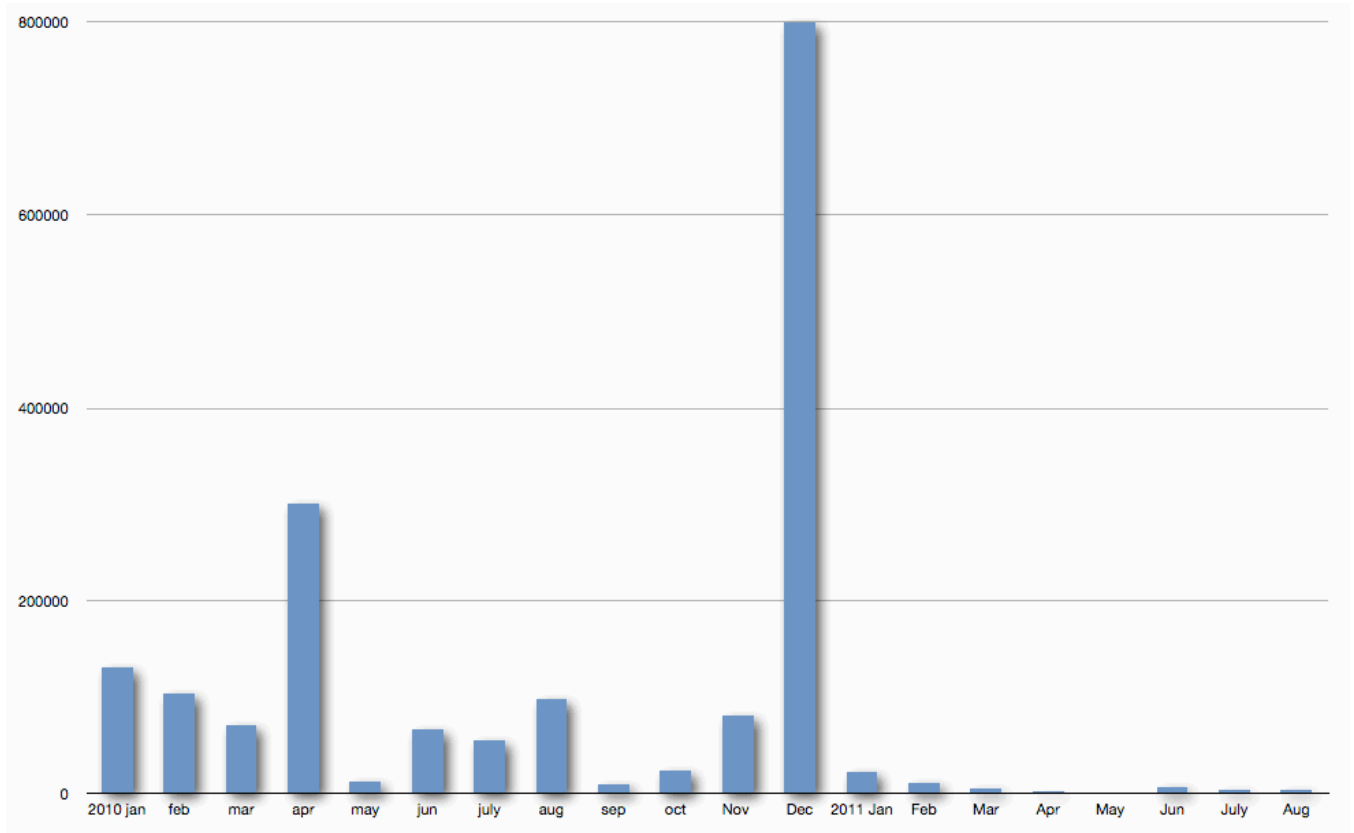


WikiLeaks: Banking Blockade and Donations Campaign



Donations to WL by month (2010- August 2011)

Released 24 October 2011

Note: Please use wikileaks.org/support as the WikiLeaks link related to the donation campaign in your articles. Additional information, including videos for the campaign, are available here: <http://www.wikileaks.org/Banking-Blockade.html>

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Analysis: WikiLeaks vs the Banks

WikiLeaks has published the biggest leaks in journalistic history. This has triggered aggressive retaliation from powerful groups. Since 7th December 2010 an arbitrary and unlawful financial blockade has been imposed by Bank of America, VISA, MasterCard, PayPal and Western Union. The attack has destroyed 95% of our revenue. The blockade came into force within ten days of the launch of Cablegate as part of a concerted US-based, political attack that included vitriol by senior right wing politicians, including assassination calls against WikiLeaks staff. The blockade is outside of any accountable, public process. It is without democratic oversight or transparency. The US government itself found that there were no lawful grounds to add WikiLeaks to a US financial blockade. But the blockade of WikiLeaks by politicized US finance companies continues regardless.

As a result, WikiLeaks has been running on cash reserves for the past eleven months. The blockade has cost the organization tens of millions of pounds in lost donations at a time of unprecedented operational costs resulting from publishing alliances in over 50 countries, and their inevitable counter-attacks. Our scarce resources now must focus on fighting the unlawful banking blockade. If this financial attack stands unchallenged, a dangerous, oppressive and undemocratic precedent will have been set, the implications of which go far beyond WikiLeaks and its work. Any organization that falls foul of powerful finance companies or their political allies can expect similar extrajudicial action. Greenpeace, Amnesty International, and other international NGOs that work to expose the wrongdoing of powerful players risk the same fate as WikiLeaks. If publishing the truth about war is enough to warrant such aggressive action by Washington insiders, all newspapers that have published WikiLeaks' materials are on the verge of having their readers and advertisers blocked from paying for their subscriptions.

The UN High Commissioner for Human Rights has openly criticized the financial blockade against WikiLeaks, as have the UN Special Rapporteur on the Promotion and Protection the Right to Freedom of Opinion and Expression and the Inter-American Commission on Human Rights Special Rapporteur for Freedom of Expression. The blockade erects a wall between us and our supporters, preventing them from affiliating with and defending the cause of their choice. It violates the competition laws and trade practice legislation of numerous states. It arbitrarily singles out an organization that has not committed any illegal act in any country and cuts it off from its financial lifeline in every country. In Australia, a formal, US triggered investigation into our operations found that WikiLeaks and its founder Julian Assange have no case to answer. In the US, our publishing is protected by the First Amendment, as has been repeatedly demonstrated by a wide variety of respected legal experts on the US Constitution. In January 2011 the U.S. Secretary of the Treasury, Timothy C. Geithner, announced that there were no grounds to blacklist WikiLeaks. There are no judgements, or even charges, against WikiLeaks or its

staff anywhere in the world.

The most powerful players in the banking industry have shown themselves to be a politicized arm of Washington. This collusion has occurred outside of any judicial or administrative process. The reach of these companies is global and violates the most basic principles of sovereignty. In Europe, VISA and MasterCard together control 97% of the card payment market. Alternatives have been aggressively opposed by VISA and US embassies. The European Central Bank announced plans in 2008 to introduce a European card system. A similar 2010 proposal in Russia together with a bill banning individualized VISA transaction records from going to the US were met with intervention by the US Embassy in Moscow. VISA calls itself the world's largest currency, but every transaction is controlled by the VISA corporation and the groups that influence it. VISA is a national security problem and a threat to state sovereignty. No state, individual or organization has full economic autonomy or privacy if they rely on VISA. It is able to provide significant intelligence on not only individual behaviour and economic relationships but on large sections of the entire microeconomy and the movement of labour.

The Bank of America is one of the principle promoters of the WikiLeaks financial blockade; it is also the creator of VISA, which until 1976 was called the "Bank Americard". In February this year, it was revealed in detail that the Bank of America had commissioned, through Washington lawyers Hunton & Williams, a consortium of three US intelligence contractors, including HBGary, to propose a systematic US \$2 million/month multi-pronged attack to hack and smear WikiLeaks. HBGary was referred to the bank's lawyers by contacts within the US Department of Justice. The correspondence and proposals, which include plans to target journalists and lawyers supporting WikiLeaks, are now public. An extract from the proposal to sabotage WikiLeaks can be found on page 16 of plan 6:

Feed the fuel between the feuding groups. Disinformation. Create messages around actions of sabotage or discredit the opposing organizations. Submit fake documents and then call out the error.

Create concern over the security of the infrastructure. Create exposure stories. If the process is believed not to be secure they are done.

Cyber attacks against the infrastructure to get data on document submitters. This would kill the project. Since the servers are now in Sweden and France putting a team together to get access is more straightforward.

