The Battle for Internet Freedom: (7)
WikiLeaks and Iceland

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This is the seventh and last in a series of articles discussing legal aspects of Internet expression.

On March 15, 2010, the mysterious organization called WikiLeaks posted a 2008 analysis of itself from the US Army Counterintelligence Center. Readers will note that according to the preamble of the document, “Unauthorized Disclosure Subject to Criminal Sanctions.”

The Executive Summary briefly describes the mission of WikiLeaks:

The stated intent of the Wikileaks.org Web site is to expose unethical practices, illegal behavior, and wrongdoing within corrupt corporations and oppressive regimes in Asia, the former Soviet bloc, Sub-Saharan Africa, and the Middle East. To do so, the developers of the Wikileaks.org Web site want to provide a secure forum to where leakers, contributors, or whistleblowers from any country can anonymously post or send documentation and other information that exposes corruption or wrongdoing by governments or corporations. The developers believe that the disclosure of sensitive or classified information involving a foreign government or corporation will eventually result in the increased accountability of a democratic, oppressive, or corrupt the government to its citizens.

The report expresses concern that “intentional or unintentional leaking and posting of US Army sensitive or classified information to Wikileaks.org could result in increased threats to DoD personnel, equipment, facilities, or installations.” The report very properly identifies the site as a potential route for disinformation (DISINFO) campaigns and psychological operations (PSYOP). But it ends with suggestions for destroying the group running the Website by aggressive investigation and prosecution: “The identification, exposure, or termination of employment of or legal actions against current or former insiders, leakers, or whistleblowers could damage or destroy this center of gravity and deter others from using Wikileaks.org to make such information public.”

Are all governments opposed to electronic whistleblowing?

The lawmakers of Iceland aren’t negative at all: indeed, they are agitating for laws to protect online freedom of speech, as Mark Tran of the Guardian newspaper in England writes in a February 2010 article.

Opposition Members of Parliament (MP) are drafting the Icelandic Modern Media Initiative which aims to “task the government with finding ways to strengthen freedom of expression around world and in Iceland, as well as providing strong protections for sources and whistleblowers. To this end the legal environment should be explored in such a way that the goals can be defined, and changes to law or new law proposals can be prepared. The legal environments of other countries should be considered, with
the purpose of assembling the best laws to make Iceland a leader of freedoms of expression and information. We also feel it is high time to establish the first Icelandic international prize: The Icelandic Freedom of Expression Award.”

In another development, Google posted an entry on its corporate blog on March 11, 2010 <http://googleblog.blogspot.com/> entitled, “Recognizing courage, securing online freedom.” The announcement began as follows:

More than ever, governments around the world are threatening online free expression. Forty countries have taken measures to limit this freedom, up from only a handful a few years ago. Google and YouTube services are or have been blocked in 25 of those nations.

On Thursday night in Paris, we took an important step to highlight this crucial issue by sponsoring the first Netizen Prize (or more elegantly, “Le Prix de Net Citoyen”) awarded by the Paris-based advocacy group Reporters Without Borders. And on Friday, March 12, we’ll be helping highlight the fight for Internet freedom by marking the group’s World Day Against Cyber Censorship on YouTube.

Fittingly, Reporters Without Borders chose to give the first Netizen Prize to the Iranian creators of the website Change for Equality, first established in 2006 to fight for changes in laws in Tehran that discriminate against women. That site has since become a well-known source of information on women’s rights in Iran, documenting arrests of women activists and becoming a rallying point for opponents of the regime.

The fight for freedom on the Internet and for Internet freedom are intertwined. Readers can contribute by donating to WikiLeaks<http://wikileaks.org/> and to Reporters Without Frontiers<http://www.rsf.org/>.

The people, united, will never be defeated.

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