

*Proposal introduced by Members of Parliament,  
Jean Rossiaud, Guy Mettan, Jean-Charles Rielle,  
Pierre Eckert, Nicole Valiquer Grecuccio, Christo  
Ivanov, Yves de Matteis, Sylvain Thévoz, Salima  
Moyard, Olivier Baud, Nicolas Clémence, Boris  
Calame, Xhevrie Osmani, Christina Meissner,  
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Esteban*

*Filing date: 20 January 2020*

**Resolution proposal:  
A humanitarian visa for Julian Assange**

**The Parliament of the Republic and Canton of Geneva  
considering:**

- that according to Article 19 of the Universal Declaration of Human Rights, everyone has the right to freedom of opinion and expression, which encompasses the right not to be disturbed for one's opinions and that to seek, receive and spread information and ideas by any and every means without consideration for borders;
- that according to Article 1 of the 1998 United Nations Declaration on Human Rights Defenders, everyone has the right, individually or in association with others, to promote the protection and implementation of human rights and fundamental freedoms at the national and international level;
- the recognition by Switzerland of its duty to consolidate the rule of law and ensure the protection of those who document violations of human and fundamental rights, even when they conduct their work outside of its territory (2013 Guidelines of Switzerland regarding the protection of human rights defenders);
- that the protection of such individuals is of paramount importance to Switzerland;

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- that according to these guidelines “Switzerland publicly advocates for a better protection of human rights defenders and intervene with States wherein they are threatened, and their work is hindered by the authorities”;
  - that the protection and promotion of human rights and the strengthening of the rule of law are amongst the objectives of the Swiss foreign policy, anchored in the Federal Constitution;
  - that the “crimes” Julian Assange is alleged to have committed are those of having founded and directed WikiLeaks, an NGO that enabled the disclosure of information to the world, in particular as regards the crimes of the US army in Iraq and Afghanistan, the massacre of civilians, and the torture in Guantanamo;
  - that the attacks on Julian Assange are attacks on democratic rights insofar as they aim to render investigative journalism illegal and prevent Governments’ crimes from being exposed;
  - that the Swedish authorities, who have investigated for over 9 years “on a preliminary basis” charges of “sexual misconduct” (*i.e.* consensual but unprotected sex), and even rape, against Julian Assange, after twice ending the investigations against him, dropped all investigations against Julian Assange for the third time and for good on 19 November 2019;<sup>1</sup>
  - that to this day, Julian Assange is no longer subject to the European arrest warrant issued by Stockholm but that he nonetheless remains detained “as a preventive measure” –in confinement– in the high-security prison of Belmarsh in the United Kingdom;<sup>2</sup>
  - that, according to the UN Special Rapporteur on torture, Nils Melzer, there is no legal basis that could justify such confinement for 23 hours a day, which amounts to arbitrary detention,<sup>3</sup> and that it is “*very difficult to understand how this could occur in democratic States such as Sweden, the United Kingdom, the United States and Ecuador, where you cannot rely on any authority to protect your rights*”.

<sup>1</sup><https://medium.com/@njmelzer/state-responsibility-for-the-torture-of-julian-assange->

<sup>2</sup><https://twitter.com/njmelzer/status/1193841574586781698?lang=en>

<sup>3</sup><https://medium.com/@njmelzer/state-responsibility-for-the-torture-of-julian-assange-40935ea5d7c3>