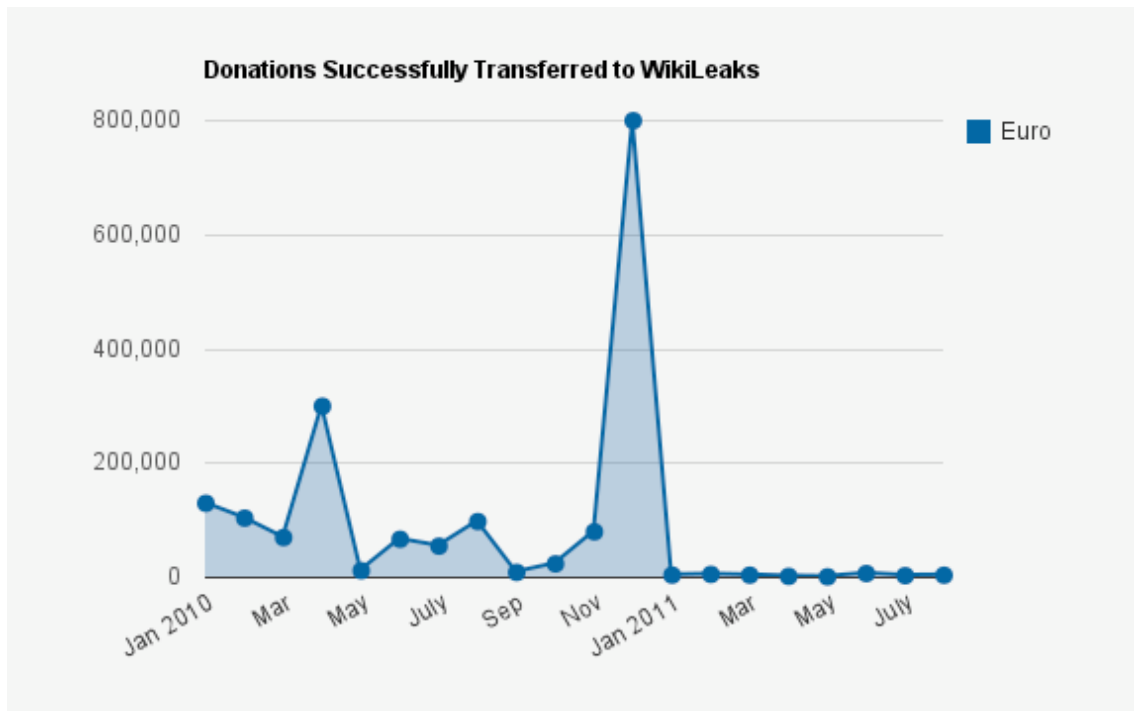
Media campaign to push the radical and reckless nature of WikiLeaks activities. Sustain pressure. Does nothing for the fanatics, but creates concern and doubt among moderates.

In order to ensure our future survival, WikiLeaks is now forced to temporarily

suspend its publishing operations and aggressively fundraise in order to fight back against this blockade and its proponents. We have commenced pre-litigation action against the blockade in Iceland, Denmark, the UK, Brussels, the United States and Australia. We have lodged an anti-trust complaint at the European Commission and expect a decision by mid-November as to whether the European Competition Authority will open a full investigation into the wrongdoing of VISA and MasterCard.

Our battles will be costly. We need your support. A handful of US finance companies cannot be allowed to decide how the whole world votes with its pocket.

Financial Blockade: Chronology



- 27 November 2010: US State Dept intentionally and wrongfully implies illegal conduct in a letter to Julian Assange
- 29 November 2010: Cablegate publication starts with New York Times, Der Spiegel, El Pais & the Guardian, expanding eventually to over 90 publications in over 50 countries.
- 29 November 2010 and following days: Assassination calls and declarations of war by US senators, pundits and media against WikiLeaks.
- 1 December 2010: Amazon stops hosting WikiLeaks
- 2 December 2010: EveryDNS stops domain service
- 3 December 2010: PayPal discontinues service
- 4 December 2010: Germany: PayPal blocks Wau Holland Stiftung's (WHS) access to its account and freezes remaining money for 180 days. The money is released immediately by PayPal after a WHS lawyer intervenes.
- 6 December 2010: Post Finance ends business relationship with Wikileaks founder, Julian Assange
- 7 December 2010: Visa and MasterCard stop processing payments to WikiLeaks.
Germany: A letter from the FA Kassel (Kassel tax department) to WHS asked whether donations have been transferred to WikiLeaks. WHS responded promptly, with data detailing transfers to WikiLeaks
- 8 December 2010: Updated Statement about WikiLeaks from PayPal General Counsel

9 December 2010:	UN High Commissioner for Human Rights condemns blockade
12 December 2010:	Icelandic Parliament Considers Revoking Visa/MasterCard Licenses For Wikileaks Ban
15 December 2010:	Germany: FA Kassel (tax department) announces WHS charitable status may be revoked (pending investigation).
16 December 2010:	Amnesty International examines Human Rights at stake when blocking WikiLeaks payments
18 December 2010:	Bank of America discontinues any services intended for WikiLeaks
20 December 2010:	Apple removes WikiLeaks application for iPhones
21 December 2010:	Western Union adds WikiLeaks to 'Interdiction List'
	UN and OAS Special Rapporteurs on Freedom of Expression issue a Joint Statement Condemning the Blockade against WikiLeaks
1 January 2011:	Germany: WHS moves its office from Kassel to Hamburg
13 January 2011:	US Treasury finds no grounds to blacklist WikiLeaks
28 January 2011:	Norway-based company Teller AS, hired by Visa, reports no evidence found that site violated Icelandic law
9 February 2011:	Data intelligence firms HBGary, Palantir Technologies and Berico Technologies proposal to Bank of America systematic attack against WikiLeaks is leaked
14 February 2011:	Germany: FA Hamburg-Nord (tax department) drops Kassel investigation into WHS' charitable status, but initiates a new investigation on different grounds.
9 June 2011:	WikiLeaks & Datacell announce prospective EU Complaint against VISA and Mastercard
7 - 8 July 2011:	DataCell: Credit card donation to WikiLeaks is accepted again but VISA closes payments hours after
14 July 2011:	WikiLeaks & Datacell file a Complaint to the European Commission for infringement of the EU Anti Trust Laws
24 October 2011:	WikiLeaks suspends publication to invest all resources in fighting the blockade.
	Germany: Decision on revoking WHS charitable status is still pending; WHS has been prevented from opening new bank accounts in Switzerland and Germany for the past 9 months.

WikiLeaks Press Statement: WikiLeaks vs the Banks

WikiLeaks has published the biggest leaks in journalistic history. This has triggered aggressive retaliation from powerful groups. Since 7th December 2010 an arbitrary and unlawful financial blockade has been imposed by Bank of America, VISA, MasterCard, PayPal and Western Union. The attack has destroyed 95% of our revenue. The blockade came into force within ten days of the launch of Cablegate as part of a concerted US-based, political attack that included vitriol by senior right wing politicians, including assassination calls against WikiLeaks staff. The blockade is outside of any accountable, public process. It is without democratic oversight or transparency. The US government itself found that there were no lawful grounds to add WikiLeaks to a US financial blockade. But the blockade of WikiLeaks by politicized US finance companies continues regardless.

As a result, WikiLeaks has been running on cash reserves for the past eleven months. The blockade has cost the organization tens of millions of pounds in lost donations at a time of unprecedented operational costs resulting from publishing alliances in over 50 countries, and their inevitable counter-attacks. Our scarce resources now must focus on fighting the unlawful banking blockade. If this financial attack stands unchallenged, a dangerous, oppressive and undemocratic precedent will have been set, the implications of which go far beyond WikiLeaks and its work. Any organization that falls foul of powerful finance companies or their political allies can expect similar extrajudicial action. Greenpeace, Amnesty International, and other international NGOs that work to expose the wrongdoing of powerful players risk the same fate as WikiLeaks. If publishing the truth about war is enough to warrant such aggressive action by Washington insiders, all newspapers that have published WikiLeaks' materials are on the verge of having their readers and advertisers blocked from paying for their subscriptions.

In order to ensure our future survival, WikiLeaks is now forced to temporarily suspend its publishing operations and aggressively fundraise in order to fight back against this blockade and its proponents. We have commenced pre-litigation action against the blockade in Iceland, Denmark, the UK, Brussels, the United States and Australia. We have lodged an anti-trust complaint at the European Commission and expect a decision by mid-November as to whether the European Competition Authority will open a full investigation into the wrongdoing of VISA and MasterCard.

Our battles will be costly. We need your support. A handful of US finance companies cannot be allowed to decide how the whole world votes with its pocket.

