

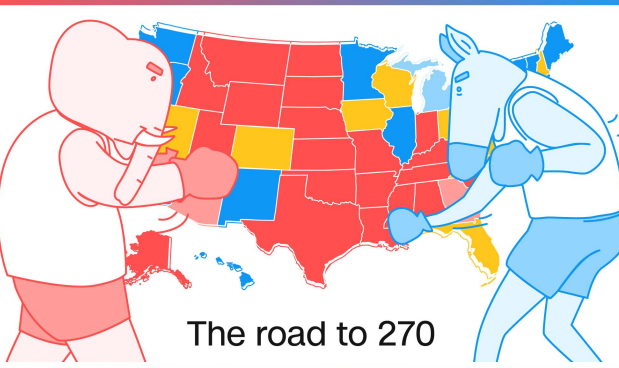
# *lecture 5*

## **“THE PANAMA PAPERS” WHISTLEBLOWERS**

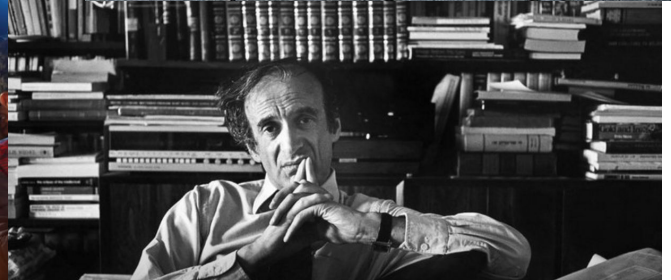
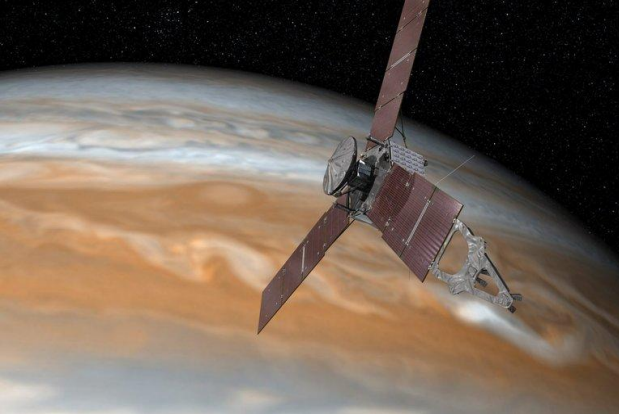
The Critical Current  
Summer Enrichment 2016

**NEWS of**

**the WEEK**



The road to 270



**“Information in today’s society must empower forums to give voice to citizens and to monitor the free flow of information.”**

**“Whistleblower” = a person who exposes any kind of information or activity that is deemed illegal, unethical, or not correct within an organization that either private or public.**

# The Panama Papers

- What are they?
- Why are they significant?
- ICIJ.org

- **11.5 million confidential documents** that provide detailed information about more than 214,000 offshore companies listed by the Panamanian corporate service provider **Mossack Fonseca**, including the identities of shareholders and directors of the companies. The documents show how wealthy individuals, including public officials, hid their assets from public scrutiny. (Argentina, Iceland, Saudi Arabia, Ukraine, and the United Arab Emirates, British Virgin Islands, Hong Kong)
- The use of **offshore business entities** is not illegal in the jurisdictions in which they are registered, but some of the shell companies may have been used for illegal purposes (fraud, drug trafficking, and tax evasion).
- "John Doe" made the documents available in batches to German newspaper **Süddeutsche Zeitung** beginning in early 2015. The information from this unremunerated whistleblower documents transactions as far back as the 1970s and eventually totaled 2.6 terabytes of data.
- **International Consortium of Investigative Journalists (ICIJ)**, which distributed the documents for investigation and analysis to some 400 journalists at 107 media organizations in 76 countries. The first news reports based on the papers, and 149 of the documents themselves, were published on April 3, 2016. The ICIJ plans to publish a full list of companies involved in early May 2016.

