



30 Days Dae Izinsuku

Project of the Community Law Centre

CSPRI "30 Days/Dae/Izinsuku" Dec. 2007 & Jan.2008

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Due to the festive season and general winding down of activities at the end of 2007, a December 2007 issue of CSPRI *30 Days/Dae/Izinsuku* was not circulated. This issue covers two months; December 2007 and January 2008. We will also welcome any feedback on this newsletter and whether or not our readers find it useful. Any suggestions on improvement are welcome.

Lukas Muntingh, Julia Sloth-Nielsen & Jamil Mujuzi

SAFETY AND SECURITY

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Prison security tightened during festive season: Security was stepped up in all the Department of Correctional Services facilities across the country to minimise the number of escapes during the festive season. Correctional Services Minister, Ngconde Balfour, said that there was conclusive evidence that inmates were planning to escape during the festive season hence the need to heighten security measures. The Minister said that some of the security measures taken included more limitations on offender movement, bringing in of food parcels and other goods into the centres by family members, conducting unannounced searches and seizures of illegal substances in cells. Reported by Canaan Mdletshe, 28 November 2007, Sowetan, at <http://www.sowetan.co.za/News/Article.aspx?id=641678>

Prison warders worried about their safety: Police and Prisons Civil Rights Union's (Popcru) KwaZulu-Natal Deputy Secretary, Nhlakanipho Nogwaza, said that its members at Qalakabusha Prison near Empangeni were concerned for their safety because the prison was understaffed and had insufficient security measures in place. Mr. Nogwaza said the electric fence around the complex was not functioning. He added that the claims made by the Department of Correctional Services that Qalakabusha Prison is one of the most secure prisons in South Africa are not true. However, Correctional Services spokesperson, Manelisi Wolela, said he was not aware of the complaints. Reported by Sapa, 25 January 2008, sabcnews at http://www.sabcnews.co.za/south_africa/crime1justice/0,2172,163083,00.html

Load-shedding compromising prison work: The ongoing load-shedding is affecting the manner in which law enforcement officers including the Department of Correctional Services are carrying out their work. The Police and Prisons Civil Rights Union's General Secretary, Abbey Witbooi, said load-shedding was crippling prison computer systems. Reported by Marcia Klein et al, 27 January 2008, Sunday Times, at <http://www.thetimes.co.za/PrintEdition/Article.aspx?id=692516>

DEATHS IN CUSTODY

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Prisoners and warder die in a road accident: Three prisoners and a prison warder died in a road accident on the N12 between Christiana and Warrenton in the North West province. A Department of Correctional Services vehicle travelling towards Warrenton collided with a truck. North West Police Spokesperson, Louis Jacobs, said that it appeared the truck was pulling a second truck when a tyre burst on one of the vehicles, causing its driver to lose control and collide head-on with the vehicle transporting the prisoners. Reported by Sapa 4 December 2007, Sabcnews at

http://www.sabcnews.co.za/south_africa/general/0,2172,160369,00.html

Junior warders allegedly ordered to assault prisoner to death: Spokesperson for the Department of Correctional Services, Mr. Manelisi Wolela, said that a special departmental team had been dispatched to investigate the death of a prisoner at the New Prison in Pietermaritzburg in the KwaZulu-Natal Midlands. The deceased prisoner, Senzo Mazibuko, was allegedly assaulted by warders acting on the instructions from a senior officer after the deceased prisoner allegedly assaulted another inmate. Mr. Wolela said that the Department of Correctional Services condemns all actions leading to the abuse or death of a prisoner. Reported by Sabcnews, 19 January 2008, at

http://www.sabcnews.co.za/south_africa/crime1justice/0,2172,162722,00.html

Independent team to investigate prisoner's death: KwaZulu-Natal Regional Commissioner, Nkosinathi Nhleko, said that an investigation will be conducted by an external team, excluding prison management, to establish whether prison warders assaulted one of the inmates at Pietermaritzburg's New Prison resulting in his death. Allegations are that a 28-year-old inmate, Senzo Mazibuko, was assaulted by prison guards and then died. Mr. Nhleko also said that the seven officials implicated in the alleged assault will be suspended. In a related incident, the spokesperson for the Justice for Prisoners and Detainees Trust, Mr. Derrick Mdludli, said that his organisation welcomed the pending suspension of the seven officials. Reported by Sabcnews, 22 January 2008, at

http://www.sabcnews.co.za/south_africa/crime1justice/0,2172,162893,00.html see also