- that, furthermore, torture of Julian Assange during this detention has been established by both the United Nations and medical experts;<sup>4</sup>
- that, according to the same UN Special Rapporteur, the detention, ordered in a 15 minutes lapse of time and without giving the opportunity to Julian Assange's lawyers to be heard, violates the fundamental right to a fair trial;<sup>5</sup>
- that the evidence gathered by United Nations experts led them to conclude as follows: *"We have unquestionably demonstrated the existence of patent conflicts of interest and bias from the judicial authorities, including insults and abuse in the courtroom. In addition, Julian Assange is continuously prohibited from having access to the legal documents of his case and his lawyers' involvement continues to be systematically refused, even denied, to the point that twice Julian Assange was not allowed to prepare his own defence. Where is the rule of law?"*;<sup>6</sup>
- that in light of the repeated violations of the fundamental rights that constitute the basis of democratic societies –namely, the prohibition of torture, the right to a fair trial, the prohibition of arbitrary detention, the right to legal representation, access to medical care, etc.–, Heads of state, Ministers, NGOs, doctors, lawyers and journalists have made repeated calls to alert the public opinion on the case of Julian Assange;<sup>7</sup>
- that the diversity of these calls, beyond the political affinities of each of their authors, demonstrates that the sole issue today is the protection of each citizen's fundamental rights to be afforded untainted justice, a fair trial and a dignified treatment while in prison, with an emphasis on the prohibition of the use of torture in the rule of law and the right to access necessary and urgent medical care whilst imprisoned;

<sup>4</sup><https://medium.com/@njmelzer/state-responsibility-for-the-torture-of-julian-assange-40935ea5d7c3>; <https://medium.com/@doctors4assange/open-letter-to-the-australian-government-e19a42597e45>

<sup>5</sup><https://medium.com/@njmelzer/state-responsibility-for-the-torture-of-julian-assange-40935ea5d7c3> ; <https://www.rts.ch/info/monde/10974723-l-attitude-des-etats-unis-dans-le-cas-assange-rappelle-un-regime-dictatorial-.html>

<sup>6</sup>Speech of Nils Melzer, UN Special Rapporteur on torture before the Bundestag, Berlin, 27 November 2019, transcribed in French at: <https://www.legrandsoir.info/la-responsabilite-de-l-etat-pour-la-torture-de-julian-assange-medium.html>; the same was confirmed by Graig Murray, former Ambassador of the United Kingdom:

<https://www.craigmurray.org.uk/archives/2019/10/assange-in-court/>

<sup>7</sup> For any additional information, see: <http://www.adetra.org>.

- that it appears, in light of the recent declarations of a former Lieutenant-Colonel of the US Air Force, also former NSA agent (National Security Agency, the American intelligence services) and former Pentagon analyst, that "*Julian Assange is currently under close surveillance at the prison hospital because he suffered from <severe transient psychotic episodes>. My sources advise that these episodes occurred following two coercive interrogation sessions (emphasis added) by British and American officials. Sources stated that the interrogators used psychotropic drugs during the sessions*",<sup>8</sup> namely, the "BZ incapacitating gas" that is prohibited at the international level by the Chemical Weapons Convention,<sup>9</sup>
- that these revelations are in line with the findings of the doctors who examined Julian Assange and confirmed a deterioration of his neuro-cognitive abilities;<sup>10</sup>
- that despite Julian Assange's health problems that have been established since 2015, the United Kingdom has always refused that he has access to diagnostic tests or hospital treatment, even in case of medical emergency, and that on 1 November 2019, Nils Melzer reiterated his concern about the continuing deterioration of Julian Assange's health since his arrest and detention in April 2019, claiming that his life was now in danger, a concern echoed by 65 doctors around the world on 22 November 2019 who declared that Mr Assange urgently needed a medical evaluation of his physical and psychological condition and that medical treatment should be administered in a university hospital (tertiary care) that is well equipped and staffed with qualified personnel, being genuinely concerned, on the basis of the evidence currently available, that Mr. Assange dies in prison.<sup>11</sup>

<sup>8</sup><https://www.lewrockwell.com/2019/05/karen-kwiatkowski/pray-and-weep/>

<sup>9</sup><https://www.lewrockwell.com/2019/05/karen-kwiatkowski/pray-and-weep/>; <https://www.zeit-fragen.ch/fr/archives/2019/n-14-24-juin-2019/avec-son-procede-de-traitement-contre-julian-assange-lamerique-creuse-sa-propre-tombe.html>  
[https://www.voltairenet.org/IMG/pdf/HD\\_14\\_2019.pdf](https://www.voltairenet.org/IMG/pdf/HD_14_2019.pdf)  
<https://info.arte.tv/fr/quest-ce-qu'une-arme-chimique>

