

Access to Medical Care, a Human Right, Must Also be Guaranteed to Julian Assange

Sean Love, a physician who has met with Julian Assange several times, calls for him to be given access to healthcare

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This article which is of particular relevance to the arrest of Julian Assange was originally written in June 2018.

This week marks six years since Julian Assange entered the Ecuadorean embassy in London and nearly three years since the UN declared that his situation amounts to an “arbitrary deprivation of liberty.”[1] Over this time, Assange’s health has deteriorated markedly, as colleagues and I reported last January after examining him.[2]

In March, the terms of his confinement became more severe, increasing the risks of what was already a dangerous health situation. Ecuador, which in 2012 granted political asylum to Assange, restricted his visitation and communications and announced an indefinite policy to prevent him from “speaking about politics.”[3] In response, the general counsel of Human Rights Watch, Dinah PoKempner, stated, “his refuge in the embassy looks more and more like solitary confinement.”[4]

Under these circumstances, it would appear that efforts at international diplomacy to preserve his health and protect his human rights have failed. Yet earlier this month, two senior officials of the Australian High Commission visited Assange at the embassy for the first time, representing a turning point that may lead to greater efforts to relieve or at least ameliorate the negative effects that his stay within the embassy has had on his health.

Over this past year, I’ve met with Assange several times at the embassy in London, and have been privy to his conditions and medical record. Assange suffers both physically and psychologically from his prolonged detention—as was found in another evaluation performed in 2015, the results of which were made available to the public.[5] Assange’s detention continues to cause a precipitous deterioration in his overall condition and amounts to cruel, inhuman, and degrading treatment.

Within the embassy, Assange is confined mostly to a single room and has had no meaningful access to the outdoors or to natural light in six years. As a result, he has developed myriad health sequelae and endured exacerbations of preexisting conditions. Because of his health issues, in 2015, Ecuadorean authorities requested that he be permitted humanitarian safe passage to a hospital in London; however, this was denied by the UK.[6]

Although physicians are able to visit Assange for evaluations, many are reluctant to do so given their concerns about appearing to associate with Assange by caring for him as a

patient. To this day, Assange remains unable to access hospital based diagnostic testing and treatment—even for a medical emergency. In effect, he has gone without proper access to care for the duration of his six years in confinement. Meanwhile, data on the health effects of solitary confinement suggest that the restrictions on Assange since March increase his risks of post-traumatic stress disorder, depression, and suicide.[7]

In May, Ecuador denied Human Rights Watch permission to visit Assange, and human rights experts reported that “concern is growing over his access to medical care.”[8] On Monday 18 June, international legal experts presenting to the UN Human Rights Council in Geneva, Switzerland testified,

“the UK shows a deliberate disregard for his medical needs by forcing [Assange] to choose between his human right to asylum and his human right to medical treatment.”[9]

As physicians, we have a collective responsibility to advocate for the basic human rights of all people, including that of the right to access care, even when we or society in general may disagree with an individual or group politically. In the case of Assange, at a minimum, Ecuador should respect his rights to visitation, unencumbered communication, and free speech. In addition, the UK must uphold its commitment to the UN Standard Minimum Rules for the Treatment of Prisoners.[10] This includes permitting his safe passage to a hospital, unimpeded access to care, and at least one hour outdoors in the open air per day.

If Ecuador and the UK cannot guarantee these rights, then the Australian High Commission should seek Assange’s immediate repatriation to Australia. As the US withdraws from the UN Human Rights Council,[11] Australia has the opportunity to demonstrate moral leadership at a time when our global community needs it.

*

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Notes

[1] The Working Group on Arbitrary Detention Deems the deprivation of liberty of Mr. Julian Assange as arbitrary. Office of the United Nations High Commissioner for Human Rights, 5 February 2016. Available online: <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=17012>

[2] Crosby SS, Chisholm B, Love S. We examined Julian Assange, and he badly needs care - but he can’t get it. *The Guardian*, 24 January 2018. Available online: <https://www.theguardian.com/commentisfree/2018/jan/24/julian-assange-care-wikileaks-ecuadorian-embassy>

[3] Collins D. Ecuador’s president says Julian Assange can stay in embassy ‘with conditions.’ *The Guardian*, 31 May 2018. Available online:

<https://www.theguardian.com/media/2018/may/31/julian-assange-ecuador-president-lenin-moreno>

[4] PoKempner D. 2 April 2018. Available online: <https://twitter.com/dinahpokempner/status/980623189263966209>

[5] Assange Medical and Psychological Records. 14 September 2016. Available online: <https://wikileaks.org/Medical-Reports.html>

[6] Quinn B. Britain unmoved by Ecuadorian request to give Julian Assange 'safe passage' for MRI scan. *The Guardian*, 12 October 2015. Available online: <https://www.theguardian.com/media/2015/oct/15/ecuador-asks-britain-to-allow-julian-assange-safe-passage-for-mri-scan>

[7] Grassian S. Psychiatric effects of solitary confinement. *Washington University Journal of Law and Policy*. Vol 22. January 2006. Available online: https://openscholarship.wustl.edu/cgi/viewcontent.cgi?article=1362&context=law_journal_law_policy

[8] PoKempner D. UK should reject extraditing Julian Assange to US. Human Rights Watch, 19 June 2018. Available online: <https://www.hrw.org/news/2018/06/19/uk-should-reject-extraditing-julian-assange-us>

[9] Collins K. Vigil for the health of Julian Assange to take place in London. *CNET*, 19 June 2018. Available online: <https://www.cnet.com/news/vigil-for-the-health-of-julian-assange-to-take-place-in-london/>

[10] United Nations Office on Drugs and Crime. The United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules). Accessed 20 June 2018. Available online: https://www.unodc.org/documents/justice-and-prison-reform/GA-RESOLUTION/E_ebook.pdf

[11] Borger. US quits UN human rights council - 'a cesspool of political bias'. *The Guardian*, 19 June 2018. Available online: <https://www.theguardian.com/world/2018/jun/19/us-quits-un-human-rights-council-cesspool-political-bias>

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