# WikiLeaks

- 2006 - International, non-profit, journalistic organisation (website), that publishes secret information, news leaks, and classified media from anonymous sources. Julian Assange is the founder, editor-in-chief, and director (Sunshine Press- Iceland).
- The group has released a number of significant documents that have become front-page news items (Equipment expenditures and holdings in the Afghanistan war and a report informing a corruption investigation in Kenya. In April 2010- footage of 12 July 2007 Baghdad airstrike in which Iraqi journalists were among those killed by an AH-64 Apache helicopter, known as the *Collateral Murder* video. In July of the same year--Afghan War Diary, in October 2010--"Iraq War Logs." In April 2011, WikiLeaks began publishing 779 secret files Guantanamo Bay prison
- In November 2010- collaborated with major global media organisations to release U.S. State department diplomatic "cables" in redacted format. On 1 September 2011, it became public that an encrypted version of WikiLeaks' huge archive of unredacted U.S. State Department cables had been available via BitTorrent for months and that the decryption key (similar to a password) was available to those who knew where to find it. WikiLeaks blamed the breach on its former publication partner, the UK newspaper *The Guardian*, and that newspaper's journalist David Leigh, who revealed the key in a book published in February 2011. *The Guardian* argued that WikiLeaks was to blame. The incident resulted in widely expressed fears that the information released could endanger innocent lives.



# **MULTIPLE PERSPECTIVES: NATIONAL SECURITY ARGUMENT.**

## **Wikileaks - U.S. State Department Diplomatic Cables Leak**

"Secretary of State Hillary Clinton said Wikileaks' actions **undermined** US foreign policy efforts and amounted to "an attack on the international community, the alliances and partnerships, the conventions and negotiations that safeguard global security and advance economic prosperity".

New York Congressman Pete King has called for the US Attorney General to designate Wikileaks a **terrorist organisation** and to prosecute founder Julian Assange for **espionage**.

"They **embarrass governments** with which the US co-operates," Max Boot, a senior fellow at the Council on Foreign Relations, said of the leaks on the BBC's World Today programme. "At the very least, they will make governments like Pakistan and Yemen and others, which are collaborating with the US in the battle against terrorism, **more reluctant to co-operate.**"

"It's harming some of the vital activities that the US government, the UK government or others engage in, which are **protecting us against terrorism.**"

# Julian Assange

- Australian computer programmer, publisher, journalist, and editor-in-chief of the organization WikiLeaks (2006)
- Since November 2010, Assange has been subject to extradition to Sweden, where he is wanted for questioning. Assange denies the allegation and has expressed concern that he will be extradited from Sweden to the US of America due to his perceived role in publishing secret American documents.
- After exhausting his legal options in the United Kingdom, Assange failed to surrender for extradition. Instead, he sought and was granted asylum by Ecuador in August 2012. Assange has since remained in Ecuador's London Embassy, unable to leave without being arrested for breaching his bail conditions. A United Nations panel found, by a majority, that he has been "arbitrarily detained" and that his detention should be brought to an end.



# Edward Snowden

- **Edward Joseph Snowden** (born June 21, 1983) is an American computer professional, former CIA employee, and former contractor for the federal government who copied and leaked classified information from the NSA in 2013, which revealed numerous global surveillance programs, many run by the NSA and Five Eyes with the cooperation of telecommunication companies and European governments.
- Snowden was hired by Booz Allen Hamilton, an NSA contractor, in 2013 after previous employment with Dell and the CIA. On May 20, 2013, Snowden flew to Hong Kong after leaving his job at an NSA facility in Hawaii and in early June he **revealed thousands of classified NSA documents to journalists**. Snowden came to international attention after stories based on the material appeared in *The Guardian* and *The Washington Post*, *Der Spiegel* and *The New York Times*.
- On June 21, 2013, the **U.S. Department of Justice** unsealed charges against Snowden of two counts of violating the Espionage Act of 1917 and theft of government property. He flew to Moscow, Russia, and Russian authorities granted him one-year asylum, which was later extended to three years. As of 2015, he was still living in an undisclosed location in Russia while seeking asylum elsewhere.
- A subject of controversy, Snowden has been variously called **a hero, a whistleblower, a dissident, a patriot, and a traitor**. His disclosures have fueled debates over mass surveillance, government secrecy, and the balance between national security and information privacy.