Background: Wikileaks vs. the Banks

WIKILEAKS V.S. THE BANKS

WikiLeaks has successfully published the greatest leaks in journalistic history. In recognition of its work, WikiLeaks was nominated for the Nobel Peace Prize and won numerous awards for the role it has played in revealing war crimes, torture and corrupt practices across the world. In its 2011 annual report Amnesty International acknowledged WikiLeaks' role as a catalyst in the Arab Spring. But these achievements have come at a great expense to our organization. Since 7th December 2010 WikiLeaks has been deprived of 95% of its revenue by an arbitrary and unlawful banking blockade imposed by the Bank of America, VISA, MasterCard, PayPal and Western Union. It has cost WikiLeaks tens of millions of pounds in lost donations at a time of unprecedented operational costs.

WikiLeaks' commitment to maximising the impact of our material exposes us to aggressive retaliation. US senators called for the assassination of our staff. Sarah Palin admonished the Obama administration for failing to hunt WikiLeaks down like Al Qaeda. Another suggested killing Julian Assange with a drone strike. A bill was tabled by the Republican party designed to criminalise WikiLeaks (HR 6506 SHIELD Act), and former Speaker of the House Newt Gingrich demanded that Julian Assange be classified as an 'enemy combatant',¹ a view shared by pundits on FOX News.² The corporate media in the US and in the UK has fuelled these attacks, spreading smears about WikiLeaks and its founder without basic fact-checking. Falsehoods are reprinted in a highly politically charged context. False reports, spread to discredit the organisation, include the repetition that Julian Assange has been 'charged with rape' (he has not been charged with anything, in any country). Our small organization does not have the resources to effectively defend itself against these constant smears, which spread faster and further than their corrections.

WikiLeaks has been running on reserves for the past eleven months. We have had to meet the extraordinary expenditures as a result of the publishing in over 50 countries - withstanding attacks, setting up new servers, developing infrastructure. The organisation has simultaneously had to allocate its scarce resources to another front: fighting the illegal banking blockade that has wiped out 95% of our revenue. WikiLeaks is fighting for its own survival and fighting for the geopolitical independence of all organisations that rely on public donations. WikiLeaks is also fighting this blockade on behalf of its supporters, who are deprived of their right to economically express their support for the cause they believe in.

About the Financial Blockade against WikiLeaks Donors

¹ <http://www.infowars.com/establishment-republicans-introduce-bill-to-criminalize-wikileaks/>

² <http://www.guardian.co.uk/media/2010/oct/26/wikileaks-fox-iraq-war-logs>

The financial blockade prevents our donors from effectively supporting WikiLeaks. It is the result of collusion between the US government and the US financial services companies Bank of America, VISA, MasterCard, PayPal and Western Union. The blockade is an infringement on the rights of our supporters to financially support the organisation of their choice. The blockade is illegal: it violates the competition laws and trade practice legislation of numerous states. It arbitrarily singles out an organisation that has not committed any illegal act, and cuts it off from its financial lifeline. The blockade exposes extrajudicial backroom deals between the US government and the most powerful players in the banking industry.

This instrumentalisation of the private sector by the United States government shows the extraordinary measures that these institutions are willing to go to, to comply with extra-judicial, secret political decisions. These companies are prepared to act illegally: foregoing their obligations to merchants and consumers, violating competition laws, and risking million-dollar damages. US finance companies are an effective and ruthless arm of Washington power groups. Their reach is global. Even in Europe, VISA and MasterCard together control 97% of the card payment market.

One of the principle promoters of the financial blockade is the Bank of America, which originally owned VISA ('Bank Americard'). The bank has a history of targeting WikiLeaks: Julian Assange had announced that WikiLeaks planned to release material incriminated the bank in "unethical practices". Bank of America commissioned a data intelligence contractor, HBGary, via Washington law firm Hunton & Williams,³ to propose a systematic US \$2 million/month multi-pronged attack to take out WikiLeaks. The report was leaked.⁴ Two other intelligence firms that worked on the report subsequently severed ties with HBGary and stated that the tactics HBGary proposed to employ against WikiLeaks were "offensive".⁵ These included sabotage, disinformation, fuelling feuds between individuals, creating concern over the security of WikiLeaks infrastructure, maintaining sustained pressure and a media campaign to "push the radical and reckless nature of wikileaks activities", cyber attacks to obtain the identity of whistleblowers, and intimidating journalists by forcing them to choose between their career and supporting WikiLeaks. It specifically targeted activist, lawyer and journalist Glenn Greenwald of salon.com. The report also listed WikiLeaks 'weaknesses', including "Financial: They are under increasing financial pressure because authorities are blocking their funding sources."

The blockade is directed at WikiLeaks donors. It erects a wall between WikiLeaks and its supporters. Powerful individuals in Washington are preventing people in India, Australia, Brazil, Egypt, Germany, and other countries from using their money to support WikiLeaks' work outside of the US. Giant finance companies are acting in cahoots with Washington, not just as a narrow reaction to our releases last December, but as a long term policy, which

³ <http://www.forbes.com/sites/andygreenberg/2011/02/25/law-firm-that-worked-with-hbgary-hit-with-bar-complaint/>

⁴ http://wikileaks.ch/IMG/pdf/WikiLeaks_Response_v6.pdf

⁵ <http://www.thetechherald.com/article.php/201106/6804/Firm-targeting-WikiLeaks-cuts-ties-with-HBGary-apologizes-to-reporter>

they know will destroy WikiLeaks entirely. This blockade is preventing us from exposing corrupt and unethical practices the world over.

WikiLeaks has not committed any illegal act. None of its staff or volunteers has been charged with a criminal offence. An investigation by the Australian government earlier this year found that WikiLeaks and its founder Julian Assange had no case to answer. In the US, WikiLeaks is protected by the First Amendment. Its sources are anonymous. The financial blockade came into force within ten days of the launch of Cablegate. This concerted attack has occurred entirely outside of any accountable, public process.

This blockade has to be fought with every means possible. If it stands unchallenged, a dangerous, oppressive and undemocratic precedent will have been set, the implications of which go far beyond WikiLeaks and its work. The banks cannot be the ones deciding how you vote with your wallet. In order to reclaim the organisation's future survival, WikiLeaks is now forced to temporarily suspend its publishing operations and move into a phase of fundraising and fighting the blockade.

Implications of the Financial Blockade against WikiLeaks Donors

The UN High Commissioner for Human Rights, Navanethem Pillay, condemned the US government for exerting pressure on private companies “to close down credit lines for donations to WikiLeaks, as well as to stop hosting the website or its mother sites”. The UN Special Rapporteur on the Promotion and Protection the Right to Freedom of Opinion and Expression and the Inter-American Commission on Human Rights Special Rapporteur for Freedom of Expression also issued a joint statement defending WikiLeaks against the blockade and politically motivated attacks.⁶ The banking blockade is an unprecedented attack on supporters’ freedom of expression. It is a direct interference into people’s ability to affect change. It has no parallel in recent history. It revives the infamous blacklistings and witch hunts of the McCarthy era. Any organisation that falls foul of powerful finance companies or their political allies can potentially face similar extrajudicial action.

These ‘enemies of WikiLeaks’ are executing political decisions without democratic oversight or transparency. Their justifications do not hold water. Blanket clauses or ‘company reputation’ are invoked, or allegations that WikiLeaks encourages ‘illegal actions’ by whistleblowers.

If these stated reasons are to be taken seriously, Greenpeace, Amnesty International, and other international NGOs that work to expose wrongdoing of powerful players risk the same fate as WikiLeaks. If publishing the truth about war is enough to warrant such aggressive action by the US government, all newspapers that publish leaked material are on the verge of having their readers and advertisers being prevented from paying for their subscriptions.

⁶ <http://www.cidh.oas.org/relatoria/showarticle.asp?artID=829&IID=1>

Initially these financial institutions justified their actions by alleging that the blockade was pre-emptive. It was at the time of hyped-up vitriol and assassination calls against WikiLeaks by extreme right-wing politicians and pundits. Some finance companies claimed that WikiLeaks was suspected of illegality. In fact, the US Treasury has been the only authority to carry out a formal investigation into WikiLeaks' work. The investigation was prompted by the now disgraced Republican Senator Peter King, who requested that the Treasury to put WikiLeaks on the Treasury Department's Specially Designated National and Blocked Persons List. But on 13 January 2011, after looking into the question, the US Treasury found that there were no grounds to blacklist WikiLeaks.⁷

We know from media reports that it was the office of Republican senator Joe Lieberman who put pressure on Amazon to stop hosting WikiLeaks servers in early December 2010. Lieberman had also argued on Fox News that Julian Assange should be charged with treason and espionage. The spokeswoman for senator Lieberman announced that: "Sen. Lieberman hopes that the Amazon case will send the message to other companies that might host Wikileaks that it would be irresponsible to host the site".⁸ Less than a week later, Bank of America, Visa, MasterCard, PayPal, and Western Union had followed suit.

