

PUBLIC

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Medical concern

TUNISIA

Hachemi Mekki (m), aged 48

Political prisoner Hachemi Mekki is reportedly being denied access to adequate medical treatment. His life may be at risk if he does not receive specialist care in hospital. He was transferred from the 9 avril prison in the capital, Tunis, to Ariana hospital, just outside Tunis, on 3 February 2006, but the prison authorities have not permitted him to receive the treatment he needs.

Initial medical reports by a doctor at Ariana hospital have indicated that Hachemi Mekki may be suffering from lung cancer. The doctor has recommended that he should have a scan to confirm the diagnosis and determine the appropriate treatment. The hospital requires the permission of the prison authorities at the 9 avril prison before allowing Hachemi Mekki to have such a scan. Hospital authorities have reportedly sent their medical reports on Hachemi Mekki to the prison administration, but have not yet received an answer.

Hachemi Mekki was sentenced to 37 years' imprisonment in 1995 on charges of supporting a banned association and holding unauthorized meetings. He was sentenced under a new law in November 1993 amending the penal code and penal procedural code. This amendment provided for imprisonment of any Tunisian accused of having engaged in unauthorized political activities, including participating in meetings. It also introduced a vague definition of terrorism (Article 52 *bis* of the Penal Code) which has been used to criminalize peaceful opposition activities.

BACKGROUND INFORMATION

A new law on prison administration enacted in May 2001 increased the rights of prisoners in Tunisia. The law guarantees basic rights, including the right to free medical care. Every prisoner has a right to free medical care and medicine, either inside prison or in hospital at the discretion of the prison doctor. This law has been repeatedly disregarded, and Amnesty International continues to receive reports of prisoners being denied medical care by prison authorities.

In April 2005, the Tunisian authorities signed an agreement with the International Committee of the Red Cross (ICRC), which allowed the ICRC to visit prisons regularly to assess conditions of detentions and the treatment of prisoners. The ICRC started visiting prisons in June 2005. Despite the ICRC's involvement, Amnesty International has received a number of reports of political prisoners going on hunger strike in protest at the continuing denial of medical care for detainees and harsh prison conditions.

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

- expressing concern for the health of Hachemi Mekki who is reportedly being denied access to the medical care he needs;
- calling on the authorities to ensure that he be given immediate access to adequate medical care;
- expressing concern that his life may be in danger if he is not provided with appropriate specialist medical care, including a scan, as recommended by a doctor at Ariana hospital;
- reminding the authorities of their obligations under Tunisian law to ensure that all prisoners receive any medical care that they require.

APPEALS TO:

President

Président Zine El Abidine Ben Ali
Palais Présidentiel
Tunis, Tunisie

Fax: + 216 71 744 721

Salutation: Monsieur le Ministre / Your Excellency

Minister of Justice and Human Rights / Ministre de la Justice et de Droits de l'Homme

M. Béchir Tekkari
Ministère de la Justice et de Droits de l'Homme
31 Boulevard Bab Benat
1006 Tunis, La Kasbah, Tunisie

Fax: + 216 71 568 106

E-mail: mju@ministeres.tn

Salutation: Monsieur le Ministre / Your Excellency

Director of Prison Administration / Directeur de l'Administration Pénitentiaire

M. Ridha Boubaker
Administration Pénitentiaire (Idarat el-Sujun)
Le Passage
Av. Habib Thameur
Tunis
Tunisie

Salutation: Monsieur le Directeur / Dear Director

COPIES TO:

Official human rights body, reporting to the President

Comité supérieur des droits de l'homme et des libertés fondamentales
Zakaria Ben Mustapha (Président)
85 avenue de la Liberté - 1002 Tunis-Belvédère – Tunisie

Fax: + 216 71 796 593 / 784 038

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 19 April 2006.