<sup>10</sup><https://www.wsws.org/fr/articles/2019/11/28/jamd-n28.html>

<sup>11</sup><https://medium.com/@doctors4assange/open-letter-to-the-australian-government-e19a42597e45>; <https://www.craigmurray.org.uk/archives/2019/10/assange-in-court/>

- that in the light of the above, it cannot be disputed that the physical and mental health of Julian Assange is affected and that the United Kingdom is no longer able to guarantee –in the case at hand– the personal security and integrity of Julian Assange, which was confirmed by the UN Special Rapporteur on torture, Nils Melzer, who maintains that the United Kingdom does not respect the rule of law in the Julian Assange case;<sup>12</sup>
- that in his reply of 11 June 2019<sup>13</sup> to the 5 June 2019 Question of National MP Carlo Sommaruga, the Federal Council indicated that **“anyone whose life or physical integrity is directly, seriously and concretely threatened, can apply for a humanitarian visa with a Swiss representation abroad”**, and that the issuance of a **humanitarian permit** requires both that the applicant does so from Switzerland and that a cantonal authority declares itself willing to grant a residence permit on that basis prior to the request;<sup>14</sup>
- that in light of the Republic and Canton of Geneva’s commitment to fundamental rights, the humanitarian tradition of Geneva, and the interest of Geneva and of Switzerland to promote the image of Geneva, European headquarters of the United Nations and world capital for aid and human rights;

<sup>12</sup> <https://www.rts.ch/info/monde/10974723-l-attitude-des-etats-unis-dans-le-cas-assange-rappelle-un-regime-dictatorial-.html>

<sup>13</sup> <https://www.parlament.ch/fr/ratsbetrieb/amtliches-bulletin/amtliches-bulletin-die-verhandlungen?SubjectId=46260>

<sup>14</sup> Note the City Council of Geneva passed a motion tabled on 5 February 2019 by Mr. Eric Bertinat, former President of the City Council of Geneva, requesting a humanitarian permit for Julian Assange: <https://www.ville-geneve.ch/conseil-municipal/objets-interventions/detail-objet/objet-cm/233-176e/>.

**Invites the Geneva Government to request the Federal Council to urgently issue a humanitarian visa for Julian Assange**

***STATEMENT OF REASONS***

Ladies and Gentlemen,  
Members of Parliament,

Since 2010, the US Government has been prosecuting WikiLeaks founder Julian Assange on the grounds that the WikiLeaks news website released a number of documents, which turned out to be of public interest; some of which constituted prosecution material to denounce war crimes committed by the United States in Iraq and Afghanistan. The United States Government is further suspected of having organised a major slander campaign aimed at ruining the credibility of Julian Assange and destroying the public's trust in WikiLeaks.

The case of Julian Assange has preoccupied numerous observers – journalists, doctors, politicians, artists and lawyers– beyond their political or ideological opinions, from the very beginning of the prosecution and extradition procedures. Today, his poor health further justifies our request for him to be granted a humanitarian visa in Switzerland, so he can undergo a global health check-up at a Geneva University Hospital. This follows the Geneva humanitarian tradition as well as that of Switzerland.

***The Swedish procedure***

As early as 2010, the Swedish State played a central role in the prosecution and incarceration of Julian Assange after having launched investigations against him following a complaint for rape and then for "sexual misconduct" (*i.e.* consensual but unprotected sex), which he always denied.

Fearing that once in Sweden he would be extradited to the United States for political motives, Julian Assange felt compelled to seek political asylum at the Ecuadorian embassy in London, in the United Kingdom. It is in that embassy that he would then spend 7 years, in confinement conditions.

On 11 April 2019, the new President of Ecuador, Lenin Moreno, put an end to Julian Assange's political asylum and deprived him of his Ecuadorian citizenship which the previous Ecuadorian Government had granted him. Julian Assange was then arrested in the Ecuador Embassy's enclosure by the British police. Many human rights observers denounced what they saw as a political sanction.<sup>15</sup>

On 19 November 2019, after almost 10 years of prosecution, Swedish prosecutors however announced they dropped their "preliminary investigation" into allegations of "sexual misconduct" against Julian Assange.

