Spanish judge to question Assange over illegal CIA spying in Ecuadorian embassy

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Spanish Judge José de la Mata will reportedly interview Julian Assange by video-link on December 20, as part of an investigation into illegal spying on the WikiLeaks founder by UC Global, a private security firm that was allegedly passing surveillance material to the US Central Intelligence Agency (CIA).

El País reported on Friday that British authorities had reversed their previous refusal to allow the interview with Assange—who is imprisoned in London's maximum-security Belmarsh Prison—to proceed. Last month, the Spanish daily reported that the United Kingdom Central Authority (UKCA) had rejected a European Investigation Order (EIO), issued by de la Matta on September 25, requesting the interview.

It is rare that EIO's are blocked. In his response on behalf of the UKCA, Rashid Begun had claimed that the events presented by de la Mata were "unclear" and that the Spanish judge may not have jurisdiction.

In a reply, the Spanish official reportedly noted similar cases where Britain had not obstructed EIO's and explained that the only obstacle would be if the interviewee was accused of a crime in the investigation—which Assange is not.

Britain's apparent back down demonstrates that its initial bid to hinder the Spanish investigation was the result of a political decision, inseparable from the attempts by the British authorities and the judiciary to railroad Assange to a US kangaroo court and prison.

In its Friday article, *El País* bluntly stated that the initial British position had "created unease in judicial circles, and was viewed as resistance to an investigation that could hinder Assange's extradition to the US."

The sensitivity to the Spanish investigation is because it exposes the illegality of the entire US-led operation against Assange.

El País publicly revealed the Spanish investigation in October. Reports in the publication detailed pervasive spying on Assange by UC Global, which had been contracted by the Ecuadorian government to oversee security at its London embassy, where Assange successfully sought political asylum in 2012.

The surveillance, covering every aspect of the WikiLeaks founder's life, was carried out between 2015 and March 2018. David Morales, a former Spanish military general and the head of UC Global, allegedly met US officials in 2015 and agreed to provide the CIA with all of the material that was gathered in the embassy. He allegedly told one of his employees: "From now on, we play in the first league… We are now working for the dark side."

Underscoring its crucial role in the US attempt to prosecute Assange under the Espionage Act for his exposure of American war crimes, the spying operation was apparently intensified in 2017. This coincided with US preparations to draw-up an indictment against the WikiLeaks founder.

Morales appears to have been intimately involved in the plans for a US prosecution of Assange. Last month, *El País* revealed that metadata from his emails, which the publication had obtained, placed the UC Global director in Alexandria, Virginia on March 1 and 2, 2017. The city, home to the largest concentration of CIA employees in the US, is where a federal grand jury had been impanelled to concoct charges against Assange.

The month before Morales arrived, the US had assembled a "counter-espionage" squad to pursue Assange, apparently in response to his publication of "Vault 7"—leaked CIA documents exposing the agency's global spying and hacking operations. It is possible that Morales testified before the grand jury, collaborated with the investigation team, or both.

Morales also had ties to significant political forces in the US, who are close to the intelligence agencies and the Trump administration. He reportedly provided security for

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a number of years for Las Vegas billionaire Sheldon Adelson. *El País* stated that Adelson's employees include a "former CIA official" and that "Adelson is one of the main donors to the Republican Party and a personal friend of Donald Trump."

Now, however, the UC Global head is facing serious criminal charges. He was arrested in October and released on bail, with *El País* reporting that de la Mata is investigating him on allegations of violating "Assange's privacy and attorney-client privilege, as well as misappropriation, bribery, money laundering and illegal possession of arms."

According to *El País'* reports, the surveillance was particularly targeted at Assange's legal team.

Audio and video of confidential discussions between Assange and his lawyers were recorded and streamed directly to the CIA, while legal documents were stolen or copied. Spying equipment was even installed in the women's bathroom, where Assange's female lawyers sometimes conferred with him in a bid to evade the surveillance.

The flagrant violations of Assange's attorney-client privilege, by the very American authorities that are pursuing him, brands the attempted US prosecution as a violation of international and domestic law.

Assange's lawyers have pointed to the parallels with the pursuit of Daniel Ellsberg by the US administration of President Richard Nixon in the 1970s. Nixon's attempt to prosecute Ellsberg on espionage charges, over his release of the Pentagon Papers that exposed the criminality of the Vietnam War, collapsed when it was revealed that the administration had overseen illegal spying on consultations between the whistleblower and his doctors.

The breach of Assange's privacy is of an even greater order of magnitude. Commentators have noted that while Assange was living as a political refugee in the Ecuadorian embassy, it was likely the most surveilled building on earth.

In a detailed article for *La Repubblica* last month, Italian journalist Stefania Maurizi, who has collaborated with WikiLeaks and Assange for the past decade, provided new information exposing the extent of the surveillance.

Files obtained by Maurizi showed that when she visited the embassy, "she was not just filmed, but her phones were screwed open, presumably to obtain the IMEI code that allows uniquely identifying the phone in order to intercept it."

Those who featured in UC Global's spy files included doctors, famous lawyers, journalists, politicians and celebrities who had visited Assange. Some of them were American citizens. US government surveillance against its own citizens, without a warrant, would be a violation of the American Constitution.

Those whose rights have been violated could number in the dozens or even hundreds. UC Global is also facing the prospect of legal action over its infringements of the privacy of journalists and others. Last week, German public broadcaster NDR filled a criminal complaint against the company, on the grounds that its journalists had also been spied on when they visited the embassy.

Most significantly, Maurizi's article further established that the US authorities were intimately involved in UC Global's surveillance operation. She wrote: "[A]ccording to UC Global workers, the Americans had placed laser microphones outside the embassy to intercept the conversations inside, capturing the vibrations in the window's glass." The US intelligence agencies also helped UC Global overcome attempts by Assange to stymie the surveillance through the use of white-noise devices.

The extraordinary violations of Assange's privacy were a component of what United Nations Special Rapporteur on Torture Nils Melzer deemed earlier this year to be an ongoing campaign of "psychological torture."

Assange's isolation in the embassy, enforced by the threats of the British police to arrest him if he left the building, has been followed by his imprisonment in the maximum-security Belmarsh Prison since April.

The British authorities have prevented Assange from preparing a defence for the extradition hearings next February, have held him in conditions of virtual solitary confinement and have dismissed warnings from medical experts that his health has deteriorated to the point that he may die in prison.

The back-down over Assange being interviewed by Judge de la Mata coincides with a groundswell of support for the WikiLeaks founder. Over the past week, prominent public figures, including journalists, doctors, politicians and United Nations officials have condemned Assange's imprisonment in Belmarsh Prison and spoken out against the prospect of his extradition to the US.

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