



**Franciscans International**

A voice at the United Nations

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**To Mr. Juan Ernesto  
Special Rapporteur on torture and other cruel,  
inhuman or degrading treatment or Punishment  
Office of the High Commissioner on Human Rights**

CC: Special Rapporteur on Human Rights Defenders

Geneva, 26 September 2011

***Re: Letter of appeal to provide proper medical treatment for Mr. Kimanus Wenda, a Papuan political prisoner.***

**Your Excellency,**

Franciscans International would like to draw your attention to the situation of Mr. Kimanus Wenda, a Papuan political prisoner who needs urgent medical care due to his health problem. Mr. Wenda is now being held at the Nabire prison in Papua province and he has a tumor in his stomach and is constantly vomiting. According to the prison doctors, he needs an operation. Since Nabire does not have the necessary medical facilities, he needs to be transferred to Jayapura. Mr. Wenda's family and lawyer have made a request for the transfer. However, the Nabire prison authorities have refused to cover the transport and treatment cost. According to the Indonesian Government Regulation No. 32/1999 on Terms and Procedures on the Implementation of Procedures Rights in Prisons, all medical costs for the treatment of a prisoner at hospital must be borne by the state.

According to the United Nations Minimum Rules for the Treatment of Prisoners (22.2), sick prisoners who require specialist treatment shall be transferred to specialized institutions or to civic hospitals, and the facilities and the pharmaceutical supplies shall be proper for the medical care and treatment of sick prisoners. The Principle 24 of the UN Body of Principles for Protection of All Persons under Any Form of Detention or Imprisonment requires that medical care and treatment for a detained or imprisoned person shall be provided whenever necessary. This care and treatment shall be provided free of charge. Under Article 17 of the Indonesian Government Regulation No. 32/1999 on Terms and Procedures on the Implementation of Prisoners' Rights in Prisons, the prison authorities shall provide adequate access to medical treatment.

### ***Recommendations***

**Franciscans International would like to join the international community to call upon the Indonesian Government to:**

- Ensure that Mr. Kimanus Wenda receives full and immediate access to proper medical treatment for his health problem.
- Transfer him to hospital in Jayapura as recommended by Nabire's prison doctors for appropriate treatment.
- Ensure that the cost of his medical treatment should be free of charge as stipulated by the Principle 24 of the UN Body of principles for the Protection of All Persons under Any Form of Detention or Imprisonment.
- Ensure that the treatment of prisoners and persons in detention should meet the requirement of the Indonesian law and the international standards as stipulated in the UN Standard Minimum Rules on the Treatment of Prisoners.

Please do not hesitate to contact Ms. **Francesca Restifo** [f.restifo@fiop.org](mailto:f.restifo@fiop.org) or Mr. **Budi Tjahjono** [b.tjahjono@fiop.org](mailto:b.tjahjono@fiop.org) if you have any further questions.

Thank you in advance for your attention.

Sincerely,

A handwritten signature in black ink that reads "Boyle fmdm". The signature is written in a cursive, flowing style.

**Sr. Denise Boyle, fmdm**  
Executive Director