The failure of this investigation, which was dropped three times in a decade and that never went beyond the "*preliminary*" stage, was deemed to be a particularly exceptional international judicial harassment, if not political harassment, of which Julian Assange was the victim.

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<sup>15</sup> For information, the change in Ecuador's policy was immediately followed, amongst others, by the signing of a military cooperation agreement with the United States, a USD 4.2 billion agreement with the International Monetary Fund, and loans worth over USD 6 billion with the Inter-American Development Bank; see: <https://www.reuters.com/article/us-ecuador-imf/ecuador-inks-4-2-billion-financing-deal-with-imf-moreno-idUSKCN1QA05Z>; [https://www.blick.ch/news/ausland/schweizer-uno-sonderbeauftragter-ueber-prozess-gegen-julian-assange-das-erinnert-an-ein-diktatorisches-regime-id15683116.html?utm\\_medium=social&utm\\_campaign=share-button&utm\\_source=twitter](https://www.blick.ch/news/ausland/schweizer-uno-sonderbeauftragter-ueber-prozess-gegen-julian-assange-das-erinnert-an-ein-diktatorisches-regime-id15683116.html?utm_medium=social&utm_campaign=share-button&utm_source=twitter)

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### ***The extradition request by the United States***

On 6 March 2018 and then on 23 May 2019, the United States Department of Justice issued indictments<sup>16</sup> against Julian Assange and introduced an extradition request to the United Kingdom.

The United States drew up 17 charges against Julian Assange, who therefore faces up to 170 years in prison and possibly risks the death penalty (envisages for crimes of espionage).

The charges “pose a direct threat to the freedom of press and investigative journalism” said *Reporters Without Borders*,<sup>17</sup> whilst the *Freedom of the Press* organisation spoke of “a great danger for journalists”. Edwy Plenel, co-founder of *Mediapart*, added: “What the American power and its allies want him to pay for is to have paved the way for a new democratic utopia whereby the right to know would be a peaceful weapon”.<sup>18</sup>

According to the statement of the *American Civil Liberties Union*, “Any prosecution by the United States against Mr. Assange, for acts of publication of truthful information will set precedent and will be unconstitutional; the would pave the way to criminal proceedings against other media outlets”.<sup>19</sup>

Nils Melzer, the United Nations Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, stated on 30 November 2019: “The reasons the United States want to have him extradited are constitutive of a classic case of political offence. Yet, the British law prohibits extradition for political offences”.<sup>20</sup>

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<sup>16</sup> [https://www.lemonde.fr/pixels/article/2019/05/24/la-justice-americaine-poursuit-assange-en-vertu-des-lois-sur-l-espionnage\\_5466255\\_4408996.html](https://www.lemonde.fr/pixels/article/2019/05/24/la-justice-americaine-poursuit-assange-en-vertu-des-lois-sur-l-espionnage_5466255_4408996.html)

<sup>17</sup> <https://rsf.org/en/news/two-months-assanges-extradition-hearing-rsf-calls-his-release-humanitarian-grounds-and-us-espionage>

<sup>18</sup> <https://www.mediapart.fr/journal/france/150419/quand-ils-sont-venus-chercher-assange?onglet=full>

<sup>19</sup> <https://www.aclu.org/press-releases/aclu-comment-julian-assange-arrest>

<sup>20</sup> <https://www.youtube.com/watch?v=V8RU5MJb1m8>



### ***The right to due process of Julian Assange***

Numerous human rights organisations have launched calls to express their indignation at the abuses of power the United States and its allies committed for nearly 10 years against Mr. Julian Assange.