<http://www.sowetan.co.za/News/Article.aspx?id=689693>

Civil Society Prison Reform Initiative (CSPRI) concerned about high number of unnatural deaths of prisoners: Reacting to an incident at New Prison in Pietermaritzburg where a prisoner, Mr. Senzo Zepharia Mazibuko, was allegedly assaulted to death by some junior warders allegedly acting on instructions from a senior warder, CSPRI released a press statement in which it expressed concern over 'the high number of prisoner deaths due to unnatural causes.' CSPRI highlighted the existence of "substantial evidence indicating that prisoners frequently are assaulted by prison warders, often resulting in fatalities". The press statement added that in the years 2004/2005, 74 prisoners died due to unnatural causes; in 2005/2006, the figure dropped to 32; and that 62 prisoners were reported to have died due to unnatural causes in 2006/2007. reported by Bheki Mbanjwa, 22 January 2008, News24, at

http://www.news24.com/News24/South_Africa/News/0,,2-7-1442_2256501,00.html

Prisoner allegedly commits suicide: Paul Mokgomane Mofokeng who was awaiting trial on charges of escaping from lawful custody, kidnapping and raping a six-year-old girl allegedly committed suicide at Johannesburg Prison. He reportedly used his shoelaces to hang himself. His cousin said that he may have killed himself as he suspected that he would spend the rest of his life in prison. Reported by Sibongile Mashaba, 24 January 2008, Sowetan, at <http://www.sowetan.co.za/News/Article.aspx?id=690619>

Prisoner takes others hostage, killed: Police said that a prisoner, who had held fellow inmates hostage for almost 10 hours, was shot and killed by a police task force at the Witbank magistrate's court. Police added that the hostage-taker killed one of the prisoners he had taken hostage. Reported Sapa, 25 January 2008, IOL, at

http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=nw20080124235833102C980807

SENTENCING

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Magistrate orders prisoners should serve 10 years before parole: Regional Magistrate, Fred Heuer, convicted two British drug traffickers, John Tutton and Tony MacKinnon, and sentenced each to an effective 30 years imprisonment. He ordered that they each serve 10 years imprisonment before being considered for parole. Reported by Sapa, 21 December 2007, IOL, at

http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=nw20071221165253431C934382

Parolee still seen as a threat to society: Mr. James McNeil, a paedophile who was released from Pollsmoor Prison in Cape Town, is still seen as a threat to society. Experts said that he should be monitored closely because he had not shown any sign of remorse for his actions and is likely to sexually abuse more children. Correctional Services spokesperson, Mr. Mark Solomons, said that the Department set up a place of safety for Mr. McNeil but would not reveal his whereabouts because doing so would not be in his interest. Reported by Staff Reporters, 29 December 2007, The Star, at

<http://www.thestar.co.za/index.php?fArticleId=4187729>

Political prisoners to be granted presidential pardon: The amnesty window for political prisoners to apply for a Presidential pardon begun on 15 January 2008. The amnesty process only applies to people convicted of political offences before 16 June 1999. The pardon was announced by President Thabo Mbeki in 2007. Azapo Deputy President, Pandelani Nefolovhodwe, said that caution must be exercised not to grant amnesty to outright criminals. Reported by Sabcnews, 15 January 2008, at

http://www.sabcnews.com/south_africa/crime1justice/0,2172,162414,00.html see also

<http://www.thestar.co.za/index.php?fArticleId=4219804>

Prisoner applies for presidential pardon: Advocate Faan Coetzee said that his client, Ferdie Barnard, who is serving a prison sentence for the murder and attempted murder of African National Congress activists during the apartheid regime, has applied for a presidential pardon. The amnesty window for political prisoners applying for a presidential pardon started mid-January 2008 and ends on 5 April 2008. The window period for applications was announced by President Thabo Mbeki in Parliament in November 2008. Reported by Sabcnews, 21 January 2008 at

http://www.sabcnews.co.za/south_africa/crime1justice/0,2172,162812,00.html

Man sent to prison for stealing tin of shoe polish: The Mhala Magistrate's court in Limpopo Province convicted Mr. Noise Siwela and sentenced him to one month imprisonment or a fine of R150.00 for stealing a tin of shoe polish for his younger brother to polish his shoes and look smart at school because his shoes were ugly. Mr. Siwela could not afford the R150.00 fine and was sent to prison. Reported by Oris Mnisi, 21 January 2008, IOL, at

http://www.iol.co.za/index.php?from=rss_Crime%20And%20Courts&set_id=1&click_id=15&art_id=vn20080121035205386C257252

GOVERNANCE

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Court orders prison doctor should get his job back: The Cape Town Labour Court ordered that whistle-blowing prison doctor, Paul Theron, be reinstated in his job at Pollsmoor prison. Dr. Theron was suspended in July 2007, after reporting to the Inspecting Judge of Prisons and to some members of the Portfolio Committee on Correctional Services about what he said was an acute health care crisis at Pollsmoor, including chronic understaffing and lack of disease control. The Court also ordered the respondents, which included the Department of Correctional Services, to pay Dr. Theron's costs. Reported by Sapa, 7 December 2007, The Times, at <http://www.thetimes.co.za/News/Article.aspx?id=653315>

