



Doctors for Assange reply to Australian Government – March 2020



To: Australian Minister for Foreign Affairs, the Hon Marise Payne

CC: Mat Kimberly, Asst Secretary, Australian Department of Foreign Affairs and Trade
Shadow Minister for Foreign Affairs, the Hon Penny Wong
Prime Minister of Australia, the Hon Scott Morrison
Leader of the Opposition, the Hon Anthony Albanese
Attorney-General, the Hon Christian Porter
Chief Justice of the High Court of Australia, The Hon Susan Kiefel AC

18 March 2020

Dear Minister,

Thank you for your reply, dated 18 February 2020, to our correspondence of 15 December 2019 and 1 February 2020, to accompany our letter published in The Lancet, regarding the health and human rights of Julian Assange.

We note that in your reply to us you cite the Australian Government's willingness to provide consular assistance to Mr Assange, which you advise that you are unable to do, because he has withdrawn his consent for you to provide consular assistance.

However, where gross violation of human rights is concerned, we respectfully submit that consular assistance is not the issue. In the case that an Australian citizen's human rights are being abused, including his human right to health, his right to be free from torture and arbitrary detention, his right to a fair trial, his right to lawyer-client confidentiality and his right to prepare a defence, we are reliably advised that, consular assistance aside, government ministers can advocate for due legal process, and raise concerns about gross violations of rights with their overseas counterparts.

In Julian Assange's case, all of the above human rights have been violated, in a manner that endangers his health and contributes to his prolonged psychological torture as assessed by the UN Rapporteur on Torture and two medical experts specialised in the assessment and documentation of torture.

We wrote to you on December 15 2019 that Julian Assange's life is at risk due to nearly a decade of human rights abuse including arbitrary detention, psychological torture and medical neglect. Now, with the president of the Prison Governor's Association warning that prisons provide "fertile breeding grounds" for coronavirus, Julian Assange's life and health are at heightened risk due to his arbitrary detention during this global pandemic. That threat will only grow as the coronavirus spreads.

These are surely matters in which Government ministers have not only the ability but the obligation to raise concerns about gross violations of rights with their UK counterparts.

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Moreover, we at Doctors for Assange, and the UN Rapporteur on Torture, are not the only groups and authorities concerned about gross violation of Julian Assange's rights. Grave concerns have been raised by Amnesty International, Human Rights Watch, the NSW Council of Civil Liberties, Reporters Without Borders, the UN Working Group on Arbitrary Detention, the Parliamentary Assembly of the Council of Europe and most recently the International Bar Association Human Rights Institute.

According to the Australian Government's own Human Rights Commission, the federal government has the overall legal responsibility for ensuring that Australian citizens' human rights are protected.

In light of this, we would like to draw your attention to the March 10 statement by the International Bar Association Human Rights Institute, following Julian Assange's February extradition hearing in London. The statement reads, in part:

"The International Bar Association Human Rights Institute is concerned that the mistreatment of Julian Assange constitutes breaches of his right to a fair trial and protections enshrined in the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, to which the UK is party. It is deeply shocking that as a mature democracy in which the rule of law and the rights of individuals are preserved, the UK Government has been silent and has taken no action to terminate such gross and disproportionate conduct by Crown officials...With this extradition trial we are witnessing the serious undermining of due process and the rule of law."

The Institute added that Julian Assange's treatment is "shocking and excessive. It is reminiscent of the Abu Ghraib Prison Scandal."

Given the gravity of these statements from a leading legal and human rights body, consular assistance is a red herring. We therefore stand by our previous calls for the Australian Government to urgently intervene to protect the life, health and human rights of its citizen Julian Assange, before it is too late, whether due to coronavirus or any number of catastrophic health outcomes.

We further extend our previous appeals to demand that the Australian government heed not only doctors' warnings, but those of respected legal and human rights bodies and authorities, many of which are calling for the US extradition request to be denied and Julian Assange's incarceration and extradition trial to be ceased, in the name not only of medical ethics, but human rights and rule of law.

As the present matter is of inherent public interest, copies of this letter will be distributed to media outlets worldwide.

Yours faithfully,

Doctors for Assange

