

UA 125/02

Health Co

TUNISIA Mourad Boughanmi (m), aged 32
Mondher Bejaoui (m), aged 42
Jalel Mabrouk (m), aged 40
Mohamed Hedi Khedimi (m), aged 33
Tewfiq Ben Faraj Fatnassi (m), aged 42

Two prisoners have recently died in custody, apparently as a result of medical negligence. The five men named above are among scores of other political prisoners and prisoners of conscience who are being denied appropriate medical care, even though their health is failing. They are held in appalling conditions, and without proper medical treatment they may die.

Mourad Boughanmi has been diagnosed with Hepatitis B. He has told his family that he may have contracted this disease from injections with infected syringes. Reusing syringes is said to have been a widespread practice in Tunisian prison at least until 1997. The authorities at Borj Erroumi prison, near Bizerte city, have refused to move him to hospital for further investigation and medical treatment, despite appeals from his family. He was sentenced to 13 years' imprisonment in 1992, for taking part in an unauthorized demonstration and belonging to the unauthorized Islamist movement *al-Nahda* (Renaissance).

Jalel Mabrouk was also jailed for belonging to *al-Nahda*. He was sentenced to 21 years' imprisonment in 1992, after an unfair trial at the Bouchoucha military court in Tunis. He was tortured after he was arrested, and he has recently been reported to be suffering auditory and visual hallucinations and to have reduced mobility in his legs. He is held in Sfax prison, where he has spent the past two years in solitary confinement. Other political prisoners in the jail started a hunger strike demanding that the authorities give him immediate and proper medical treatment.

Mondher Bejaoui reportedly suffers from heart failure and asthma. Apparently he gets basic medicine for the heart illness. In Lahouareb prison (Kairouan governorate), he is sharing a cell with smokers, which worsens his asthma. He is apparently given irregular supplies of Ventolin, and sometimes has to do without. The prison is apparently not equipped with oxygen to treat him when an asthmatic crisis arises. During at least one such crisis, Mondher Bejaoui asked to be hospitalized. The prison administration not only refused to hospitalise him, but apparently punished him with a period of solitary confinement. Mondher Bejaoui was sentenced to 24 years' imprisonment in 1996, on charges of taking part in unauthorized demonstrations and belonging to *al-Nahda*.

Mohamed Hedi Khedimi was also sentenced to 10 years' imprisonment in 1993, for taking part in demonstrations and belonging to *al-Nahda*. He was apparently severely tortured at the Ministry of Interior in Tunis after he was arrested. He still suffers from the after-effects, including torn abdominal muscles and problems with the ligaments in his right knee. When he was at Messaadine prison (near Sousse) he had surgery for his knee but still needs physiotherapy and a surgery to treat the torn abdominal muscles. In October 2001 he was moved to the 9 Avril prison in Tunis, where the authorities apparently refused to send him to hospital for his treatment to continue. On 15 December he was transferred to Zaghouan prison, apparently as punishment, and since then the Zaghouan prison administration has been refusing to provide him with adequate

medical treatment. His father wrote to the authorities, but has so far received no response.

Tewfiq Ben Faraj Fatnassi was sentenced to 23 years' imprisonment in 1995 for belonging to *al-Nahda*. He is held in the 9 Avril prison. He has a number of health problems, including a cyst in his neck. He fears the cyst may be a tumour and needs investigation. The prison administration has apparently refused to send him to hospital for a medical examination. On 15 April his wife asked to meet with the director of the prison to express her concerns, but he reportedly refused to meet her.

Under a law on prison administration of May 2001, every prisoner has a right to free medical care and medicine, either inside prison or in hospital at the discretion of the prison doctor. It is clear that this law is widely disregarded.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Arabic, French or your own language:

- urging the Tunisian authorities to immediately provide adequate medical care and treatment to Mourad Boughanmi, Mondher Bejaoui, Jalel Mabrouk, Mohamed Hedi Khedimi and Tewfiq Ben Faraj Fatnassi;
- calling on them to ensure that medical doctors working in prisons are able to prescribe medicine and treatment in and outside prison for prisoners, in accordance with Tunisian law and international standards;
- reminding the authorities that they have a duty to retry all prisoners who have received unfair trials, or release them, and to release all prisoners of conscience immediately.

APPEALS TO:

Minister of Justice

M. Bechir Takkari

Ministère de la Justice

31 Boulevard Bab Benat

1006 Tunis, Tunisia

Fax:+ 216 71 568 106

E-mail:mju@ministeres.tn

Salutation:Monsieur le Ministre

Director of prison administration

M. Mustapha Ben Jaafar

Directeur de l'Administration Pénitentiaire

Administration Pénitentiaire

Le Passage

Av. Habib Thameur

Tunis, Tunisia

Salutation:Monsieur le Directeur de l'Administration Pénitentiaire

[appeals for Tewfiq Ben Faraj Fatnassi]

M. Moncef Bouzrara

Juge d'application des peines

Tribunal de première instance de Tunis

Avenue Bab Bnat

1006 Tunis, Tunisia

Salutation:Monsieur le Magistrat

[appeals for Mondher Bejaoui]

Juge d'application des peines

Tribunal de première instance de Sousse
Sousse, Tunisia

Salutation:Monsieur le Magistrat

[appeals for Jalel Mabrouk]
Juge d'application des peines
Tribunal de première instance de Sfax
Sfax, Tunisia

Salutation:Monsieur le Magistrat

[appeals for Mourad Boughanmi]
Juge d'application des peines
Tribunal de première instance de Bizerte
7050 Bizerte, Tunisia

Salutation:Monsieur le Magistrat

[appeals for Mohamed Hedi Khedimi]
Directeur de la prison civile de Zaghouan
Zaghouan, Tunisia

Salutation:Monsieur le Magistrat

COPIES TO:

Human rights minister
M. Slaheddine Maâoui
Bureau du Premier Ministre
Place du Gouvernement
La Kasbah
1006 Tunis, Tunisia
Fax:+ 216 71 256 766/256 998

and to diplomatic representatives of Tunisia accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat,
or your section office, if sending appeals after 5 June 2002.