Prison officials disobey court order over suspended prison doctor: Prison officials at Pollsmoor prison in Cape Town denied Dr. Paul Theron entry into the prison to resume his work as ordered by the Cape Town Labour Court. Dr. Theron had been suspended after complaining about poor health care conditions at the prison hospital. The Department of Correctional Services said it was studying the Labour Court's judgment ordering the reinstatement of Dr. Theron with the intention to appeal. Reported by Sabcnews 10 December 2007, at http://www.sabcnews.co.za/south_africa/general/0,2172,160695,00.html

Law should be strengthened to protect prison whistle-blowers, researcher: Alison Tilley of the Open Democracy Advice Centre argues that less than 48% of South Africans do not think the whistle-blowing law effectively protects whistle-blowers. Their fears are supported by the persecution of Dr. Paul Theron when he blew the whistle on health care conditions at Pollsmoor prison in Cape Town. Although the Labour Court ruled that Dr. Theron should be reinstated in his job, the Department of Correctional Services was reluctant to do so. She recommends that the law should be strengthened to protect whistle-blowers generally including those in the Department of Correctional Services. Column by Alison Tilley, 18 December 2007, Business Day, at <http://www.businessday.co.za/articles/article.aspx?ID=BD4A664328> see also <http://allafrica.com/stories/200712180584.html> see also http://www.sabcnews.co.za/south_africa/crime1justice/0,2172,160745,00.html

"Super Security Minister" to oversee Correctional Services: The government is considering appointing a "super security minister" to oversee the criminal justice system including the Department of Correctional Services. The country's criminal justice system has been plagued by many problems and scandals which have hampered its operation. Significant among them was the resignation of former Correctional Services Commissioner, Linda Mti, while facing allegations of drunken driving. The Minister will look at the challenges in various departments including Correctional Services and make concrete decisions on how such departments will function efficiently. Reported by Moshoeshoe Monare, 23 January 2008, IOL, at http://www.iol.co.za/index.php?newslett=1&em=178064a6a20080123ah&click_id=13&art_id=vn20080123071124132C938489&set_id=1

Cabinet concerned about the Department of Correctional Services' performance: Government spokesman, Themba Maseko, said that Cabinet would this year play an oversight role to ensure action was taken against officials in the Department of Correctional Services and other Departments that get qualified audits repeatedly from the Auditor-General. Mr. Maseko said that a report by the Auditor-

General, Terence Nombembe, indicated that the Department of Correctional Services was one of the Departments that had "persistently" received poor audit outcomes and that that necessitated Cabinet's intervention to rectify the situation. Reported by Amy Musgrave, 23 January 2008, Business Day, at

<http://www.businessday.co.za/articles/topstories.aspx?ID=BD4A689911>

UNSENTENCED PRISONERS

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Prisoner's bail appeal to be heard by High Court full bench: Cape Judge President, John Hlophe, ruled that a full bench of judges should hear Najwa Petersen's appeal against the Wynberg Regional Court's refusal to grant her bail. Mrs. Petersen is on trial for the alleged murder of her husband and has twice unsuccessfully applied for bail. The prisoner's lawyer argued that his client should be granted bail because of her deteriorating health condition. The Judge President said that Mrs. Petersen's bail appeal was too complex to be heard by one judge and that that justified the appointment of a full bench to deal with it. Reported by Sapa, 4 January 2008, Cape Times, at

<http://www.capetimes.co.za/index.php?fArticleId=4192658>

Prisoner waits for a hospital bed for a year in vain: Mr. Godfrey Macheke, who was arrested in January 2007 for allegedly murdering his wife, is still waiting for a bed in Weskoppies Psychiatric Hospital in Pretoria West for his mental state to be assessed before his trial begins. He was remanded to February 21 pending an arrangement for a bed in the hospital. This was after his lawyer declined to apply for his bail but preferred to have his mental state assessed by a psychiatrist before his trial starts. Reported by Tshifhiwa Shonisani, 24 January 2008, Citizen at

<http://www.citizen.co.za/index/article.aspx?pDesc=56939,1,22>

Prisoner claims prison changed him: Mr. Kobus Pretorius who is in detention awaiting-trial on 42 charges ranging from high treason, terrorism, attempting to murder former President Nelson Mandela with a car bomb, and murdering a woman with a bomb, told the Pretoria High Court that he should be released on bail because he had 'met Christ' in prison and was therefore a reformed man. His lawyer argued that he should be granted bail so that he participates in church and school activities. The judge, however, was not convinced and returned him to prison. Reported by Sapa, 25 January 2008, IOL, at

http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=nw20080125164751436C734480

