

## Council

Agenda item 7.1

28 June 2022

### Notice of Motion: Cr Dr Olivia Ball, Julian Assange

#### Motion

That Council:

1. Expresses grave concern that on 17 June 2022 the British Government approved the extradition of Wikileaks co-founder Julian Assange to the United States;
2. Affirms its support for freedom of expression, freedom of the press and whistle-blowers and for their protection in all jurisdictions everywhere;
3. Asserts 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;
4. Notes that on 23 June 2020, the FMC adopted a motion in support of Mr Assange, asking the CEO or Lord Mayor to petition the Australian Government on his behalf; and
5. Requests the Lord Mayor write urgently on behalf of the Council to Australia's Prime Minister, Foreign Minister and Attorney-General in support of strenuous diplomatic intervention to free Mr Assange and have the charges against him dropped.

#### Background

Walkley-award winning publisher Julian Assange is an Australian citizen and some-time resident of and business owner in the City of Melbourne.

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>

---

1 The Working Group found that his detention violated Articles 9 and 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*.  
<<https://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).

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>

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.

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 response to the British Home Secretary’s decision on 17 June 2022 to approve the extradition, 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>

Mr Assange has 14 days to appeal the decision,<sup>9</sup> making Australian diplomatic intervention, and this motion, urgent.

**Moved: Cr Dr Olivia Ball**

**Seconded: Deputy Lord Mayor Cr Nicholas Reece**

---

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).

7 *Ithaka*, op. cit.

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

9 J. Grierson & B. Quinn, ‘Julian Assange’s extradition from UK to US approved by home secretary,’ *The Guardian* (18 June 2022).