# Iraq War Documents

- The **Iraq War documents leak** is the disclosure to WikiLeaks of 391,832<sup>1</sup> United States Army field reports, also called the **Iraq War Logs**, of the Iraq War from 2004 to 2009 and published on the Internet on 22 October 2010. The files record 66,081 civilian deaths out of 109,000 recorded deaths. The leak resulted in the Iraq Body Count project adding 15,000 civilian deaths to their count, bringing their total to over 150,000, with roughly 80% of those civilians. It is the biggest leak in the military history of the United States, surpassing the Afghan War documents leak of 25 July 2010.

# Afghan War Documents

- The **Afghan War Diary**, is the disclosure of a collection of internal U.S. military logs of the War in Afghanistan, published by WikiLeaks on 25 July 2010.
- **91,000 Afghan War documents**, between January 2004 and December 2009. Most of the documents are classified secret. As of 28 July 2010, only **75,000** of the documents have been released to the public, a move which Wikileaks says is "part of a **harm minimization process** demanded by [the] source". Prior to releasing the initial 75,000 documents, WikiLeaks made the logs available to *The Guardian*, *The New York Times* and *Der Spiegel* in its German and English online edition, which published reports per **previous agreement** on that same day, 25 July 2010.
- Revealed information on the deaths of civilians, increased Taliban attacks, and involvement by Pakistan and Iran in the insurgency. WikiLeaks says it does not know the source of the leaked data. *The New York Times*, *The Guardian*, and *Der Spiegel*, have all concluded that they are **genuine** when compared with independent reports.

# continued...

- *The New York Times* described the leak as "a six-year archive of classified military documents [that] offers an **unvarnished and grim picture** of the Afghan war". *The Guardian* called the material "one of the biggest leaks in U.S. military history...a **devastating portrait** of the failing war in Afghanistan, revealing how coalition forces have killed hundreds of civilians in **unreported** incidents, Taliban attacks have soared and NATO commanders fear neighbouring Pakistan and Iran are fuelling the insurgency". *Der Spiegel* wrote that "the editors in chief of *Spiegel*, *The New York Times* and the *Guardian* were '**unanimous in their belief that there is a justified public interest in the material**'."
- Some time after the first dissemination by WikiLeaks, the U.S. Justice Department considered using the U.S. Espionage Act of 1917 to prevent WikiLeaks from posting the remaining 15,000 secret war documents it claimed to possess.

# **Ethical Decisions**

- **GENUINE DOCUMENTS? (Verify independent sources, cross-reference - triangulation, reliability, identify sources as much as possible, questions sources' motives)**
- **REDACTION of PRIVATE INFORMATION**
- **DETERMINING WHICH PARTS TO PUBLISH VERSUS WHETHER THE ENTIRE DOCUMENT SHOULD BE PUBLISHED**
- **NATIONAL SECURITY v. FREEDOM OF SPEECH/FREEDOM OF THE PRESS**

**What are some of the benefits and harms of leaking classified or secretive information to the public?**



# **BLOG POST - WHISTLEBLOWERS & THE PANAMA PAPERS**

**ANSWER AT LEAST TWO OF THE FOLLOWING QUESTIONS!**

- **What does this quote mean? “Information in today’s society must empower forums to give voice to citizens and to monitor the free flow of information”**
- **Why is it important to publish highly-sensitive materials for the world to see? OR What is a whistleblower and why are they important in journalism?**
- **In what contexts could such revealing information be advantageous or disadvantageous to society?**
- **What ethical problems might journalists face when publishing such information?**

**TO BE CONTINUED....**