CORRUPTION

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Correctional Services tenders should be investigated, Democratic Alliance: James Selfe, the Democratic Alliance spokesperson on correctional services, challenged the Minister of Correctional Services, Ngconde Balfour, to establish a commission of inquiry into the tender arrangements between the Department of Correctional Services and the company Sondolo IT if the Department is serious about fighting corruption. The DA was reacting to a newspaper report which suggested that corrupt activities may have marred the tendering process that resulted into the Department of Correctional Services' awarding of some tenders to Sondolo IT. Reported by Sapa, 30 November 2007, Mail and Guardian, at

http://www.mg.co.za/articlePage.aspx?articleid=291852&area=/breaking_news/breaking_news__national/ see also

http://www.mg.co.za/articlePage.aspx?articleid=327131&area=/insight/insight__economy__business/

Corrupt officials of Justice Department free criminals: Johannesburg Regional Court magistrate, Bertie Roux, said that an audit was to be carried out at the Johannesburg High Court, Magistrate's Court and prison, to establish how many hardened criminals have been released in a scam involving corrupt Justice Department employees. The investigating officer, Inspector Charles Bachelor, said he received three files of names of prisoners who had allegedly been released on payment of R50 000 over a ten-year period. The corrupt officials forwarded fake documents to Correctional Services falsely certifying that the prisoner in question had successfully appealed and had to be released. Reported by Sandra Lieberum, 18 January 2008, Citizen, at

<http://www.citizen.co.za/index/article.aspx?pDesc=56518,1,22> see also

http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=vn20080115065344759C737564 see also

<http://www.capetimes.co.za/index.php?fArticleId=4207387>

OVERCROWDING

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Five big prisons to be built: According to the Medium Term Budget Policy Statement (MTBPS) released by Finance Minister Trevor Manuel in Parliament, government is planning to build five new prisons in a public/private partnership as part of its plans to step up the fight against crime. The five prisons, to be built in Paarl, East London, Port Shepstone, Nigel and Klerksdorp, will cost between 800 and 900 million rand each, and will each house around 3,000 prisoners. The facilities will be built as maximum-security jails, but will also be able to house medium-security prisoners. Reported by Michael Hamlyn, 3 December 2007, Property South Africa, at

<http://propertysouthafrica.wordpress.com/2007/12/03/five-new-prisons-planned-for-sa/>

Project to tackle overcrowding: The Justice and Constitutional Development Department's KwaZulu Natal head, Ms. Bridgette Tshabalala, said that a KwaZulu-Natal pilot, project proven to reduce court backlogs and overcrowding in prisons drastically, may be rolled out countrywide, if the government agrees to fund it. The project known as the "Justice and Restoration Project" (JARP) was founded by Professor Herman Conradie of the University of South Africa and Hema Hargovan of the University of KwaZulu-Natal. The project emphasises restorative justice between the victim and the offender instead of imprisonment. Reported by Miranda Andrew, 22 January 2008, Mail & Guardian, at

http://www.mg.co.za/articlePage.aspx?articleid=330288&area=/breaking_news/breaking_news__national/ see also

<http://www.capetimes.co.za/index.php?fArticleId=4217985> see also

http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=iol1201093518312R236

PRISON CONDITIONS

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Man calls South Africa prison "hell on earth": A Scotsman who was acquitted on the charge of drug trafficking referred to a South African prison as "hell on earth." Mr. Ernie Smith, 61, said that the prison was a nightmare. He was allegedly detained in a cell which he described as big enough for two but there were ten people in it. He added that the toilets in the cell were not working and the cell was infested with rats. He complained that the food was bad. Mr. Smith explained the manner in which gangs worked in prisons and said that he was lucky to have spent only seven days in prison. Reported by Charles Lavery, 23 December 2007, Sunday Mail, at <http://www.sundaymail.co.uk/news/scottish-news/2007/12/23/scot-cleared-in-350m-drug-case-78057-20263260/>

Prisoners head to court over computers: Five Pretoria Central inmates, who are mostly studying computer related courses, threatened to take the Department of Correctional Services to court to have personal computers in their cells so that they can continue studying. They are challenging the latest prison policy which does not allow computers in cells, but does allow access to the computers through a computer centre which exists in the prison. Reported by Ilse De Lange, 4 January 2008, Citizen, at <http://www.citizen.co.za/index/article.aspx?pDesc=55626,1,22>