Joint Complaint by WikiLeaks and DataCell to the European Commission

WikiLeaks is in the process of challenging the blockade in different jurisdictions and on various legal grounds. The first step has already been taken with a formal complaint to the antitrust division of the European Union. The case is brought forth in co-operation with DataCell, an Icelandic/Swiss IT company who handled our credit card donations. The relationship with our organisation led to DataCell being shut down by direct orders of Visa Europe and MasterCard.

By mid-November the European Commission is expected to deliver its response as to whether the European Competition Authority will open a formal investigation into the wrongdoing of Visa and MasterCard. The European Commission has already demanded a response from VISA and MasterCard. Such an investigation will be a victory in itself but it can take years to finalize.

In the coming months we will open new fronts in our battle for our right to expose human rights abuses, war crimes, and corruption. Our actions will include litigation in the U.K., Iceland, the United States and Australia.

Our battles will be costly. We need your support. In spite of the blockade, we still have some means of receiving donations.

References:

⁷ http://www.cbsnews.com/8301-503543_162-20028543-503543.html

⁸

http://tpmmuckraker.talkingpointsmemo.com/2010/12/how_lieberman_got_amazon_to_drop_wikileaks.php

Moscow cable: credit card payments/ Duma Bill (1 February 2010)
<http://wikileaks.org/cable/2010/02/10MOSCOW228.html>

Video: UN High Commissioner for Human Rights expresses concern over “pressure exerted on private companies, including banks, credit card companies and service providers to close down credit lines for donations to WikiLeaks, as well as to stop hosting the website or its mother sites.” (9 December 2010)
<http://www.youtube.com/watch?v=GABYItLfMu8>

Joint Statement by The UN Special Rapporteur on the Promotion and Protection the Right to Freedom of Opinion and Expression and the Inter-American Commission on Human Rights Special Rapporteur for Freedom of Expression
<http://www.cidh.oas.org/relatoria/showarticle.asp?artID=829&IID=1>

WikiLeaks and DataCell Legal action:

- Complaint to the European Commission in full:
http://www.datacell.com/FILES/DataCell_Complaint.pdf
- Summary of the complaint ‘DataCell files a complaint with the European Commission’
http://www.datacell.com/news/2011-07-14/datacell_files_a_complaint_with_the_european_commission/
- ‘Legal action by DataCell and WikiLeaks against Visa and MasterCard’ (DataCell, 2 July 2011)
http://www.datacell.com/news/2011-07-02/legal_action_by_datacell_and_wikileaks_against_visa_and_mastercard/
- DataCell vs. VISA Case
http://www.datacell.com/news/2011-03-24/datacell_vs_visa_case_/

Additional external resources:

Supporter Video: The Assassination of Julian Assange
<http://www.youtube.com/watch?v=3Fab1IsCZzY>

Website: People OK with Killing Julian Assange:
http://www.peopleokwithmurderingassange.com/the_list.html

Sweden Versus Assange: Resources about the extradition case against Julian Assange www.SwedenVersusAssange.com

WLCentral: Independent organisation for WikiLeaks news, analysis and action: <http://wlcentral.org/>

Financial Blockade: Detailed Chronology

The following chronology provides an overview of the financial blockade against WikiLeaks and Julian Assange. It is apparent from this chronology that the 27 November 2010 letter from the US State Department wrongfully implying illegal activity on behalf of WikiLeaks formed the basis for action by financial and infrastructure service providers. The uniform argument, which began with Paypal and appears to have been replicated by Visa, MasterCard, Bank of America and others, is that WikiLeaks breaches use policies not because it engages in illegal activity, but because it allegedly encourages illegal activity, by “encouraging sources to release classified material, which is likely a violation of law by the source.” (PayPal)

This raises three major concerns:

1. No-one has ever been convicted, or even charged, *for providing WikiLeaks* with material. Any concerns stemming from the letter dated 27 November 2010 regarding WikiLeaks’ legal status were dispelled after the US Treasury’s pronouncement on 13 January 2011.
2. WikiLeaks is indistinguishable from other news organisations that accept anonymous material and publish it. WikiLeaks activities are indistinguishable from the news organisations that have published WikiLeaks material. Traditional news organisations have always received and published material from confidential sources (including material with various official markings, such as “classified”). In practice, all journalists and news organisations receive classified materials from sources and, in many cases, actively encourage the source to provide that material. Indeed, more recently many other news organisations have attempted to replicate, to varying degrees of success, WikiLeaks “drop box” technology (i.e. allowing for anonymous submission of materials and advertising this on their websites), and yet the very same financial services providers that have cut WikiLeaks off have not found those news organisations in breach of any use policies. For example, the Wall Street Journal has its “Safe House” and Visa and MasterCard still process subscription payments from WSJ customers. If financial service providers are to apply their usage policies in this way, then it must be –as Paypal acknowledges– applied in the same matter to all entities receiving or making payments through these providers. If it applies to WikiLeaks, then it ought to apply to the WSJ.
3. The effect of these attacks on freedom of expression and democracy: private actors now have the ability to deprive a publisher—whose exposures of wrongdoing and corruption are protected by the US Constitution—of the basic infrastructure and tools to collect donations, which are necessary to stay operational. This becomes all the more problematic because it has been implemented in a concerted manner between the biggest players in the finance industry, and without any democratic oversight, accountable process or transparency.

27 November 2010: US intentionally and wrongfully implies illegal conduct

The US State Department wrote a letter⁹ to WikiLeaks in which it wrongfully implied (without claiming so directly) that WikiLeaks had engaged in illegal conduct. The letter was a response to a letter from WikiLeaks, in which WikiLeaks informed the State Department of the impending publication of Cablegate, and in which WikiLeaks sought to address the State Department's national security concerns.

The State Department's letter does not take the legally indefensible position that WikiLeaks had itself broken the law, instead it states that the law had been broken by someone, i.e. the source, and insinuated that somehow WikiLeaks was responsible (but does not base this on any legal argument). Even though the letter does not state that WikiLeaks is acting illegally, this letter was misleading: the act of disclosure by US state officials of documents with classification markings could be legal, or illegal, depending on the circumstances. But the publication of such cables by WikiLeaks and other news publishers is legal and is protected by the First Amendment (see the Pentagon Papers). Nevertheless, the letter states "as long as WikiLeaks holds such material, the violation of the law is ongoing". This statement is a reference to the antiquated Espionage Act, which has never been successfully applied to news publishers and numerous prominent legal scholars have reiterated that, in any event, the Espionage Act does not apply to WikiLeaks. Even if it were to apply, it would then apply to all the news agencies that held the material, including the New York Times, The Guardian, Der Spiegel, El Pais, and Le Monde.

Financial service providers misread the letter. They used the baseless imputations of alleged illegal conduct in the letter as sufficient to cut WikiLeaks off. They did not act in the interest of their client, or their merchant, they did not act on a decision issued by a judicial authority, and did not even change their actions after an administrative authority (the US Treasury) issued a decision on the matter.

28 November 2010: Cablegate is released

WikiLeaks began publishing 251,287 leaked United States embassy cables, the largest set of confidential documents ever released into the public domain. The cables are released slowly, they are manually redacted in a centralised WikiLeaks system by publishing partners in order to protect the individuals that are named in the cables from harm.

1 December 2010: Amazon removes WikiLeaks material

Following pressure from Republican Senator Joe Lieberman, Amazon stopped hosting WikiLeaks servers. A spokeswoman for Senator Lieberman announced

⁹ <http://www.notcia.com/blog/2010/11/us-state-department-letter-to-wikileaks-november-27-2010/>

that: "Sen. Lieberman hopes that the Amazon case will send the message to other companies that might host Wikileaks that it would be irresponsible to host the site".¹⁰ As set out below, in the weeks that followed Bank of America, Visa, MasterCard, PayPal, and Western Union followed suit.

Amazon removed WikiLeaks materials from its cloud-storage facility, despite the fact WikiLeaks has not acted illegally and the fact that both WikiLeaks and Amazon itself, as a publisher, both enjoy First Amendment protection.¹¹

2 December 2010: DNS stops domain service

EveryDNS registrar stops serving the Wikileaks.org domain name.

3 December 2010: Paypal discontinues service

Paypal stops processing donations for WikiLeaks, cutting off a major source of funding.

"PayPal has *permanently restricted the account* used by WikiLeaks due to a violation of the PayPal Acceptable Use Policy, which states that our payment service cannot be used for any activities that encourage, promote, facilitate or instruct others to engage in illegal activity."

