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on the front lines for social justice

October 11, 2012

Via Federal Express

Honorable Eric H. Holder, Jr.
Attorney General of the United States
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Attorney General Holder:

The Center for Constitutional Rights (CCR), along with Spanish counsel Baltasar Garzón, represents Julian Assange, publisher of WikiLeaks, the media organization. Further to CCR's communications of December 17, 2010, we wish to reiterate to the Department of Justice that Mr. Assange has counsel in the United States. As a consequence, any and all communications by the Department of Justice with Mr. Assange should proceed via his U.S. counsel.

In light of recent reports suggesting the possibility of an ongoing criminal investigation of Mr. Assange and/or WikiLeaks – and the existence of secret grand jury proceedings in the Eastern District of Virginia – we write to assess whether Mr. Assange in fact faces any criminal jeopardy in the United States and to protect his interests in the face of an investigation and/or trial. Specifically, we request that the Department of Justice confirm that Mr. Assange is not a target or subject of any federal grand jury investigation for alleged violations of the Espionage Act of 1917 and/or other federal criminal law. We further request that the Department of Justice confirm that it will not seek to arrest or extradite Mr. Assange from Sweden or any other country to face current or prospective charges in the United States relating to WikiLeaks and/or his activities as a publisher and journalist. Finally, we request confirmation that the United States does not regard Mr. Assange as subject to the indefinite detention provisions of the National Defense Authorization Act of 2012, Section 1021 or of the September 21, 2001 Authorization for the Use of Military Force, under a theory that Mr. Assange may have provided “substantial support” to Al Qaeda or “associated forces” by publishing information passed to him by Bradley Manning. *See, e.g.* Opinion and Order, *Hedges v. Obama*, No. 12-Civ.-331, Dkt No. 61 (Sept. 12, 2012).

We believe either prosecution or detention of a publisher/media organization would constitute an unwarranted and impermissible intrusion on the First Amendment and set a dangerous precedent.

Very truly yours,



Baher Azmy
Legal Director
Center for Constitutional Rights

Attorneys for Julian Assange

cc: Neil H. MacBride, Esq.
U.S. Attorney, Eastern District of Virginia



Baltasar Garzón