HEALTH CARE

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HIV prevalence rate is higher among prisoners: The Department of Correctional Services said that the prevalence rate of HIV among prisoners in South African is higher than that of the country's average national HIV prevalence rate. The study conducted by Statistics South Africa between 2006 and 2007 showed that 19.8% of offenders who took part in the survey were HIV-positive, yet the average figure of HIV prevalence rate nationwide was at 16.25%. The survey was conducted on a scientific basis with a sample of 10% of willing prisoners taking part countrywide. The statistics showed that KwaZulu-Natal had the highest prevalence at 34.4%; Gauteng followed with 22.5%; Limpopo, Mpumalanga and the North West all stood at 20.7%; while the Free State and Northern Cape had an average of 19.5%. The Eastern Cape was on 16.5%, with the Western Cape showing a prevalence of 6.3%. Reported by Sabcnews, 30 November 2007, at

http://www.sabcnews.com/south_africa/health/0,2172,160181,00.html

Contracts to distribute ARVs to prisons questioned: Mr. Andy Gray, a pharmacologist from the University of KwaZulu-Natal, called upon the government to ensure that members of the public have a greater say in devising the next AIDS-drug tender to supply prisons with antiretroviral medicines. Mr.Gray said that it is not feasible for the government to award long-term contracts to supply ARVs because many things change during the existence of such contracts and many new drugs come on the market. He suggested that short-term contracts should be awarded so that when new drugs come on market the contract beneficiaries, including prisoners, could access such drugs. Reported by Tamar Kahn, 22 January 2008, Business Day, at <http://www.businessday.co.za/articles/topstories.aspx?ID=BD4A689104> see also <http://allafrica.com/stories/200801220209.html>

OTHER

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Police officer suspended over conflicting statements about parolee: Senior Superintendent Sipiwe Hewana of Goodwood police station in Cape Town was served with a notice of suspension after making conflicting statements about the time at which the former African National Congress Chief Whip, Tony Yengeni, who was on parole after a fraud conviction, was arrested for drunken driving. Reported by Sapa, 4 December 2007, IOL, at http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=nw20071204231148180C167884 see also <http://www.thetimes.co.za/News/Article.aspx?id=648905>

NGO calls for the dismissal of Correctional Services Minister: The South Africa Prisoners' Organisation for Human Rights (Sapohr) called for Correctional Services Minister Ngconde Balfour's dismissal and for his prosecution for contempt of court. Sapohr president, Mr. Golden Miles Bhudhu, said that by disobeying a court order to the effect that the dismissed prison doctor should be reinstated to his job, prison authorities showed 'arrogance' and that the Minister of Correctional Services should be charged with contempt of court. Reported by Sapa, 13 December 2007, Cape Times, at <http://www.capetimes.co.za/index.php?fArticleId=4171290> see also <http://www.thestar.co.za/index.php?fArticleId=4171195>

OTHER AFRICAN COUNTRIES

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Democratic Republic of Congo

Prisoners allegedly dying of infected gunshot wounds and T.B.: The Institute for War and Peace Reporting (IWPR) visited Goma Central Prison and observed that prison conditions were 'shocking.' The prison had had no electricity for 11 years, there were no beds, no doors and food was only served once a day. It was overcrowded with 500 prisoners incarcerated in a building meant for 150 inmates. The majority of the prisoners were either in pre-trial detention or military prisoners. Some prisoners allegedly appeared to be dying of infected gunshot wounds and tuberculosis. Reported by IWPR November 2007, at http://www.iwpr.net/?p=acr&s=f&o=341529&apc_state=henh see also http://www.iwpr.net/?p=acr&s=f&o=341698&apc_state=henfacr341529

Egypt

Torture allegedly used in high-profile terrorism investigation: Human Rights Watch (HRW) alleged that Egypt tortured the 22 terrorism suspects and used evidence obtained from them through coercion during their trial. HRW alleged further that Egypt's domestic intelligence agency, State Security Investigations, uses torture and arbitrary detention to make prisoners confess to crimes, real or imagined. Reported by Human Rights Watch, 11 December, 2007, at <http://hrw.org/english/docs/2007/12/10/egypt17529.htm>

Eritrea

Journalists allegedly languish in jail for years: The media watchdog, Reporters Without Borders, alleged that more than a dozen Eritrean journalists arrested more than six years ago, are still being held in secret locations without any contact with the outside world. Reporters Without Borders added that four of the journalists have reportedly died in prison camps where conditions are said to be appalling. Reported by Alisha Ryu, VOA, 6 December 2007, at <http://www.voanews.com/english/archive/2007-12/2007-12-06-voa39.cfm?CFID=188125752&CFTOKEN=76758291>

Prisoner wins prize: Mr. Seyoum Tsehaye, an Eritrean reporter who has been in detention for over six years, was named journalist of the year by media watchdog Reporters Without Borders. Reporters Without Borders said that Mr. Tsehaye has been denied a visit from his family or lawyer during his six years in prison. He is one of 15 journalists allegedly being held in secret locations since 2001 when all non-government media groups were shut down. Reported by BBC News, 6 December 2007, at <http://news.bbc.co.uk/2/hi/africa/7130790.stm>