At the time of the announcement, the website did not detail the "illegal activity" by WikiLeaks which amounted to the violation of the use policy.¹² Vice-President of Paypal, Osama Bedier, later stated that Paypal's decision to stop processing payments to WikiLeaks was the direct result of the 27 November letter from the US State Department.¹³ The decision was further explained on 8 December 2010, where PayPal stated that it was treating WikiLeaks in the same way as it would any other account holder (see below)

4 December 2010: Germany - PayPal blocks Wau Holland Stiftung's (WHS) access to its account.

PayPal announces that in addition to closing the account, the money will be frozen for 180 days. The money is released immediately by PayPal after a WHS lawyer intervenes.

6 December 2010: Post Finance ends business relationship with Wikileaks founder, Julian Assange

¹⁰

(http://tpmmuckraker.talkingpointsmemo.com/2010/12/how_lieberman_got_amazon_to_drop_wikileaks.php)

¹¹ Amazon and WikiLeaks - Online Speech is Only as Strong as the Weakest Intermediary, 2 December 2010, <https://www.eff.org/deeplinks/2010/12/amazon-and-wikileaks-first-amendment-only-strong>

¹² <http://www.wired.com/threatlevel/2010/12/paypal-wikileaks>

¹³ <http://www.bbc.co.uk/news/business-11945875>;

PostFinance closed the account of Wikileaks founder Julian Assange. The decision came after the release of the diplomatic cables, arguing that the place of residence provided when opening the account was irregular¹⁴.

7 December 2010: Visa and MasterCard stop processing payments to WikiLeaks

MasterCard announced that it was cancelling all payments to WikiLeaks, providing the same justification as Paypal had days earlier:

"MasterCard is taking action to ensure that WikiLeaks can no longer accept MasterCard-branded products ... MasterCard rules prohibit customers from directly or indirectly engaging in or facilitating any action that is illegal."¹⁵

Visa Europe announced on 7 December that

"Visa Europe has taken action to suspend Visa payment acceptance on WikiLeaks' website *pending further investigation into the nature of its business and whether it contravenes Visa operating rules*".¹⁶

Later, in July 2011, both Visa and MasterCard confirmed that the suspension of payments remained in effect.¹⁷

Germany: A letter from the FA Kassel (Kassel tax department) to WHS asked whether donations have been transferred to WikiLeaks. WHS responded promptly, with data detailing transfers to WikiLeaks

8 December 2010: Updated Statement about WikiLeaks from PayPal General Counsel, John Muller

Paypal stated that it was treating WikiLeaks in the same way as it would any other account holder, but cancels account based on wrong assumptions¹⁸:

We understand that PayPal's decision has become part of a broader story involving political, legal and free speech debates surrounding WikiLeaks' activities. None of these concerns factored into our decision.

¹⁴ Post Finance Press Release:

<https://www.postfinance.ch/en/about/media/press/press2010/press101206.html>

¹⁵ http://news.cnet.com/8301-31921_3-20024776-281.html

<http://www.emirates247.com/news/world/visa-mastercard-choke-off-wikileaks-donation-pipeline-2010-12-07-1.325957>

¹⁷ See statement of Visa representative Amanda Kamin on the 12 hour window in which transactions to WikiLeaks were functional in July 2011:

<http://in.reuters.com/article/2011/07/08/idINIndia-58165420110708>;

http://www.computerworld.com/s/article/9218263/Visa_blocks_WikiLeaks_donations_via_DataC_ell_once_again

¹⁸ See "Updated Statement about WikiLeaks from PayPal General Counsel, John Muller", December 8, 2010. <https://www.thepaypalblog.com/2010/12/updated-statement-about-wikileaks-from-paypal-general-counsel-john-muller/>

Our only consideration was whether or not the account associated with WikiLeaks violated our Acceptable Use Policy and regulations required of us as a global payment company. Our actions in this matter are consistent with any account found to be in violation of our policies.

After the announcement of the closure of WikiLeaks Paypal account, they released a statement on the reasons of the blockade, based on a “belief” of criminal activity:

In 2008 and 2009, PayPal reviewed and restricted the account associated with WikiLeaks for reasons unrelated to our Acceptable Use Policy. As soon as proper information was received from the account holder, the restrictions were lifted.

The account was again reviewed last week after the U.S. Department of State publicized a letter to WikiLeaks on November 27, stating that WikiLeaks may be in possession of documents that were provided in violation of U.S. law. PayPal was not contacted by any government organization in the U.S. or abroad. We restricted the account based on our Acceptable Use Policy review. Ultimately, our difficult decision was based on a belief that the WikiLeaks website was encouraging sources to release classified material, which is likely a violation of law by the source.

9 December 2010: UN High Commissioner for Human Rights condemns blockade

UN High Commissioner for Human Rights expressed concern over “pressure exerted on private companies, including banks, credit card companies and service providers to close down credit lines for donations to WikiLeaks, as well as to stop hosting the website or its mother sites.”¹⁹

12 December 2010: Icelandic Parliament Considers Revoking Visa/MasterCard Licenses For Wikileaks Ban

The Icelandic Parliamentary general committee (allsherjanefnd) discussed the ban that Visa and Mastercard have placed on card-holders who wish to donate to Wikileaks, and raised the possibility of taking away their operating licences. Robert Marshall, the chairman of the committee expressed that:

"People wanted to know on what legal grounds the ban was taken, but no one could answer it. They said this decision was taken by foreign sources."

¹⁹ UN Human Rights chief concerned about pressure on WikiLeaks (December 10, 2010)
<http://www.youtube.com/watch?v=GABYItLfMu8>

16 December 2010: Amnesty International examines Human Rights at stake when blocking WikiLeaks payments

“Over the last week, Paypal, Visa and Mastercard have removed their users’ ability to donate to Wikileaks online, asserting as grounds that Wikileaks engages or may engage in illegal activities. There has been speculation that this restriction was due to US government pressure.

Amnesty International does not have information to confirm or refute that speculation, but that governments cannot avoid their obligations to respect the right to freedom of expression by attempting to do indirectly what they would be forbidden from doing directly. Businesses, too, should ensure that their own actions, at minimum, respect human rights.”

18 December 2010: Bank of America discontinues any services intended for WikiLeaks

Bank of America announced a blockade against WikiLeaks donations, saying it was joining actions previously announced by Visa Europe, MasterCard, PayPal, and others (Post Finance), adding that it “will not process transactions of any type that we have reason to believe are intended for WikiLeaks.”²⁰ As with other financial service providers, Bank of America alleged breach of internal policies:

“This decision is based upon our reasonable belief that WikiLeaks may be engaged in activities that are, among other things, inconsistent with our internal policies for processing payments.”²¹

20 December 2010: Apple removes WikiLeaks application for iPhones

Apple removed a third-party app created to allow iPhone users to access and search WikiLeaks embassy cables. Apple stated that it had

“removed the Wikileaks App from the App Store because it violated our developer guidelines. Apps must comply with all local laws and may not put an individual or targeted group in harms way.”²²

Apps for the Android smartphone were not removed.

21 December 2010: Western Union adds WikiLeaks to 'Interdiction List'

²⁰ <http://www.thetechherald.com/article.php/201050/6577/Bank-of-America-hits-WikiLeaks-with-financial-Denial-of-Service-attack>

²¹ <http://www.expertreviews.co.uk/general/1281724/bank-of-america-cuts-off-donations-to-wikileaks>

²² Andy Greenberg, Forbes ‘Apple Nixes WikiLeaks iPhone App. Will Google Follow?’ (21 December 2010), <http://www.forbes.com/sites/andygreenberg/2010/12/21/apple-nixes-wikileaks-iphone-app-will-google-follow/>

Alleged leaked internal Western Union emails dated 21 December 2010 add Julian Assange, Bradley Manning, Wau Holland Foundation, WikiLeaks, WikiLeaks.com, WHS Projekt 04 to Western Union Interdiction List.²³

“As with any potential commercial client, Western Union performs certain due diligence prior to commencing a business agreement. This review can cover such factors as anti-money laundering issues, creditworthiness, Office of Foreign Assets Control clearances, and background checks of owners and key managers, among other tests. We would, of course, perform the same due diligence on WikiLeaks.”