On 30 November 2019, the United Nations Special Rapporteur on Torture declared: *“What we see here is a person whose right to due process has been violently and systematically violated for 10 years, at all stages of the process and in all jurisdictions. It’s very difficult to understand how this could occur in democratic states such as Sweden, the United Kingdom, the United States and Ecuador, where you cannot rely on any authority to protect your rights (...) This entire detention has no legal basis”*.<sup>2</sup>

The evidence gathered by United Nations experts led them to conclude as follows: *“We have unquestionably demonstrated the existence of patent conflicts of interest and bias from the judicial authorities, including insults and abuse in the courtroom. Julian Assange is continuously prohibited from having access to the legal documents of his case and his lawyers’ involvement continues to be systematically refused, even denied, to the point that twice Julian Assange was not allowed to prepare his own defence. Where is the rule of law?”*,<sup>22</sup>

Julian Assange’s lawyers have introduced evidence that demonstrates that the Ecuadorian Embassy had since 2017 authorised *Undercover Global*, a Spanish security company, to spy on Julian Assange for the benefit of the Central Intelligence Agency and the Government of the United States, including during his confidential discussions with his doctors and his lawyers, in violation of the fundamental rules of the rule of law. The Spanish justice opened an investigation<sup>23</sup> and Julian Assange was denied permission from the United Kingdom Government to attend the related hearing in Spain.

<sup>21</sup> <https://www.youtube.com/watch?v=V8RU5MJb1m8>

<sup>22</sup> Speech by the United Nations Special Rapporteur on torture, Nils Melzer, before the Bundestag, Berlin, 27 November 2019.

<sup>23</sup> [https://elpais.com/elpais/2019/11/29/inenglish/1575044449\\_760169.html](https://elpais.com/elpais/2019/11/29/inenglish/1575044449_760169.html)

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### ***The arbitrary detention of Julian Assange***

On 4 December 2015, the United Nations Working Group on Arbitrary Detention (UNWGAD) adopted Opinion No. 54/2015 in which it found that Mr. Julian Assange was being arbitrarily detained by the Governments of Sweden and the United Kingdom. In this opinion, the Working Group recognized that Mr. Assange was entitled to his freedom of movement and to compensation.<sup>24</sup>

On 21 December 2018, UN human rights experts stated that “*The Swedish investigations have been completed for over 18 months and the only remaining reason for Mr. Assange’s continued deprivation of liberty is a bail violation in the United Kingdom, which is, objectively, a minor offence that cannot justify the over 6 years post facto imprisonment he has been subjected to since his request for asylum at the Embassy of Ecuador. Mr. Assange should be able to exercise his right to freedom of movement without hindrance, in accordance with the human rights conventions the United Kingdom has ratified*”.<sup>25</sup>

In his 31 May 2019 report, the United Nations Special Rapporteur on Torture, Nils Melzer, stated that “*In 20 years of working with victims of war, violence and political persecution, I have never seen a group of democratic States come together to isolate, demonize and deliberately mistreat a single individual for so long and with so little respect for human dignity and the rule of law [...] The collective persecution of Julian Assange must stop here and now!*”<sup>26</sup>

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<sup>24</sup> In the same vein, Mr. Dick Marty, former Attorney General of Ticino, Switzerland and former Rapporteur on the CIA secret prisons for the Council of Europe, said on 11 April 2019: “*Assange has only spoken the truth. He exposed criminal actions and raised international awareness*”; see: <https://www.rts.ch/info/monde/10359555--je-suis-choque-assange-n-a-fait-que-dire-la-verite-clame-dick-marty.html>

<sup>25</sup> <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24042>

<sup>26</sup> <https://www.ohchr.org/FR/NewsEvents/Pages/DisplayNews.aspx?NewsID=24665>

***The health condition of Mr. Assange and his subjection to cruel, inhuman or degrading treatment***

During the seven years he spent at the Ecuadorian embassy in confinement living conditions, Julian Assange has been visited and examined by several medical experts who have expressed their grave concern about his health condition.

Despite Julian Assange's established health problems dating back 2015, the United Kingdom has always refused to allow Julian Assange to access diagnostic tests and treatments in a hospital environment, even in case of medical emergency.

On 4 December 2015, the Opinion formally adopted by the United Nations Working Group on Arbitrary Detention indicated that Julian Assange had been prevented from being properly examined, and in particular from undergoing a Magnetic Resonance Imaging (MRI) procedure.<sup>27</sup>

On 9 May 2019, the United Nations Special Rapporteur on Torture, Nils Melzer, visited Mr. Assange at the Belmarsh Prison in the United Kingdom, accompanied by two medical experts specialised in the examination of victims of torture and other ill-treatment.

