

# URGENT ACTION

## JAILED TUNISIAN JOURNALIST'S HEALTH AT RISK

**Tunisian prisoner of conscience Fahem Boukadous, aged 40, has been on hunger strike since 8 October 2010 in protest against his prison conditions and his continued detention in Gafsa Prison. He is refusing to take his medication without which his life may be in danger.**

**Fahem Boukadous** went on strike in protest against the worsening treatment he has received from the prison authorities. He and his wife, Afef Bennaceur, believe that ever since other journalists attempted a solidarity visit to the prison on Saturday 18 September, he has been subjected to increased harassment by the prison guards. This includes separation from his prison inmate Hassan Ben Abdallah, having his food extensively searched so that it becomes inedible, and having all his conversations with his wife watched, listened to and recorded.

Fahem Boukadous suffers from acute asthma, marked by severe breathing problems for which he needs regular medication and monitoring. His medical condition has been exacerbated by prison conditions and his wife reports a gradual deterioration of his health. He has had several severe asthma attacks since being imprisoned as well as a throat infection, a tooth infection, and most recently severe stomach pains. After suffering an asthma attack on 22 September, promises by the Gafsa Prison authorities to take him to a hospital were not kept. He was hospitalized only 13 days later following another asthma attack on 4 October.

On 9 October, on the second day of his hunger strike, Fahem Boukadous had another asthma attack but he insisted on struggling to get through it without his medication.

As a journalist working for the private TV channel Al-Hiwar Ettounsi, Fahem Boukadous covered and broadcast images of popular protests against unemployment and high living costs in the Gafsa region of south-west Tunisia in the first half of 2008. He was sentenced to six years imprisonment in December 2008 for allegedly belonging to the group that had led the unrests. He was found guilty on retrial in January 2010 his sentence reduced to four years.

### PLEASE WRITE IMMEDIATELY in Arabic, French or your own language:

- Calling for Fahem Boukadous' immediate and unconditional release as a prisoner of conscience, jailed solely for the legitimate and peaceful exercise of this right to freedom of expression and his journalistic activities
- Expressing concern that poor prison conditions are contributing to Fahem Boukadous' deteriorating health
- Pending his release, calling on the Tunisian authorities to improve Fahem Boukadous' prison conditions and for his harassment in prison to stop
- Urging the authorities to ensure that in line with the UN Standard Minimum Rules for the Treatment of Prisoners Fahem Boukadous is immediately provided with the specialist medical care he requires, outside prison if necessary.

### PLEASE SEND APPEALS BEFORE 29 NOVEMBER 2010 TO:

Send your appeals to:

Zine El Abidine Ben Ali  
President  
Palais Présidentiel  
Tunis, Tunisia

**Fax: +216 71 744 721**

**Salutation: Your Excellency**

Minister of Justice and Human

Rights

Lazhar Bououni

Ministry of Justice and Human

Rights

31 Boulevard Bab Benat

Tunis 1019, Tunisia

**Fax: +216 71 568 106**

**Salutation: Your Excellency**

**And copies to:**

President of Higher Committee on

Human Rights and Fundamental

Freedoms

Moncer Rouissi

85 avenue de la liberté

1002 Tunis Belvédère

Tunisia

**Fax: +216 71 784 037**

Also send copies to diplomatic representatives of Tunisia accredited to your country. Please check with your section office if sending appeals after the above date

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### ADDITIONAL INFORMATION

Following protests in Gafsa against unemployment, corruption, and high living costs in the first half of 2008, the Tunisian authorities began a violent crackdown, forcibly dispersing protests and arresting hundreds of people. In December 2008, the Gafsa Court of First Instance sentenced a group of 38 trade unionists and protesters, including Fahem Boukadous and Hassen Ben Abdallah, to prison terms for allegedly leading the unrest. Fahem Boukadous, a journalist, had reported on the protests for the private television channel Al-Hiwar Ettounsi. The investigating judge concluded that although Fahem Boukadous did not participate directly in the protests, he was an active member of the group leading the unrest because he spread information in Tunisia and abroad for "propaganda".

Fahem Boukadous, who went into hiding at the time, was tried in his absence and sentenced to six years imprisonment. The conviction was upheld on appeal in February 2009. He was charged with "belonging to a criminal association", "taking part in a group established to prepare or commit an attack against people or property" and "spreading information liable to disrupt public order".

In November 2009, all those convicted and imprisoned during the crackdown were conditionally released following a presidential pardon to mark the 22nd anniversary of Ben Ali's accession to power. The presidential pardon applied only to those whose sentences are considered final, not to those who went into hiding and were tried in their absence. Fahem Boukadous came out of hiding and was retried and convicted again in January 2010 but his sentence was reduced to four years. The conviction was upheld in July 2010 by the Gafsa Court of Appeals. Fahem Boukadous was taken into custody on 15 July 2010, a week after his conviction was upheld. Fahem Boukadous had been hospitalized repeatedly between April 2010 and July 2010 for breathing difficulties and was arrested just after he was discharged from hospital. He is currently held in Gafsa Prison.

Amnesty International contends that his trial did not conform to international standards for fair trial. In the first instance, defence lawyers were unable to present the case and the defence lawyers' demands to cross-examine witnesses were rejected. On appeal, the lawyers were able to present their arguments to the court, but were again denied the right to call and cross-examine witnesses. The trial was marked by a heavy security presence, both inside and outside the court room.

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