21 December 2010: UN and OAS Special Rapporteurs on Freedom of Expression issue a Joint Statement Condemning the Blockade against WikiLeaks

UN Special Rapporteur on the Promotion and Protection the Right to Freedom of Opinion and Expression and Inter-American Commission on Human Rights Special Rapporteur for Freedom of Expression ‘Joint Statement on WikiLeaks’²⁴

1 January 2011: Germany - WHS moves its office from Kassel to Hamburg

13 January 2011: US Treasury finds no grounds to blacklist WikiLeaks

After a full Treasury investigation initiated by Republican Senator Peter King, the US Treasury Department found there were no grounds to blacklist WikiLeaks. Therefore, the US Treasury Department could *not* place WikiLeaks on the Specially Designated National and Blocked Persons List.²⁵

28 January 2011: Norway-based company Teller AS, hired by VISA, reports no evidence found that site violated Icelandic law

When it announced its decision to suspend WikiLeaks donations on December 8th, VISA said it was awaiting an investigation into “the nature of its business and whether it contravenes VISA operating rules” — but it did not go into details. The Norway-based financial services company Teller AS, which VISA instructed to look into WikiLeaks and its fundraising body, Sunshine Press, found no evidence of wrongdoing.²⁶

“Our lawyers have now completed their work and have found no indications that Sunshine Press ... acted in contravention of VISA’s rules

²³ <http://i.imgur.com/ovZu7.png>. See also Parmy Olson, Forbes ‘Has Western Union Snubbed WikiLeaks?’ (29 December 2010) <http://www.forbes.com/sites/parmyolson/2010/12/29/has-western-union-snubbed-wikileaks/>

²⁴ <http://www.cidh.oas.org/relatoria/showarticle.asp?artID=829&IID=1>

²⁵ http://www.cbsnews.com/8301-503543_162-20028543-503543.html

²⁶ http://www.salon.com/2011/01/26/wikileaks_visa/

or Icelandic legislation” said Peter Wiren, Teller’s Chief Executive to AP.
²⁷

9 February 2011: HBGary Proposal to sabotage WikiLeaks on behalf of Bank of America is leaked²⁸

The proposal listed financial pressure as one of the weakness, “due to the companies refusing to process WikiLeaks’ donations at that time”. The report was part of a proposal to be submitted to Bank of America through the law firm Hunton & Williams, which was recommended to the bank by individuals within the Justice Department.

The leaked report suggested numerous ways to destroy WikiLeaks, some of them likely illegal — including planting fake documents with the group and then attacking them when published; “creat[ing] concern over the security” of the site; “cyber attacks against the infrastructure to get data on document submitters”; and a “media campaign to push the radical and reckless nature of wikileaks activities.”²⁹

14 February 2011: Germany: FA Hamburg-Nord (tax department) drops Kassel investigation into WHS’ charitable status, but initiates a new investigation on different grounds.

9th June 2011 Datacell announces Complaint against VISA and Mastercard

DataCell informed VISA/Mastercard and Teller of the intention to file a complaint to the EU Commission regarding VISA's and Mastercard's violation of EU Competition regulations and to initiate a law suit in Denmark to claim damages.

7 - 8 July 2011: DataCell Credit card transfers to WikiLeaks are accepted again,³⁰ but VISA reacts and closes payments gateway hours after

After having opened up a gateway for DataCell that allowed the processing of payments to WikiLeaks, the payments processing company Valitor (VISA Iceland) decided to close down the gateway and terminate the contract with DataCell. Valitor stated that international card companies had given the orders to close down the gateway. They claimed that processing donations to WikiLeaks is a violation of general terms between the two parties. DataCell has protested this termination and has prepared a complaint to the Icelandic Financial Authority (the progress of the complaint is reliant on the outcome of

²⁷ <http://www.newsmax.com/US/WikiLeaksVisa/2011/01/26/id/383968>

²⁸ Data intelligence firms proposed a systematic attack against WikiLeaks
<http://www.thetechherald.com/article.php/201106/6798/Data-intelligence-firms-proposed-a-systematic-attack-against-WikiLeaks?page=2>

²⁹ http://wikileaks.org/IMG/pdf/WikiLeaks_Response_v6.pdf

³⁰ See Datacell and WikiLeaks Donations statement: http://www.datacell.com/news/2011-07-07/credit_card_donation_to_wikileaks_is_now_accepted_again/

the complaint to the European Commission). DataCell argues that Valitor's license to operate as a payment processing company in Iceland should be cancelled.

14 July 2011: Datacell filed a Complaint to the European Commission for infringement of the EU Anti-Trust Laws

DataCell filled a complaint alleging infringements of articles 101 and 102 of the Treaty on the Functioning of the European Union and Articles 53 and 54 of the EEA Agreement.

TODAY: The financial blockade continues without any legal basis. The US has not pressed charges against Julian Assange or Wikileaks. The noose-tightening, concurrent with increasingly blunt statements characterizing Wikileaks as a criminal or terrorist organization, remains. The attack on WikiLeaks and Julian Assange should concern every citizen, and all who champions free speech and democratic accountability.

Germany: Decision on revoking WHS charitable status is still pending; WHS has been prevented from opening new bank accounts in Switzerland and Germany for the past 9 months.

People to contact for comment

WikiLeaks:

Kristinn Hrafnsson, Official WikiLeaks representative, +35 4821 7121
List of persons to contact: <http://wikileaks.org/Press.html>

Wau Holland Stiftung/Foundation:

Bernd Fix: <http://www.wauland.de/kontakt.html>; 49 40 401801 4665

DataCell:

Sveinn Andri Sveinsson, lawyer for DataCell: sveinnandri@lr.is + 354 894 7406
Andreas Fink, CEO DataCell ehf.: afink@datacell.com +41786677333

European Commission:

European Commission's Spokeswoman for Competition, Ms Amelia Torres:
amelia.torres@ec.europa.eu +32 2 2954629

United Nations

Navanethem Pillay, UN High Commissioner for Human Rights
Media inquiries: +41 22 917 9383 Email: Press-Info@ohchr.org

Frank LaRue, UN Special Rapporteur on the Promotion and Protection of the
Right to Freedom of Opinion and Expression
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Organization of American States

Catalina Botero Marino, Inter-American Commission on Human Rights Special
Rapporteur on Freedom of Expression
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Glenn Greenwald (salon.com)

GGreenwald@salon.com

Yochai Benkler, Harvard Law School

ybenkler@law.harvard.edu / yochai_benkler@harvard.edu +1 617/496-3022

Occupy Wall Street

Press Inquiries: press@occupywallst.org

RSF

<http://en.rsf.org/contact-us-24-04-2009,32615.html>

Media Coverage of Visa, MasterCard, Paypal, Western Union, Bank of America blockade of donations to WikiLeaks

General

POGO (Project on Government Oversight) 'The Return of Aaron Barr: Victim of Embarrassing Hacking Now Cybersecurity Chief at Large Federal Contractor' 19 October 2011

<http://pogoblog.typepad.com/pogo/2011/10/the-return-of-aaron-barr-victim-of-embarrassing-hacking-now-cybersecurity-chief-at-large-federal-con.html>

Detailed breakdown and legal analysis by Yochai Benkler (Berkman Professor of Entrepreneurial Studies at Harvard University) of service denials beginning on 1st December 2010: storage, DNS, Payment Systems, and App store.

Yochai Benkler 'WikiLeaks and the Protect-IP Act: Another Public-Private Threat to the Internet Commons' *Daedalus* 140 (4) Fall 2011
http://benkler.org/WikiLeaks_PROTECT-IP_Benkler.pdf

Video: UN High Commissioner for Human Rights expresses concern over "pressure exerted on private companies, including banks, credit card companies and service providers to close down credit lines for donations to WikiLeaks, as well as to stop hosting the website or its mother sites." (9 December 2010)

<http://www.youtube.com/watch?v=GABYItLfMu8>

The Colbert Report on the HBGary Plot against WikiLeaks (February 2011):

<http://ca.gawker.com/5769950/colbert-crossing-anonymous-is-like-sticking-your-penis-in-a-hornets-nest>

Amnesty International 'Q&A: WikiLeaks and Freedom of Expression' (16 December 2010)

<https://www.amnesty.org/en/news-and-updates/wikileaks-and-freedom-expression-2010-12-09>

Op-Ed in *Mediapart* by Jeremie Zimmerman from La Quadrature du Net: 'WikiLeaks and the Control of the Internet' 6 December 2010

<http://www.laquadrature.net/en/wikileaks-and-the-control-of-the-internet>

RSF 'WikiLeaks Hounded?' 4 December 2010

<http://en.rsf.org/wikileaks-hounded-04-12-2010,38958.html>

WikiLeaks Video: WikiLeaks MasterCard Spoof advert

<http://www.youtube.com/watch?v=jzMN2c24Y1s>

Coverage about Wau Holland Stiftung/Foundation's charitable status investigation/inability to process donations/preventing from opening bank accounts

