

Former Der Spiegel journalist exposes US government lies that Assange “failed to redact” and “put lives at risk”

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Award-winning investigative journalist John Goetz testified at Assange’s extradition hearing yesterday morning from Berlin, blowing out of the water US government claims that Assange had failed to redact names from US classified documents, placing the lives of US government informants at risk.

Goetz, Head of Investigations for German public broadcaster NDR, was a journalist at *Der Spiegel* when it partnered with WikiLeaks in 2010. He travelled to London in June of that year where he worked with Assange and senior journalists from the *Guardian* and *New York Times* on what later became known as the Afghan War Diaries.

Goetz had earlier worked on major stories for *Der Spiegel* exposing German war crimes in Afghanistan. These included the bombing in Kunduz ordered by German military officers in September 2009 resulting in civilian deaths. The story received a prestigious Nannen Award for investigative journalism.

Despite a half-hour time limit imposed by District Judge Vanessa Baraitser, Goetz comprehensively refuted the US indictment that Assange published “certain classified documents that contained the un-redacted names of innocent people who risked their safety and freedom to provide information to the US and its allies.”

His expert witness testimony established that the only “harm to life” came from US war crimes which Assange and WikiLeaks were trying to expose.

Mark Summers QC for the defence asked Goetz about the content of the Afghan files, “Were they anodyne, irrelevant?”

“They were a fascinating first-hand eyewitness diary of what was happening in Afghanistan during the war,

as it was happening,” Goetz replied. “I ended up working together with Nick Davies on a story about Task Force 373, which was a kind of assassination squad that existed in Afghanistan and which became then a cover story for *Der Spiegel*.”

Task Force 373 was “something parallel to Operation Phoenix that existed in the Vietnam War, a team that went out and did assassinations ... In the documents you could follow their activities. That hadn’t been known, and that’s why it was a major story at the time.”

A second witness statement submitted by Goetz related to the plight of German citizen Khalid el-Masri, whose story of CIA kidnapping, rendition, sodomy and torture Goetz had investigated in 2005-06. “At that point,” Goetz explained, “very few people believed it was true.”

Goetz later tracked down El-Masri’s CIA kidnapers in the United States. After NDR broadcast the story, Munich’s state prosecutor issued arrest warrants for each of the 13 CIA abductors, but the warrants were never issued in the US, where the perpetrators lived.

“When I finally saw the diplomatic cables, one of the first things I typed in was ‘Khalid el-Masri’ and I was fascinated to see the pressure that the United States had placed on the German government not to issue the arrest warrant in the United States,” Goetz recalled.

Goetz’s testimony established the “extreme” efforts Assange made to protect documents and redact names.

Recalling his own time in the *Guardian*’s “bunker,” Goetz said, “I remember being very annoyed and very irritated by the constant, unending reminders by Assange that we needed to be secure. That we needed to encrypt things, to use encrypted chats, and it was the first time in my life I had ever seen or used or touched a

cryptophone. The amount of precautions around the safety of the material were enormous.”

Goetz admitted he had thought Assange’s focus on data security “paranoid and crazy, but later it became standard journalistic practice.” He recalled interviewing Assange at the *Guardian*’s downstairs restaurant in 2010, with Assange explaining that WikiLeaks’ harm minimisation process “was designed to protect innocents.”

The media partners’ own efforts at “harm minimisation” had involved contacting the White House, “[T]he *New York Times* team we were working with based in Washington, they had the connections, they knew how to reach the White House, and they sent a delegation to the White House to discuss their concerns about the publication.”

Straight after the White House meeting, the *Times*’ editor Erick Schmitt relayed a request for redactions, with WikiLeaks confirming they would redact 15,000 documents from the Afghan war logs. WikiLeaks said they would be open to receiving “technical assistance” from the International Security Assistance Force in Afghanistan over the redaction of names, Goetz recalled.

With the Iraq War Logs, Goetz recounted, WikiLeaks had “overshot” the redaction process, publishing fewer documents than had already been released by the US Department of Defence under Freedom of Information.

WikiLeaks’ vetting and redaction process for the release of US diplomatic cables was tighter still. They were to be rolled out over the course of an entire year, on a country-by-country basis, with an expanded group of local media partners. Meanwhile, Assange’s initial media partners took a conference call from US State Department officials who cited document numbers to the journalists, “pointing out [the] things that were sensitive.”

As the 30-minute limit for the defence expired, Summers alluded to sections 30-31 of Goetz’s written evidence, citing the role of *Guardian* journalists Luke Harding and David Leigh in publishing a “codeword” created by WikiLeaks to protect unredacted cables, “Are you able to explain the process by which unredacted State Department cables came into the public domain if anybody wants to ask you?”

“Yes,” replied Goetz, explaining later under cross-examination that the only unredacted documents

published by WikiLeaks were those already widely available via the Cryptome site, thanks to the *Guardian*’s own journalists.

James Lewis QC on behalf of the US government referred to a batch of 133,000 cables released by WikiLeaks in August 2011, prior to the Cryptome release. But Goetz explained these were unclassified. Moreover, as Summers established in his re-examination of Goetz, the main source for claims that Assange had placed the lives of US informants at risk was an article by LA Times journalist Ken Dilanian, later fired for sharing stories in advance with the CIA.

Lewis’s cross-examination of Goetz floundered on several occasions. He mixed up dates and appeared at one point to confuse the Afghan War Logs with the US State Department Cables. Lewis later tried to block the reading into evidence, in summary form, of expert witness testimony from Khalid El-Masri, claiming its sole motive was to prejudice his client, the US government.

The hearing continued in the afternoon.



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