ON THE ABUSE OF THE US ESPIONAGE AND THE US PROSECUTION OF JULIAN ASSANGE AS AN ATTACK ON FREEDOM OF EXPRESSION

Proposed by Norwegian PEN, seconded by Swedish PEN and Danish PEN

PEN International expresses concern over the US government's indictment against WikiLeaks founder and publisher Julian Assange and the threat his prosecution poses to press freedom.

In May 2019, Julian Assange was indicted by the US Justice Department on 17 counts of violating the US Espionage Act for his role in obtaining and publishing classified military and diplomatic documents in 2010. UN experts, free expression groups and scores of human rights lawyers have made it clear that this prosecution raises profound concerns about freedom of the press under the First Amendment to the US Constitution, and sends a dangerous signal to journalists and publishers worldwide. US prosecutors had already charged Julian Assange with one hacking-related count, which also includes a list of actions that fall under journalistic activities.

Through WikiLeaks, Julian Assange published classified material provided by whistleblower Chelsea Manning, then a military analyst in the US army, which revealed evidence of human rights violations and possible war crimes committed by the US military in Iraq and Afghanistan. US prosecutors criticized Julian Assange for putting the identity of sources at risk by publishing unredacted materials. However, the indictment does not hinge on that fact but effectively opens the door to criminalizing activities that are vital to all investigative journalists who write about national security matters.

The US Espionage act of 1917 was designed to punish spies and traitors working with foreign governments during wartime. Using it to sentence Chelsea Manning to 35 years in prison was in itself a threat to critical publishing. The fact that Julian Assange now faces decades behind bars will cause a chilling effect on critical journalism seeking to expose the truth about crimes committed by governments. The fact that a government decides that a specific document is secret or confidential does not make it so, and on many occasions the public's right to know overrides the state's desire to keep matters secret, such as evidence of human rights violations or corruption.

In June 2019, the United Kingdom's home secretary signed a US extradition order for Julian Assange. His extradition hearing has been set for February 2020.

The Assembly of Delegates of PEN International calls on the United States to:

- Drop charges against WikiLeaks founder and publisher Julian Assange, who faces a lengthy prison sentence in the United States for obtaining and publishing newsworthy information. Espionage laws should not be used against journalists and publishers for disclosing information of public interest.

The Assembly of Delegates of PEN International further calls on the United Kingdom to:

- Reject extraditing Julian Assange to the United States.