Asylum-seekers detained in harsh conditions in Israel: Over 1,000 of the 4,000 asylum-seekers, mainly from Sudan and Eritrea, who crossed into Israel in the past two years, are allegedly being detained under 'harsh conditions' in one of Israel's prisons located in the Negev desert. Attorney Yonatan Berman from the NGO Hotline for Migrant Workers in Tel Aviv, who visited the prison recently, said that the asylum seekers were being accommodated in cold tents at night and cancer patients lacked medication. One NGO worker, who preferred to remain anonymous, said that they believed that the asylum-seekers were being held in such harsh conditions to deter others from crossing the Egyptian border into Israel. Reported by IRIN, 3 January 2008, at <http://www.irinnews.org/Report.aspx?ReportId=76074> see also <http://www.jpost.com/servlet/Satellite?cid=1200572509778&pagename=JPost%2FJPArticle%2FShowFull>

Political detainees allegedly tortured and detained in inhumane conditions: Several political detainees, including independent journalist, Seyoum Tsehaye, are allegedly being detained in inhumane conditions and regularly subjected to torture by the Eritrean authorities in a secret prison camp called "Eiraeiro" situated in a mountainous desert region. Reporters Without Borders alleges that it received information from an anonymous source that the cells in which these detainees are being kept are 'windowless rooms, 3 metres

square, with ceilings high enough to be out of reach, and lit 24 hours a day by a bulb behind an opaque plastic globe.' It is also reported that the detainees are in isolation, some manacled, and often tortured during the routine interrogations. They have no contact with the outside world at all. That several detainees have died as a result of torture and buried at the small prison cemetery. Reported by Reporters Without Borders, 30 January 2008

Reported by Reporters Without Borders, 30 January 2008, at http://www.rsf.org/article.php3?id_article=25251

Morocco

Terrorism prisoners treated differently: Through hunger strikes and protests, over 60 militant inmates, known as Jihadists, in Moroccan prisons led prison authorities to treat them differently from other prisoners. Some of these prisoners, unlike other inmates, are allowed to use conjugal rooms. Other inmates not linked to terrorism activities are also demanding the same kind of treatment. Reported by Michael Moss and Souad Mekhennet, 31 December 2007, New York Times, at

http://www.nytimes.com/2007/12/31/world/africa/31prison.html?_r=2&pagewanted=1&hp&oref=slogin

Zambia

Parole system to be introduced: Home Affairs Minister, Ronnie Shikapwasha, announced that the government would soon establish a parole system, which will help in rehabilitating inmates. The Minister made the announcement at a national conference on parole for 80 proposed National Parole Board (NPB) members and added that to retain modern penal administration and practices, the Government made amendments to some sections of the laws of Zambia. The move was welcomed by the prison authorities, with the Prisons and Services Commissioner, Gibbs Nawa, noting that the parole system would be one way of decongesting the country's prisons. Column by Muwali Musampula, 22 January 2008, The Times of Zambia, at <http://allafrica.com/stories/200801220403.html>

Sierra Leone

Minister blames judiciary for fuelling prison overcrowding: The Minister of Internal Affairs, Daudi Kamara, said that he was aware of the problem of overcrowding in Sierra Leone prisons and said that his Ministry will not tolerate such a situation. He blamed the overcrowding on the judiciary who he said were slow and often not available to preside over cases which resulted in hundreds of prisoners awaiting trial throughout the country. The Minister added that overcrowding will cease to be a problem if judicial officers did their work. In a related incident, Sierra Leonean Justice, George Gelaga King, labelled the judiciary 'corrupt' and 'disrupting'. Reported by Mariama Kandeh and Danny Glenwright, 6 December 2007, Concord Times, at <http://allafrica.com/stories/200712070812.html>

The Gambia

Ex-prisons boss convicted and fined: A court in the Gambian capital, Banjul, convicted and fined the country's longest serving Director of Prisons on the charge of stealing a generator belonging to the Prisons Department. Mr. David Colley, 42, was ordered to pay US \$130.00 or be imprisoned for two months. He was also ordered to return the generator to the government. Reported on 12 December 2007, afro News, at

<http://www.afrol.com/articles/27510>

Chad

Transferred prisoners to have their sentences converted: Six French charity workers convicted of child kidnapping in Chad were to appear before a court outside Paris to have their hard labour sentences imposed by a Chadian court adjusted. France does not have the sentence of hard labour which the Chadian court imposed on the prisoners and the prosecutors had to look for an appropriate sentence. The transfer of the six French nationals to the French prison follows an agreement between France and Chad to have them serve their sentences in their home country. Reported by AFP, 28 December 2007, at <http://afp.google.com/article/ALeqM5hsP7ucmYXGqaIHc7449ypDTIknA>

Tanzania

Judges directed to finalise cases in 60 days: In a move that is likely to reduce the number of awaiting-trial prisoners, Justice and Constitutional Affairs Minister, Mary Nagu, instructed judges and magistrates to make sure that they rule on cases within 60 days and give the Chief Justice a detailed explanation on any failure to do so. The Minister said the accumulation of cases led to delays in ensuring that justice is done and that the directive was meant to deal with that. Reported by Pastory Nguvu, 7 January 2008, ippmedia, at <http://www.ippmedia.com/ipp/guardian/2008/01/07/105801.html>

