

28 February 2023

## **Urgent motion: Julian Assange**

That Melbourne City Council:

Notes the international touring exhibition of a sculpture called *Anything to Say: A Monument to Courage*, being a group portrait of Walkley-award winning publisher Julian Assange, alongside whistleblowers Edward Snowden and Chelsea Manning, to be exhibited in the City of Melbourne on 7-8 March 2023;

Reaffirms its past two motions in support of Mr Assange and calls again for his immediate release without charge; and

Requests Cr Dr Ball speak in support of Mr Assange on behalf of Council at the opening of the exhibition, noting his exceptional courage in championing the universal right to “freedom of opinion and expression; this right includes freedom ... to seek, receive and impart information and ideas through any media and regardless of frontiers” (Article 19, *Universal Declaration of Human Rights*).

## **Background**

The Melbourne chapter of PEN International (the human rights organisation whereby writers defend the rights of persecuted writers and journalists around the world) and the Assange Campaign are bringing a touring public artwork to Melbourne called *Anything to Say: A Monument to Courage*.

The bronze statue by Italian sculptor Davide Dormino is a figurative depiction of 4 life-sized chairs, with Mr Assange, Chelsea Manning and Edward Snowden standing on 3 of them, while the 4th is empty. First installed in Alexanderplatz in Berlin in 2015 (at which time Mr Assange was confined in the Ecuadorean embassy), it's been exhibited at some stunning locations around Europe, and will be erected at Queensbridge Square, Southbank, on 7-8 March 2023, before moving on to Sydney and Canberra. Details: [www.anythingtosay.com](http://www.anythingtosay.com)

Campaigners to free Mr Assange will hold events at the location on both 7 and 8 March. As well as local speakers and performers, a large screen will transmit live messages from Snowden, Manning and Mr Assange's wife, Stella, among other international speakers.

This is a great moment for Melbourne to show where we stand on human rights, not just in defence of an individual *in extremis*, but in defence of freedom of the press, and of whistleblowers who take huge personal risks to expose the truth about serious wrongdoing.

No-one should be treated as Mr Assange has been: in solitary confinement for years, in conditions the UN Special Rapporteur on Torture has described as torture. We should stand up for this Melburnian facing outrageous suffering and injustice.

Melbourne City councillors have twice passed motions in support of Mr Assange: at FMC on 23 June 2020 and in Council on 28 June 2022. The latter [motion, adopted unanimously, inter alia](#):

Affirm[ed Council's] support for freedom of expression, freedom of the press and whistleblowers and for their protection in all jurisdictions everywhere;

Assert[ed] Mr Assange's rights to humane conditions of imprisonment, to freedom from cruel, inhuman and degrading treatment or punishment, and to a fair trial, as enshrined in international human rights treaties ratified by Australia, the UK and US;

Support[ed] strenuous diplomatic intervention to free Mr Assange and have the charges against him dropped.

The Walkley-award winning publisher is an Australian citizen and former resident of the City of Melbourne. He grew up in Melbourne, attended Melbourne University and founded Wikileaks here.

Mr Assange was on conditional bail in the UK from December 2010 and was granted political asylum in Ecuador's London embassy in June 2012 where he remained for nearly 7 years. He has been held in Belmarsh Prison in London since April 2019. Having completed a 50-week prison sentence for violating bail terms, Mr Assange has since been held exclusively in relation to the extradition request from the US.

The UN Working Group on Arbitrary Detention concluded in December 2015 that Mr Assange's detention was arbitrary – which is a gross violation of human rights<sup>1</sup> – and that he should be freed and compensated.<sup>2</sup>

In 2019, the UN Special Rapporteur on Torture and his medical team, though initially skeptical, conducted a months-long investigation, concluding that “the cumulative effects of ... progressively severe forms of cruel, inhuman or degrading treatment or punishment [to which Assange] has been deliberately exposed for a period of several years ... can only be described as psychological torture.”<sup>3</sup> Further,

“Despite the complexity of the proceedings against him led by the world's most powerful Government, Mr Assange's access to legal counsel and documents has been severely obstructed, thus effectively undermining his most fundamental right to prepare his defence.”<sup>4</sup>

The UN Special Rapporteur strongly recommended that Mr Assange's extradition to the US be barred, and that he be promptly released.

If extradited to the US, Mr Assange is likely to be held in a Colorado prison said to be the most secure in the world, where prisoners never glimpse the sky, and which a prison guard has testified in court is ‘worse than death.’<sup>5</sup> There, he would face “near total isolation without the protective factors which limit his risk at Belmarsh,” according to the British judge who last year ruled against his extradition on grounds it would be “oppressive by reason of mental harm.”<sup>6</sup>

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1 The Working Group found that his detention violated Art. 9 & 10 of the *Universal Declaration of Human Rights* and Articles 7, 9(1), 9(3), 9(4), 10 and 14 of the *International Covenant on Civil and Political Rights*. <[www.ohchr.org/sites/default/files/Documents/Issues/Detention/A.HRC.WGAD.2015.docx](http://www.ohchr.org/sites/default/files/Documents/Issues/Detention/A.HRC.WGAD.2015.docx)>

2 UN Working Group on Arbitrary Detention, ‘The Working Group on Arbitrary Detention deems the deprivation of liberty of Mr Julian Assange as arbitrary,’ UN Office of the High Commissioner for Human Rights (5 February 2016).

3 N. Melzer, ‘UN expert on torture sounds alarm again that Julian Assange's life may be at risk,’ UN Office of the High Commissioner for Human Rights (1 November 2019).

4 *Ibid.*

5 *Ithaka: A Fight to Free Julian Assange* (2022), an award-winning documentary directed by Ben Lawrence <<https://ithaka.movie>>.

6 ‘Julian Assange: UK judge blocks extradition of Wikileaks founder to US,’ BBC News (4 January 2021).

Wikileaks publications have been reported on by *Der Spiegel*, *The Guardian*, the *New York Times* and countless other media outlets, none of which has been threatened with prosecution, but all of which are threatened by the criminalisation of journalism.

Importantly, an Obama administration investigation into Wikileaks reported in 2013 that it found no evidence that a single person had been harmed by Wikileaks publications.<sup>7</sup>

In June 2022, Amnesty International “call[ed] on the UK to refrain from extraditing Julian Assange, for the US to drop the charges, and for Assange to be freed.”<sup>8</sup>

Moved: Cr Dr Olivia Ball

Seconded: Cr Jamal Hakim

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<sup>7</sup> N. Melzer, *The Trial of Julian Assange: A Story of Persecution* (Penguin Random House, 2022).

<sup>8</sup> Amnesty International, ‘UK/US: Home Secretary’s certification of Assange extradition puts him at risk,’ press release (17 June 2022).