- Handelsblatt 'Geldgebern von Wikileaks drohen Sanktionen' ['Financial backers of wikileaks threatened by sanctions'] (7 December 2010)
<http://www.handelsblatt.com/unternehmen/it-medien/geldgebern-von-wikileaks-drohen-sanktionen/3659564.html>
- Official Press Communication from Kassel Regierungspräsidium (Kassel Registration Authority) correcting Handelsblatt report (above) relating to Wau Holland Stiftung's charitable status (7 December 2010)
http://hessen.de/irj/RPKS_Internet?rid=HMdl_15/RPKS_Internet/nav/eda/eda505fe-78c2-9011-1010-43765bee5c94,b641b624-a00c-c21f-012f-31e2389e4818,,,11111111-2222-3333-4444-100000005004%26_ic_uCon_zentral=b641b624-a00c-c21f-012f-31e2389e4818%26overview=true.htm&uid=eda505fe-78c2-9011-1010-43765bee5c94
- Weekly Standard 'Tax Deductible WikiLeaks' 10 December 2010
http://www.weeklystandard.com/blogs/tax-deductible-wikileaks_522079.html
- Der Spiegel 'Can Free Speech Be Protected on a Private Internet?' (10 December 2010)
<http://www.spiegel.de/international/world/0,1518,733942,00.html>
- Der Spiegel 'Donations Were Never as Strong as Now' 13 December 2010
<http://www.spiegel.de/international/world/0,1518,734318,00.html>
- Weekly Standard 'German Authorities: No Grounds to Reconsider Designation of WikiLeaks Financier as "Charitable" Entity' 13 December 2010
http://www.weeklystandard.com/blogs/german-authorities-no-grounds-reconsider-designation-wikileaks-financier-charitable-entity_522

Statements by Bank of America, PayPal, VISA, MasterCard and Western Union about the blockade against WikiLeaks Donors and media reporting

Bank of America – Blockade, Sabotage of WikiLeaks

Bank of America statement on blockade against WikiLeaks donations:

According to the Tech Herald (18 December 2010), in a statement BoA said it is joining actions previously announced by Visa Europe, MasterCard, PayPal, and others (Post Finance), adding that it "will not

process transactions of any type that we have reason to believe are intended for WikiLeaks."

<http://www.thetechherald.com/article.php/201050/6577/Bank-of-America-hits-WikiLeaks-with-financial-Denial-of-Service-attack>

"This decision is based upon our reasonable belief that WikiLeaks may be engaged in activities that are, among other things, inconsistent with our internal policies for processing payments"

<http://www.expertreviews.co.uk/general/1281724/bank-of-america-cuts-off-donations-to-wikileaks>

HB Gary/Bank of America - Data intelligence commissioned report on how to Sabotage WikiLeaks:

Bank of America Statement on WikiLeaks documents incriminating Bank of America

CNBC 'Bank of America's Risky WikiLeaks Strategy' (2 December 2010)
http://www.cnbc.com/id/40471184/Bank_of_America_s_Risky_WikiLeaks_Strategy

Video: Interview with Gleen Greenwald

http://www.youtube.com/watch?v=y-_9BWg6KBw

Bank of America-commissioned report by Data Intelligence HBGary, Palantir, and Berico on how to bring down WikiLeaks

http://wikileaks.org/IMG/pdf/WikiLeaks_Response_v6.pdf

Bank of America Intelligence Contractor, HBGary gaining security clearance at the Department of Defense to attack WikiLeaks and its supporters, including journalist, activist and lawyer Glenn Greenwald (from salon.com)

http://politics.salon.com/2011/02/16/hbgary_federal/

Andy Greenwald, *Forbes* (14 February 2011) HBGary CEO suggested tracking and intimidating WikiLeaks Donors

<http://www.forbes.com/sites/andygreenberg/2011/02/14/hbgary-ceo-also-suggested-tracking-intimidating-wikileaks-donors/>

Palantir and Berico Sever Ties with HBGary over sabotage and dirty tricks campaign proposed to bring down WikiLeaks:

<http://www.thetechherald.com/article.php/201106/6804/Firm-targeting-WikiLeaks-cuts-ties-with-HBGary-apologizes-to-reporter>

<http://www.thetechherald.com/article.php/201106/6810/Berico-Technologies-severs-ties-with-HBGary-over-WikiLeaks-plot>

Forbes, Palantir Apologizes For WikiLeaks Attack Proposal, Cuts Ties With HBGary (Andy Greenberg, 11 February 2011)
<http://www.forbes.com/sites/andygreenberg/2011/02/11/palantir-apologizes-for-wikileaks-attack-proposal-cuts-ties-with-hbgary/>

Forbes 'Anonymous leaks emails from HBGary revealing Plot against WikiLeaks' (Parmy Olson, 14 February 2011)
<http://www.forbes.com/sites/parmyolson/2011/02/14/revenge-still-sweet-as-anonymous-posts-27000-more-hbgary-e-mails/>

Forbes 'Law Firm That Worked With HBGary Hit With Bar Complaint' (Andy Greenberg, 25 February 2011)
<http://www.forbes.com/sites/andygreenberg/2011/02/25/law-firm-that-worked-with-hbgary-hit-with-bar-complaint/>

Amazon

Amazon succumbed to pressure by Republican Senator Lieberman (who is also Chairman of the Senate's Committee on Homeland Security) and announced it had shut down WikiLeaks Servers in US on 1 December 2010.

- *Talking Points Memo* 'How Lieberman Got Amazon To Drop Wikileaks' (Rachel Slajda, 1 December 2010)
http://tpmmuckraker.talkingpointsmemo.com/2010/12/how_lieberman_got_amazon_to_drop_wikileaks.php
- *Technology Liberation Front* 'Does Wikileaks Have a First Amendment Case Against Joe Lieberman?' (Ryan Radia, 7 December 2010)
<http://techliberation.com/2010/12/07/does-wikileaks-have-a-first-amendment-case-against-joe-lieberman/>
- *The Guardian* 'WikiLeaks website pulled by Amazon after US political pressure' (Ewen MacAskill, 01 December 2010)
<http://www.guardian.co.uk/media/2010/dec/01/wikileaks-website-cables-servers-amazon>

VISA

7 December 2010:

"Visa Europe has taken action to suspend Visa payment acceptance on WikiLeaks' website pending further investigation into the nature of its business and whether it contravenes Visa operating rules".

<http://www.emirates247.com/news/world/visa-mastercard-choke-off-wikileaks-donation-pipeline-2010-12-07-1.325957>

8 July 2011:

Visa representative Amanda Kamin on the 12 hour window in which transactions to WikiLeaks were functional in July 2011:

"An acquirer briefly accepted payments on a merchant site linked to WikiLeaks. As soon as this came to our attention, action was taken with the suspension of Visa payment acceptance to the site remaining in place." She said as soon as this came to Visa's attention, action was taken. Kamin did not elaborate further.

<http://in.reuters.com/article/2011/07/08/idINIndia-58165420110708>

http://www.computerworld.com/s/article/9218263/Visa_blocks_WikiLeaks_donations_via_DataCell_once_again

MasterCard

"MasterCard is taking action to ensure that WikiLeaks can no longer accept MasterCard-branded products ... MasterCard rules prohibit customers from directly or indirectly engaging in or facilitating any action that is illegal"

http://news.cnet.com/8301-31921_3-20024776-281.html

7 July 2011

"MasterCard's position on acceptance has not changed"

<http://www.bloomberg.com/news/2011-07-08/visa-europe-will-block-wikileaks-donations-through-payment-site.html>

PayPal

"PayPal has permanently restricted the account used by WikiLeaks due to a violation of the PayPal Acceptable Use Policy, which states that our payment service cannot be used for any activities that encourage, promote, facilitate or instruct others to engage in illegal activity. We've notified the account holder of this action." (3 December 2010)
<https://www.thepaypalblog.com/2010/12/paypal-statement-regarding-wikileaks/>

PayPal Vice President Osama Bedier says PayPal was contacted by the State Department on 27 November 2011, resulting in PayPal's closing WikiLeaks' account: "On Nov. 27, the State Department - the U.S. government, basically - wrote a letter [to PayPal] saying the Wikileaks activities were deemed illegal in the United States."
<http://www.bbc.co.uk/news/business-11945875>

Bedier later denied the State Department had contacted PayPal:
<http://techcrunch.com/2010/12/08/paypal-wikileaks/>

Updated Statement by PayPal regarding WikiLeaks Blockade by PayPal General Counsel (08 December 2010)

<https://www.thepaypalblog.com/2010/12/updated-statement-about-wikileaks-from-paypal-general-counsel-john-muller/>

PayPal Internal Document on Government Sanctions (Interndiction List) – Western Union Policy

<http://www.google.co.uk/url?q=http://www.superstop.us/manager/ADMIN/Documents/Government%2520Sanctions.ppt&sa=U&ei=y0OSTv2aJcGo8QOGvegU&ved=0CBgQFjAB&usg=AFQjCNFzK0JIMJeHW0ONjbSc8UaFiptRhg>

Western Union

Alleged leaked internal Western Union emails (21 December 2010) adding Julian Assange, Bradley Manning, Wau Holland Foundation, WikiLeaks, WikiLeaks.com, WHS Projekt 04 to Western Union Interdiction List: <http://i.imgur.com/ovZu7.png>

“As with any potential commercial client, Western Union performs certain due diligence prior to commencing a business agreement. This review can cover such factors as anti-money laundering issues, creditworthiness, Office of Foreign Assets Control clearances, and background checks of owners and key managers, among other tests. We would, of course, perform the same due diligence on WikiLeaks.”