In his 31 May 2019 report, the UN expert stated that: *"Mr. Assange was deliberately exposed, for several years, to forms of cruel, inhuman or degrading treatment or punishment, the cumulative effects of which can only be qualified as psychological torture [...] More importantly, in addition to physical affliction, Mr. Assange exhibited all of the typical symptoms of prolonged exposure to psychological torture, including extreme stress, chronic anxiety and intense psychological trauma"*.<sup>28</sup>

This was confirmed by the former Ambassador of the United Kingdom, Graig Murray, who sounded the same alarm bell.<sup>29</sup>

<sup>27</sup> <https://www.undocs.org/pdf?symbol=fr/A/HRC/WGAD/2015/54>. See also Mr. Melzer's interview with the RTS on 19 December 2019: <https://www.rts.ch/info/suisse/10957149-des-ong-et-des-partis-demandent-a-la-suisse-l-asile-pour-julian-assange.html>

<sup>28</sup> <https://www.ohchr.org/FR/NewsEvents/Pages/DisplayNews.aspx?NewsID=24665>

<sup>29</sup> <https://www.craigmurray.org.uk/archives/2019/08/assange-must-not-also-die-in-jail/>;  
<https://www.craigmurray.org.uk/archives/2019/10/assange-in-court/>

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On 7 May 2019, Karen Kwiatkowski, former Lieutenant-Colonel of the US Air Force, also former NSA agent (National Security Agency, the American intelligence service) and former Pentagon analyst, advised that: *“Julian Assange is currently under close surveillance at the prison hospital because he suffered from ‘severe transient psychotic episodes’. My sources say that these episodes occurred after two coercive interrogation sessions by British and American officials. HUMINT interrogators resorted to psychotropic drugs during the ‘sessions’”, namely the “BZ incapacitating gas” that is prohibited at the international level by the Chemical Weapons Convention.*<sup>30</sup>

On 1 November 2019, Nils Melzer reiterated his concern over the continuing deterioration of Julian Assange’s condition since his arrest and detention in April 2019, assuring that his life was now in danger. He stated: *“What we have seen from the British Government is a total disregard for the rights and integrity of Mr. Assange [...] Despite the medical urgency of my call and the gravity of the alleged violations, the United Kingdom has not taken any investigative, preventive or remedial measure as under international law so requires [...] Unless the United Kingdom changes its course and improves his inhuman situation, the continued exposure of Mr. Assange to arbitrariness and abuses could soon cost him his life”.*

On 22 November 2019, 65 distinguished physicians from around the world addressed an open letter to the British Home Secretary expressing their grave concerns about the physical and mental health of Julian Assange. Doctors have a professional obligation to report cases of suspected torture they may become aware of, wherever it occurs. The 1946 Constitution of the World Health Organisation provides that *“reaching the best possible state of health is a fundamental right of all human beings”.*

<sup>30</sup><https://www.lewrockwell.com/2019/05/karen-kwiatkowski/pray-and-weep/>; <https://www.zeit-fragen.ch/fr/archives/2019/n-14-24-juin-2019/avec-son-procede-de-traitement-contre-julian-assange-lamerique-creuse-sa-propre-tombe.html> [https://www.voltairenet.org/IMG/pdf/HD\\_14\\_2019.pdf](https://www.voltairenet.org/IMG/pdf/HD_14_2019.pdf) <https://info.arte.tv/fr/quest-ce-quune-arme-chimique>

The signatory physicians stated that: “*Mr. Assange urgently needs an expert medical evaluation of his physical and psychological condition. All required medical treatment must be administered in a well-equipped university hospital (tertiary care) staffed with qualified personnel. In the absence of such evaluation and emergency treatment, there is a real concern, based on the evidence currently available, that Mr. Assange dies in prison. The medical situation is urgent. There is no time to lose*”.<sup>31</sup>

### ***International support to Julian Assange***

In the face of repeated violations of the fundamental rights that constitute the basis of democracy –namely, the prohibition of torture, the right to a fair trial, the prohibition of arbitrary detention, the right to legal representation, access to medical care, etc.–, Heads of State, Ministers, NGOs, doctors, lawyers and journalists have made repeated calls to alert the public opinion on the case of Julian Assange.<sup>32</sup>

Amongst them were two former Presidents of *Doctors Without Borders*, the Secretary-General of *Reporters without Borders*, the French League of Human Rights, American Senators, filmmakers, artists and intellectuals from all sides.