Ghana

Inmate allegedly beaten to death: The death of a 32-year-old suspect, Israel Kobla Amenum, sparked off claims and counter-claims between the police and the cell team leader. While police sources said that Mr. Amenum died in hospital, the cell team leader, Mr. Lambert Yao Dzokoto, maintained that Amenum died in police custody. According to the cell leader, the suspect died in his arms as he was trying to resuscitate him after he had collapsed from suspected beatings by the police. However, a source at the hospital said that by the time Mr. Amenum arrived at the hospital, he had died. Reported by Victor Kwawukume, 6 November 2007, Modern Ghana, at http://www.modernghana.com/GhanaHome/NewsArchive/news_details.asp?id=VFZSUK1rOVVWWG89&menu_id=1&sub_menu_id=0

United States Women's Ministry donates to prisoners: The Women's Ministry of Ebenezer Presbyterian Church at Alexandria (Virginia) in the United States of America donated 2,100 packaged food tins to the inmates of the Kumasi Central Prison so that they could enjoy their festive season. Rev Otuo Acheampong, Chairperson of the Asante Presbytery of the Presbyterian Church, appealed to the inmates to change their lifestyles when released from the prison. Reported by GNA, 27 December 2007, Modern Ghana, at http://www.modernghana.com/GhanaHome/NewsArchive/news_details.asp?id=VFZSVmVFNUVXWG89&menu_id=1&sub_menu_id=0

Seven prisoners refused medical treatment and died: The Deputy Director of Prisons in-charge of Ashanti Region, Mr. Ambrose Salifu, said that between January and December 2007, seven inmates of the Kumasi Central Prison died of HIV/AIDS related illnesses. Mr. Salifu attributed their deaths to the lack of support and co-operation from some healthcare providers in the region who refused to give the necessary medical attention to the sick inmates. Mr. Salifu also said that Kumasi Central Prison were overcrowded. Reported by GNA, 31 December 2007, Modern Ghana, at http://www.modernghana.com/GhanaHome/NewsArchive/news_details.asp?id=VFZSVmVFOVVRWG89&menu_id=1&sub_menu_id=0

Prisons donate to hospital: The Western Regional Branch of the Prisons Ladies Association (PRILAS) donated assorted items to the Essikadu Hospital. The items included boxes of Voltic Water, loaves of bread, bed-sheets, fruits and a gallon of liquid soap. The donation

was to show appreciation for the support prisons have been receiving from the hospital. Chief Superintendent of Prisons, Afua Serwaa Asibey, urged the hospital management to continually demonstrate its compassion for prisoners. The Matron of the hospital, Mrs. Naomi Adomako-Kwakye, thanked members of PRILAS for the donation and said the hospital would continue to serve the general public without any discrimination. Reported by GNA, 4 January 2008, Modern Ghana, at

http://www.modernghana.com/GhanaHome/NewsArchive/news_details.asp?id=VFZSVmVVMVvaekU9&menu_id=1&sub_menu_id=0

British teens convicted after months in prison: Two British teenage girls, Yasemin Vatansever and Yatunde Diya, were convicted of smuggling cocaine and each sentenced to a one year prison term after being in detention awaiting-trial since July 2007. They were given credit for the time spent on remand and will serve their remaining sentence at the Maamobi detention centre in Accra. Reported by Kwasi Kpodo, 24 January 2008, IOL, at

http://www.iol.co.za/index.php?set_id=1&click_id=68&art_id=nw20080123233745643C919012

Libya

Torture suit against Libyan leader: Ashraf Alhajouj, a Palestinian-born doctor who, with Belgian doctors and nurses, was imprisoned for more than eight years in Libya for allegedly infecting 438 Libyan children with HIV, filed a suit for torture against Libyan President Col. Muammar Gaddafi. The suit was filed through a French charitable organization - Lawyers Without Borders. Col. Gaddafi's son, Saif al-Islam Gaddafi, also said the medics were tortured. However, Col. Gaddafi enjoys presidential immunity and experts believe that the suit will be unsuccessful. Reported by bbcnews, 13 December 2007, at <http://news.bbc.co.uk/2/hi/europe/7141922.stm> see also

<http://africa.reuters.com/top/news/usnBAN344218.html>

Torture allegedly rampant in prisons: Human Rights Watch alleged that the Libyan government still tortures prisoners despite the fact that torture is an offence under Libya's Penal Code. HRW alleged that 15 of the 32 prisoners it interviewed in one of Libya's prisons had been subjected to torture. The prisoners said that interrogators subjected them to electric shocks, hung them from walls, and beat them with clubs and wooden sticks. Report by Human Rights Watch, 4 January 2008, at

