

# UN rapporteur Nils Melzer demands Assange's immediate release after ten years' arbitrary detention

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In a statement last week, United Nations Special Rapporteur on Torture Nils Melzer demanded that British authorities immediately release Julian Assange, declaring that his ongoing incarceration in London's Belmarsh Prison "clearly lacks any legal basis."

Melzer issued his latest call on the tenth anniversary of Assange's confinement to various forms of arbitrary detention. This has been enforced by the British state in response to the WikiLeaks publisher's exposure of American war crimes. The UN official, who has repeatedly condemned the persecution of Assange, also drew attention to the dangerous conditions of his imprisonment amid a major coronavirus outbreak inside Belmarsh.

"Mr. Assange's rights have been severely violated for more than a decade," Melzer wrote. "He must now be allowed to live a normal family, social and professional life, to recover his health and to adequately prepare his defence against the US extradition request pending against him."

While insisting on Assange's immediate release, potentially under a form of house arrest, Melzer restated his opposition to the US attempt to extradite Assange, which is the only basis for his current incarceration. The UN official and legal professor reiterated warnings that Assange's human rights would be violated if he were dispatched to the US where he faces 17 Espionage Act charges and 175 years imprisonment for lawful publishing activities.

Addressing the role of the British judiciary and authorities, Melzer stated that "Mr. Assange is not a criminal convict and poses no threat to anyone, so his prolonged solitary confinement in a high security prison is neither necessary nor proportionate and clearly lacks any legal basis."

"The progressively severe suffering inflicted on Mr. Assange as a result of his prolonged solitary confinement, amounts not only to arbitrary detention, but also to torture and other cruel, inhuman or degrading treatment or punishment."

The urgency of the demand for Assange's freedom has

been underscored by a wave of COVID-19 infections in his immediate vicinity. At least 65 inmates out of around 160 in Assange's prison block have reportedly tested positive to the potentially deadly virus, some of them on his wing.

The spread of the coronavirus throughout the penitentiary system is the outcome of the murderous policy of "herd immunity" implemented by the British ruling class which has resulted in the ongoing surge of the pandemic. This has been compounded by the run-down condition of the prisons, chronic overcrowding, and the failure of the authorities to take any but the most minimal measures once the health crisis began.

Melzer pointed to this broader context, writing: "Prison decongestion measures seen around the world in response to COVID-19 should be extended to all inmates whose imprisonment is not absolutely necessary. First and foremost, alternative non-custodial measures should be extended to those with specific vulnerabilities such as Mr. Assange who suffers from a pre-existing respiratory health condition."

Assange's closest supporters and relatives continue to post alarming information about the conditions of his detention. Last week, Stella Moris, the WikiLeaks founder's partner, appealed to Belmarsh officials to provide him with warm clothing. Despite his winter clothing having been located, it had still not been given to him, meaning that he was "freezing" in a cell that was frequently zero degrees at night.

Previous unconfirmed reports have indicated that all COVID cases were being transferred to Assange's block. When one prisoner tested positive, their cell mate was not moved, even if they had tested negative. In August, it was revealed that Assange had not been provided with a mask, the most basic of protective measures, throughout the first six months of the pandemic. The criminal negligence has had clear homicidal undertones.

The deliberate jeopardising of Assange's health is one prong of the imperialist campaign to silence him. Melzer's

latest appeal has not been publicly answered by the British government or judicial authorities. An emergency bail application citing Assange's vulnerability was rejected in March. Warnings from doctors since last October that the WikiLeaks founder could die behind bars have either been ignored or blithely dismissed.

Melzer's statement summarised the almost unprecedented vendetta against Assange: "In an opinion rendered in December 2015, the UN Working Group on Arbitrary Detention found that since his arrest on 7 December 2010, Mr. Assange had been subjected to various forms of arbitrary deprivation of liberty, including 10 days of detention in London's Wandsworth prison; 550 days of house arrest, and the continuation of the deprivation of liberty in the Ecuadorian Embassy in London which lasted almost seven years. Since 11 April 2019, Mr. Assange has been held in near total isolation at Belmarsh."

The initial pretext for the deprivation of Assange's liberty, Swedish allegations of sexual misconduct, has long been exposed as a politically motivated state frame-up. Over the course of more than eight years, Assange was never charged with a crime by Swedish prosecutors, who dropped a "preliminary investigation" for the third and final time in 2019.

The innumerable irregularities of the Swedish affair have been extensively documented by Melzer and other legal authorities. As the WSWs has previously noted, they "included Swedish police officers rewriting the statement of one of the complainants without informing her, the intimate involvement of Claes Borgström, a lawyer and politician with close ties to the US state, and the refusal of Swedish prosecutors to interview Assange by video-link or in London, as they had done in hundreds of other cases.

"Most sinisterly, those who promoted the Swedish frame-up derided the suggestion that it had anything to do with the American pursuit of Assange—despite the otherwise inexplicable refusal of the Swedish authorities to guarantee that they would not extradite Assange to the US if he came into their custody."

Assange's insistence that the Swedish investigation was aimed at embroiling him in the legal system, providing a pretext for his effective imprisonment and an alternate route for a US rendition, has been fully confirmed.

Despite the ignominious collapse of the Swedish frame-up, Assange's situation has not altered in any way. The pseudo-legal pretexts for his imprisonment have changed, but he has remained arbitrarily detained throughout the past decade. This is the clearest proof that the Swedish investigation, and the vindictive actions of the British judiciary over the past ten years, are links in a chain of persecution that has been devised by US governments and intelligence agencies.

The aim was always to prosecute Assange for his role in the exposure of American war crimes, spying operations and global diplomatic conspiracies, imprison him for life or worse, and shut-down WikiLeaks to prevent any further revelations.

Assange's dire plight has not evoked any serious opposition from the political or media establishment in Britain, the US or Australia.

Having promoted all of the slanders used to undermine support for the WikiLeaks founder, the corporate journalists have largely fallen silent now that Assange's warnings about the character and purpose of his persecution have been vindicated. The ten-year anniversary of his effective incarceration passed with scarcely a word in the major publications that slandered Assange as a "rapist" and "sexual offender" for years.

The political forces implicated in the vendetta against Assange extend from the Democrats and Republicans in the US, to the Conservatives and Labour in Britain and all of the official parties in Australia, which have either abandoned the WikiLeaks founder or actively participated in the campaign against him, despite the fact that he is an Australian citizen and journalist.

A particularly pernicious role has been played by the pseudo-left organisations which turned against Assange on the basis of their support for identity politics and their increasingly open alignment with imperialist war, expressed in their backing for US-led regime-change operations in Syria, Libya and Ukraine. For their part, the corporatised trade unions, including in the media industry, have done nothing to mobilise widespread popular support for Assange, in keeping with their daily collaboration with governments and the media conglomerates.

The record again underscores the fact that a struggle for Assange's liberty requires the independent political mobilisation of the working class, as part of the struggle against escalating imperialist militarism, the ruling class offensive against the social rights of ordinary people and the accompanying turn to dictatorial forms of rule.

A ruling in the show-trial proceedings for Assange's extradition to the US is due on January 4.



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