Parmy Olson, *Forbes* ‘Has Western Union Snubbed WikiLeaks?’ (29 December 2010)
<http://www.forbes.com/sites/parmyolson/2010/12/29/has-western-union-snubbed-wikileaks/>

Apple

Apple pulled WikiLeaks app:

Apple “removed the Wikileaks App from the App Store because it violated our developer guidelines. Apps must comply with all local laws and may not put an individual or targeted group in harms way.”

Andy Greenberg, *Forbes* ‘Apple Nixes WikiLeaks iPhone App. Will Google Follow?’ (21 December 2010)
<http://www.forbes.com/sites/andygreenberg/2010/12/21/apple-nixes-wikileaks-iphone-app-will-google-follow/>

Articles about the blockade

October 2011

- Miami Herald ‘Without credit card donations, WikiLeaks facing funding crisis’ (21 October 2011)

<http://www.miamiherald.com/2011/10/21/2465618/without-credit-card-donations.html>

Yochai Benkler 'WikiLeaks and the Protect-IP Act: Another Public-Private Threat to the Internet Commons' *Daedalus* 140 (4) Fall 2011
http://benkler.org/WikiLeaks_PROTECT-IP_Benkler.pdf

August 2011

- *Norman Security* 'Restricting access to net resources for "good reasons"' (19 August 2011)
http://www.norman.com/security_center/security_center_archive/2011/restricting_access_to_net_resources_for_good_reasons/en

July 2011

- AFP (video): DataCell and WikiLeaks Press Conference on the Filing of the Visa case at the European Commission (14 July 2011)
<http://www.youtube.com/watch?v=kXoHlh6LJLo&feature=related>
- *DataCell* Press Release 'Visa closes down again' (8 July 2011)
http://www.datacell.com/news/2011-07-08/visa_closes_down_again/
- *Reporters Without Borders* 'Visa and MasterCard again Suspending Donations to WikiLeaks' (8 July 2011)
<http://en.rsf.org/finance-institutions-block-21-12-2010,39117.html>
- *Forbes* 'Visa Shuts Down Card Payments To WikiLeaks—Again' (Andy Greenberg, 8 July 2011)
<http://www.forbes.com/sites/andygreenberg/2011/07/08/visa-shuts-down-card-payments-to-wikileaks-again/>
- *Bloomberg* 'Visa Europe Blocks WikiLeaks Donations Through Payment Site' (Aoife White, 8 July 2011)
<http://www.bloomberg.com/news/2011-07-08/visa-europe-will-block-wikileaks-donations-through-payment-site.html>
- *Computerworld* 'Visa blocks WikiLeaks donations via DataCell once again' (Peter Sayer, 8 July 2011)
http://www.computerworld.com/s/article/9218263/Visa_blocks_WikiLeaks_donations_via_DataCell_once_again
- *DataCell* Press Release (2 July 2011) 'Legal action by DataCell and WikiLeaks against Visa and MasterCard'
http://www.datacell.com/news/2011-07-02/legal_action_by_datacell_and_wikileaks_against_visa_and_mastercard/

December 2010

- *New York Times* Editorial: Banks and WikiLeaks (26 December 2010)

<https://www.nytimes.com/2010/12/26/opinion/26sun3.html>
Eichenbaum,

Peter

- *Reporters Without Borders* 'Finance Institutions Block Payments to WikiLeaks' (21 December 2010)
<http://en.rsf.org/finance-institutions-block-21-12-2010,39117.html>
- Julian Assange: Statement from Prison regarding Visa, MasterCard, PayPal, Bank of America, Western Union, and Amazon (14 December 2010), reported in Huffington Post, among others:
http://www.huffingtonpost.com/2010/12/14/julian-assange-releases-s_n_796390.html
- *BBC* (Video) 'PayPal Says it has Stopped Dealing with WikiLeaks' (8 December 2010)
<http://www.bbc.co.uk/news/uk-11951016>
- *Forbes* 'Visa, MasterCard Move to Choke WikiLeaks' (Andy Greenberg, 7 December 2010)
<http://www.forbes.com/sites/andygreenberg/2010/12/07/visa-mastercard-move-to-choke-wikileaks/>
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Additional Background: Guide to WikiLeaks Statements, Articles and Releases over past 18 months

In reverse chronological order:

24 October 2011 (WikiLeaks Statement)

WikiLeaks statement: The Blockade Against WikiLeaks (On website and included in this pack)

27 September 2011 (Julian Assange Statement)

Julian Assange: Statement on the Unauthorised, Secret Publishing of the Julian Assange “autobiography” by Canongate
<http://www.wikileaks.org/Julian-Assange-Statement-on-the.html>

16 September 2011 (Press Release)

WikiLeaks Press Release: WikiLeaks Launches the First of Four Fundraising Auctions
<http://www.twitlonger.com/show/d41ico>

15 September 2011 (WikiLeaks Statement)

WikiLeaks Statement on the Ethiopian Government’s persecution of journalist Ashine
<http://wlcentral.org/node/2249>

And Committee to Protect Journalists (CPJ) response to WikiLeaks statement: <http://www.cpj.org/blog/2011/09/in-ethiopia-case-a-response-to-wikileaks.php>

1 September 2011 (WikiLeaks Statement)

WikiLeaks Statement on the release of the 251,000 unredacted cables: Guardian journalist negligently disclosed Cablegate passwords
<http://www.wikileaks.org/Guardian-journalist-negligently.html>

29 August 2011 (WikiLeaks Statement)

WikiLeaks: Statement on the 9 Month Anniversary of Cablegate: Release of 133,887 Cables
<http://www.wikileaks.org/Wikileaks-Statement-on-the-9-Month.html>

20 August 2011 (Julian Assange Statement)

Julian Assange: Statement on the reported destruction of WikiLeaks source material by Daniel Domscheit-Berg
<http://wlcentral.org/node/2170>

20 August 2011 (Julian Assange Statement)

Julian Assange: Statement on Daniel Domscheit-Berg and OpenLeaks
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29 August 2011 (WikiLeaks Statement)

WikiLeaks Statement: 30 New Revelations from #wlfind
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Circa July 2011 (Article)

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2 July 2011 (Press Release)

Press Release: Legal Action by WikiLeaks and DataCell against VISA
and MasterCard
<http://wlcentral.org/node/1973>

25 April 2011 (Release)

The Guantanamo ('Gitmo') Files
<http://wikileaks.org/gitmo/>

March 2011 (Article)

Article: 100 Days of Cablegate
<http://www.wikileaks.org/Editorial-100-Days-of-Cablegate.html>

14 February 2011 (Press Release)

WikiLeaks Press Release: US government's Twitter subpoena
uncovered, other social media sites complied in fishing expedition
against WikiLeaks
<http://wlcentral.org/node/1296>

10 January 2011 (WikiLeaks Statement)

WikiLeaks Statement: Treat incitement seriously or expect more
Gabrielle Gifford killing sprees."
<http://wlcentral.org/node/884>

December 2010/January 2011 (WikiLeaks Statement)

Statement on DDOS Attacks (Cablegate)

<http://www.wikileaks.org/Statement-on-DDOS-attacks.html>

17 December 2010 (Article)

Article: Cables reveal history of secret cooperation between Swedish and US governments

<http://www.wikileaks.org/Cables-reveal-history-of-secret.html>

14 December 2010: Statement

Julian Assange: Statement from Prison regarding Visa, MasterCard, PayPal, Bank of America, Western Union, and Amazon (14 December 2010), reported in Huffington Post, among others:
http://www.huffingtonpost.com/2010/12/14/julian-assange-releases-s_n_796390.html

8 December 2010 (Article)

Article: Visa and Mastercard beneficiaries of State Department lobbying effort

<http://www.wikileaks.org/Test,32.html>

4 December 2010 (Press Release)

PayPal freezes WikiLeaks donations

<http://www.wikileaks.org/PayPal-freezes-WikiLeaks-donations.html>

28 November 2010 (Release)

Cablegate

<http://www.wikileaks.org/cablegate.html>

22 October 2010 (Release)

Iraq War Logs

<http://www.iraqwarlogs.com/>

25 July 2010 (Release)

Afghan War Diary

http://wikileaks.org/wiki/Afghan_War_Diary,_2004-2010

04 April 2010 (Release)

Collateral Murder

<http://www.collateralmurder.com/>