Over a thousand journalists from around the world have recently signed an open letter in which they demanded that the legal campaign against WikiLeaks founder Julian Assange for the “crime” of having exposed war crimes, immediately end and requested his unconditional freedom. In the open letter, they stated: “*In a democracy, journalists can uncover war crimes, torture and abuses without having to go to jail. It’s the essence of the press in a democracy*”.<sup>33</sup>

86 Swiss journalists have already signed this letter.

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<sup>31</sup> <https://medium.com/@doctors4assange/open-letter-to-the-australian-government-e19a42597e45>

<sup>33</sup> <https://speak-up-for-assange.org/>

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Further, the calls from international lawyers to the Australian Prime Minister and the Government of the United Kingdom multiplied to stress that: *“The ongoing proceedings against the Australian citizen Julian Assange, founder of WikiLeaks, currently detained at the Belmarsh prison near London, shows a grave erosion of the secular principles of human rights, the rule of law and the democratic freedom to gather and share information. We want to join in to the existing protests in this case”*.<sup>34</sup>

### **A humanitarian visa!**

The health condition of Julian Assange requires to act urgently, and with determination.

In his of 11 June 2019<sup>35</sup> to the 5 June 2019 Question of National MP Carlo Sommaruga, the Federal Counsel indicated that the issuance of a humanitarian visa is conditioned to a cantonal authority’s prior declaration of intent to grant a residence permit to the applicant on that basis. Anyone whose life or physical integrity is directly, seriously and concretely threatened can apply for a humanitarian visa at a Swiss representation abroad.

A humanitarian visa would allow Julian Assange to proceed, in complete safety and in accordance with the humanitarian principles of neutrality, impartiality and independence, with the health examinations he requires in Geneva and to benefit from the medical care he may need.

Before the Swedish judicial system dropped all the charges for rape and sexual misconduct, the Federal Council stated in their response that: *“The authorities consider that a person who already currently in a safe third State, is not directly threatened. In the case at hand, nothing indicates that Great Britain, the country where Julian Assange is, does not abide by its legal obligations”*.<sup>36</sup>

<sup>34</sup> <https://www.transcend.org/tms/2019/12/julian-assange-an-appeal-from-international-lawyers/>; <https://independentaustralia.net/life/life-display/open-letter-to-scott-morrison-regarding-julian-assange.13423>

<sup>35</sup> <https://www.parlament.ch/fr/ratsbetrieb/amtliches-bulletin/amtliches-bulletin-die-verhandlungen?SubjectId=46260>

<sup>36</sup> <https://www.parlament.ch/fr/ratsbetrieb/amtliches-bulletin/amtliches-bulletin-die-verhandlungen?SubjectId=46260>

However, it has been clearly established since, according to the report of the United Nations Special Rapporteur on torture, that in the case of Julian Assange, the United Kingdom has systematically infringed the rule of law at the judicial level, as regards detention conditions and vis-à-vis his health and safety.<sup>37</sup> These conclusions are shared by Craig Murray, former Ambassador of Great Britain.<sup>38</sup>

**This is why, Ladies and Gentlemen, Members of Parliament, we ask you to support this Resolution.**

<sup>36</sup>Speech of Nils Melzer, UN Special Rapporteur on torture before the Bundestag, Berlin, 27 November 2019, transcribed in French at: <https://www.legrandsoir.info/la-responsabilite-de-l-etat-pour-la-torture-de-julian-assange-medium.htm><https://www.legrandsoir.info/la-responsabilite-de-l-etat-pour-la-torture-de-julian-assange-medium.html> / <https://www.rts.ch/info/monde/10974723-l-attitude-des-etats-unis-dans-le-cas-assange-rappelle-un-regime-dictatorial.html>

<sup>37</sup> <https://www.craigmurray.org.uk/archives/2019/10/assange-in-court/>