



WikiLeaks founder keeps tabs on Army hearing



By Charley Keyes

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WikiLeaks founder Julian Assange has been 4,000 miles away from the military courtroom where Army prosecutors have rolled out their espionage case against Pfc. Bradley Manning.

But Assange's name has come up repeatedly and his lawyers have been in the third row of the spectator pews in the Fort Meade, Maryland, courthouse, listening to as much as they can and fighting to gain additional access.

It is one of the bizarre legal twists in this complicated case that the man responsible for posting the secrets Manning allegedly stole is fighting to be able to listen in, through his lawyers, to details of the leaked documents.

The government still considers those documents so secret that it repeatedly closes the courtroom to journalists and the public, and holds many discussions in the judge's chambers.

Army officials testifying at Manning's Article 32 hearing this week said they had found Assange's name and contact information for him and WikiLeaks on computers used by Manning in Iraq. And an Army expert said investigators had found a log of computer chats between Manning and Assange. The legal sparring on the sidelines between the government and Assange is a sneak preview of sorts as to how any eventual case against Assange himself might play out.

The New York-based Center for Constitutional Rights keeps trying to gain entry to those closed-door sessions in the Manning case and has filed two appeals to the Army. Assange's lawyer, Jennifer Robinson, has been allowed in the courtroom but must leave when the government wants to discuss classified material.

Meanwhile, the U.S. government is quietly pursuing a separate case against Assange in a grand jury, and his lawyers say that's why Assange needs all the information he can about the case against Manning.

The Army Court of Criminal Appeals denied the Assange lawyers' request to have Manning's preliminary hearing halted or to see and hear all the evidence, including that judged to be classified. The lawyers were given the same access as journalists and the general public.

In the court filing, the lawyers said Assange needs to know what allegations the government is making against him.

"Mr. Assange and WikiLeaks need to know what those allegations may include in order to ensure the proceedings are as open, honest and transparent as possible," the writ said.

"Factual assertions made in the proceedings may well be erroneous, and counsel for WikiLeaks and Mr. Assange are in the best position to evaluate them and promptly correct the record as may be necessary to prevent further substantial prejudice to Private Manning and to protect the interests of Mr. Assange, WikiLeaks and their supporters in connection with those proceedings and other ongoing or possible future proceedings here and abroad, including the grand jury investigation and any threatened prosecution of Mr. Assange as well as a request for his extradition to the United States."

Assange remains in Britain fighting extradition to Sweden on sex-related charges. No charges have been filed in the United States.

The Center for Constitutional Rights says it may file additional appeals with the Army court seeking access and pointing out what the center's legal director, Baher Azmy, called "inadequacies of the process."

Azmy says the Manning and Assange cases can't be considered separately. "They are inextricably entwined," Azmy said in a telephone interview. "People who are trying to

extradite and prosecute Assange have access to the proceedings and so should we."

The center says its attorney with a security clearance should be allowed to see all the evidence in the Manning case, "to evaluate whether information was improperly deemed classified in order to conceal evidence of illegality or prevent embarrassment to the executive branch."