

PUBLIC

AI Index: MDE 12/33/99

Distrib: PG/SC

To: Health professionals
From: Medical Office / Middle East Program
Date: 12 August 1999

MEDICAL LETTER WRITING ACTION

**Atif Ali Farghaly (m)
EGYPT**

Theme: political prisoner / administrative detention / prison conditions / ill-health / medical care

Summary

Amnesty International has received reports that Atif Ali Farghaly, a political prisoner who has been held in administrative detention in the High Security Abu Za'abal prison in Egypt since March 1993, is suffering from tuberculous peritonitis with concurrent pulmonary TB, but is being denied adequate medical care. Amnesty International is calling on the Egyptian authorities to release Atif Ali Farghaly unless he is being charged with a recognizably criminal offence, and to allow him access to the medication and treatment he needs.

Recommended Actions

Appeals are requested from health professionals to any of the addresses below

- expressing concern at reports that Atif Ali Farghaly is suffering from tuberculous peritonitis with concurrent pulmonary TB, but is being denied access to the medication and treatment he needs
- noting that Atif Ali Farghaly has been detained without charge or trial since March 1993, and calling for him to be released unless charged with a recognizably criminal offence
- expressing concern at the inadequate level of medical care and facilities and of the poor conditions of detention in Egyptian prisons
- expressing concern at the serious implications this has on prisoners' health
- urging the Egyptian authorities to implement basic principles for conditions in detention, such as the UN Standard Minimum Rules for the Treatment of Prisoners [SMR], in order to prevent the spread of communicable diseases and improve the prisoners' well-being

If you receive no reply from the government or other recipients within two months of dispatch of your letter, please send a follow up letter seeking a response. Please check with your national coordinator or the medical team at the International Secretariat if you send appeals more than 3 months after the date of action, and copy any replies you do receive to the International Secretariat (att: medical team).

ADDRESSES

General Habib al-'Adeli

Minister of the Interior

Ministry of the Interior
Al-Sheikh Rihan Street
Bab al-Louk
Cairo, Egypt
Fax: +202 579 2031

Mr Ismail Sallam
Minister of Health and Population
Ministry of Health
Maglis al-Sha'ab Street
Cairo, Egypt

General Nabil Sayyam
Director of Prisons
Maslahat al-Sugun
Al-Qolali Street
Al-Sebtiya
Cairo, Egypt
Fax: +202 574 5561

Al-Mustashar Ahmad al-Sayyid Ahmad
Assistant Public Prosecutor and Head
of the Human Rights Unit
The Public Prosecutor's Office
(Maktab al-Na'ib al-'Am)
Dar al-Qadha al-'Ali, Ramses Street
Cairo, Egypt
Fax: +202 77 4716

Please send copies of your letters to the nearest diplomatic representative of Egypt and to:

Ms Nayla Gabr
The Human Rights Department
Ministry of Foreign Affairs
Corniche al-Nil
Cairo, Egypt
Fax: +202 574 9533

PUBLIC

AI Index: MDE 12/33/99
Distrib: PG/SC

Date: 12 August 1999

MEDICAL LETTER WRITING ACTION

**Atif Ali Farghaly (m)
EGYPT**

Amnesty International has received reports that Atif Ali Farghaly, a political prisoner who has been held in the High Security Abu Za'abal prison in Egypt since March 1993, has been diagnosed at the Cairo University Hospital as suffering from tuberculous peritonitis with concurrent pulmonary TB.

Atif Ali Farghaly, an alleged member of an Islamist group in Egypt, has been detained in administrative detention - that is without charge or trial - since March 1993. According to his lawyer, who has visited him recently, his health has deteriorated in detention and he is now very weak.

Failure to treat TB effectively has serious consequences, not just for the individual prisoner but also for other prisoners, staff and the wider society. The World Health Organization [WHO] and the International Committee of the Red Cross [ICRC] have said that worldwide there is an "urgent need to institute effective control of tuberculosis in prisons" [*Guidelines for the Control of Tuberculosis in Prisons*, WHO/ICRC 1998]

Prison conditions in Egypt

Amnesty International is concerned at the extent to which prison conditions in Egypt are affecting the well-being of political prisoners, including those held in administrative detention. In some cases, conditions amount to cruel and inhuman treatment.

According to information received by Amnesty International, most Egyptian prisons lack even the most basic medical facilities necessary for the treatment of prisoners' health problems. No medical personnel is on site, and only basic medication is available. Both the High Security Prison in Tora (north of Cairo) and al-Fayoum Prison (west of Cairo) reportedly receive no more than once-weekly visits by doctors, who dispense only the most basic of medicines. Amnesty International has also received reports that seriously ill prisoners in need of specialized care have not been transferred to hospitals.

Reports suggest that prisoners in Egypt are usually detained in cramped and unhygienic conditions; the food provided is inadequate and of poor quality; and no adequate medical facilities are available. These poor conditions are conducive to the rapid spread of communicable diseases throughout prisons and have resulted in the serious ill-health of large numbers of prisoners, with TB being one of the most commonly reported diseases.

This reported lack of adequate medical facilities and care in places of detention is in direct contravention of both international human rights standards and national legislation:

- The UN Body of Principles for the Protection of All Persons Under Any Form of Detention or Imprisonment (United Nations, 1988), Principle 24, notes: “A proper medical examination shall be offered to a detained or imprisoned person as promptly as possible after his admission to a place of detention or imprisonment, and thereafter medical care and treatment shall be provided whenever necessary. This care and treatment shall be provided free of charge”.
- The UN Standard Minimum Rules [SMR] provide for the services of at least one qualified medical officer at every correctional institution [Standards 22(1)]. The medical officer should regularly inspect the institution and advise its director on
 - a) the quantity, quality, preparation and service of food;
 - b) the hygiene and cleanliness of the institution and the prisoners; and
 - c) the sanitation, heating, lighting and ventilation of the institution [Standard 26 (1)].
 The director should take into consideration the reports and, in case he concurs with the recommendations made, shall take immediate steps to give effect to those recommendations [Standards 26 (2)]
- Article 4 of the Egyptian Law Regulating Prisons stipulates that there should be a medical doctor employed on site in all prisons.

Thousands of political detainees have also been denied the basic right to be visited by lawyers and family members. These bans totally disregard both national legislation and international human rights standards.

The practice of administrative detention in Egypt

Amnesty International has been concerned for a number of years about the practice of administrative detention in Egypt, used by the Egyptian authorities since the state of emergency was reimposed in 1981 to detain thousands of members and suspected members of armed Islamist groups without charge or trial, in some cases for a number of years. Under Article 3 of the Emergency Law, the Minister of the Interior may “arrest and detain suspected persons or those who endanger public order or security”.

While those detained have some rights of appeal, in practice, the system is systematically abused by the security authorities. Amnesty International fears that the torture and ill-treatment of political prisoners in Egypt is facilitated by the practice of administrative detention. Political prisoners who are charged, and who claim to have been subjected to torture, may be examined by forensic doctors at the request of the Public Prosecutor’s office or the trial court. Administrative detainees usually have no opportunity to submit a complaint about their treatment to the competent authorities. The Government continues to deny that detainees are held illegally.

Amnesty International has on many occasions expressed concern about prison conditions in Egypt and has as recently as 8 July 1999 issued a medical action on the issue. The only direct response that was received from the authorities in recent months was a letter from the Minister of Health and Population sent to a member of the AI Swiss health professional network, in which he claimed that “all the prisons in the Arab Republic of Egypt... enjoy good health care” [see medical action update AI Index: MDE 12/27/99, 8 July 1999].