

PUBLIC

AI Index: MDE 19/001/2008

29 January 2008

UA 28/08

Health concern

LIBYA

Fathi el-Jahmi (m), aged 66

Prisoner of conscience Fathi el-Jahmi is being denied adequate medical treatment for his diabetes, high blood pressure and coronary artery disease. His health is deteriorating, and without proper treatment his life may be in grave danger.

He is in solitary confinement at an undisclosed location, believed to be an Internal Security Agency facility on the outskirts of Tripoli. People who have seen him have said that he barely had the strength to speak and appeared emaciated, but with swollen legs. He is held in conditions which may amount to cruel, inhuman and degrading treatment or punishment. Libya is a state party to the International Covenant on Civil and Political Rights and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment, both of which prohibit such treatment. He has been allowed only sporadic visits by his family; in 2007 he reportedly received no visits at all. He is apparently not allowed to receive mail, books or newspapers.

He was arrested on 26 March 2004, after he criticized Libyan leader Mu'ammār al-Gaddafi and called for political reform, in interviews with international media. The Libyan foreign ministry, the General People's Committee for Foreign Liaison and International Cooperation, told Amnesty International in a written communication dated 26 July 2006 that he was being tried on charges of "exchanging information with employees of a foreign state causing harm to the interests of the country and providing them with information with the aim of their states attacking [Libya]" and "scheming with a foreign state in peacetime". They said that Fathi el-Jahmi had access to a lawyer, but did not disclose where he was being tried.

The last publicly available report on his health was published in March 2005 by Physicians for Human Rights and the International Federation of Health and Human Rights Organisations, who had sent a doctor, who was also a prison health expert, to Libya the previous month to conduct a medical assessment. According to their report, Fathi el-Jahmi had been receiving only "sporadic and inadequate medical treatment", despite "suffering from several chronic ... conditions (diabetes, hypertension, coronary artery disease) that are independently life-threatening and difficult to control".

On 22 March 2005, Physicians for Human Rights received a response from Fathi el-Jahmi's government-appointed doctors confirming the seriousness of his condition, but giving assurances that he was receiving "reasonable medical service".

Amnesty International believes that Fathi el-Jahmi is a prisoner of conscience, detained solely for the non-violent exercise of his right to freedom of expression. The charges against him appear to relate to his contact with US diplomats before his arrest and to his outspoken interviews in March 2004 with satellite news channels, including Dubai-based Al Arabiya and US-based Al Hurra. The organization believes that he has been detained solely for acts which involved the non-violent exercise of his right to freedom of expression and that he is therefore a prisoner of conscience.

Fathi el-Jahmi was previously detained between 2002 and 2004 for peacefully expressing his political views. For further details, see *Libya: Time to make human rights a reality* (AI Index: MDE 19/002/2004), April 2004.

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

- urging the authorities to allow Fathi el-Jahmi the medical attention he requires, including hospital treatment outside detention if necessary;
- expressing concern that Fathi el-Jahmi has been detained without trial since his arrest on 26 March 2004, much of that time in solitary confinement, with minimal contact with the outside world;
- pointing out that he appears to have been detained solely for acts which involved the non-violent exercise of his right to freedom of expression, and that he is therefore a prisoner of conscience who should be released immediately and unconditionally.

APPEALS TO:

Head of State

Colonel Mu'ammar al-Gaddafi

Office of the Leader of the Revolution, Tripoli, Great Socialist People's Libyan Arab Jamahiriya

Email: info@algathafi.org

Salutation: Your Excellency

Justice Minister

Mustafa Abdeljalil

Secretary of the General People's Committee for Justice,

Secretariat of the General People's Committee for Justice

Tripoli, Great Socialist People's Libyan Arab Jamahiriya

Email: secretary@aladel.gov.ly

Fax: +218 21 4805427

Salutation: Your Excellency

COPIES TO:

The Gaddafi Development Foundation

Saif al-Islam al-Gaddafi

President, The Gaddafi Development Foundation

El Fatah Tower, 5th Floor B No. 57, PO Box 1101

Tripoli, Great Socialist People's Libyan Arab Jamahiriya

Email: info@gaddaficharity.org

and to diplomatic representatives of Libya accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 11 March 2008.