<http://hrw.org/english/docs/2008/01/04/libya17687.htm>

Ghanaians prisoners executed: Two Ghanaians were executed in Libya for murdering a Libyan citizen. Those executed had been on death row since 2002 after being convicted of murder under Libyan Sharia law. The Ghanaian authorities attempted to secure the release of the prisoners but the Libyan authorities insisted that they had to execute them as required by Sharia Law. The Libyan leader said that he could not pardon them because under Sharia Law it was the relatives of the deceased who can forgive the murderer which they did not do in this case. Reported by Daily Guide, 28 January 2008 2008, Modern Ghana, at

http://www.modernghana.com/GhanaHome/NewsArchive/news_details.asp?menu_id=1&id=VFZSVk1VNXFhekk9

Cameroon

Prison conditions remain poor: The Regional Representative of the United Nations Centre for Human Rights and Democracy in Central Africa, UNCHR, Marie-Evelyn Peturs-Barry, while speaking during 59th anniversary of the Universal Declaration Human Rights on November 10 at Djeuga Palace, deplored prison conditions in the country and called upon the government to improve them. Reported by Leocadia Bongben, 14 December 2007, The Post (Buea), at

<http://allafrica.com/stories/200712140650.html>

Rwanda

Country applauded for abolishing death penalty: The United Nations High Commissioner for Human Rights, Louise Arbour, applauded Rwanda for abolishing the death penalty and said that by doing so the country had joined the 'vast majority of UN Member States that have already done so.' Reported by UN News Service (New York), 11 December 2007, at <http://allafrica.com/stories/200712120026.html>

500 inmates benefit from rehabilitation programme: 500 Inmates of Kigali's Muhima Prison attended a 10-day 'Art of Living' rehabilitation training programme with many saying that they benefited from the training. Many said that they experienced big changes in their daily lives after the course. Some of the inmates' health problems such as stress, depression, breathing problems, backaches and general fatigue were also relieved during the training. The programme was conducted by an expert from India and will be introduced in all other prisons throughout the country. Reported on 21 January 2008, at <http://www.achome.co.uk/theorganichome/blogs/alternativetherapy/2008/01/yoga-in-prisons.html>

New law to introduce community service: The government proposed various legislative amendments ranging from the criminalization of torture to introducing community service as an alternative to imprisonment in cases of petty offences. Justice Minister, Tharcisse Karugarama, said that community service was unique because its "impact and results are very recognizable by society." Reported by James Buyinza, 26 January 2008, New Times, at <http://www.newtimes.co.rw/index.php?issue=1367&article=2675>

Nigeria

Inmates allegedly tortured: At the African Commission on Human and Peoples' Rights session that took place in Congo Brazzaville in November 2007, various human rights concerns were highlighted. Amongst them being the allegations that the prison conditions are poor and that rape of female prisoners and detainees by Nigerian police officers were common. Amnesty International told the African Commission that during its visits to some of the Nigerian prisons, many inmates gave accounts of having been tortured to force them to confess. Reported by Chinedu Nwagu, 3 December 2007, This Day (Lagos) at <http://allafrica.com/stories/200712040241.html>

Policemen allegedly increasingly raping detainees: In a report released by a local coalition of non-governmental organisations, Network on Police Reform in Nigeria (NOPRIN), it was alleged that cases of rape of female detainees by policemen were on the increase. The research was conducted in over 400 prisons in 13 States of Nigeria. Other findings were that the police were also involved in extra-judicial killings, extortion and torture of suspects. Reported by Mary Ekah, 10 December 2007, This day (subscription required) at <http://www.thisdayonline.com/nview.php?id=97515>

Prisoners allegedly executed secretly: Amnesty International alleged that secret executions have been taking place in Nigeria's prisons in contrast with the government's assurances that Nigeria has not executed "in years". Amnesty International said that at least seven prisoners have recently been executed in secret at prisons across the country. Reported by Amnesty International, 17 December 2007, at

<http://www.amnesty.org/en/for-media/press-releases/nigeria-government-misleads-world-about-death-penalty-record-20071217>

Ethiopia

African Union supports enhanced prison management: After two days of deliberation in Ethiopia, African ministers in charge of drug control and crime prevention came out with a new comprehensive plan of action to combat illicit drugs and prevent crimes over the next five years. The Ministers recommended, amongst other things, enhanced prison management and improved conditions. This would entail, where appropriate, the provision of alternatives to imprisonment. Reported by AngolaPress, 12 January 2008, at <http://www.angolapress-angop.ao/noticia-e.asp?ID=580418>

Zimbabwe

Magistrates' strike leads to prolonged pre-trial detentions: The strike by magistrates and prosecutors, demanding better pay and working conditions, entered the second month with the result that thousands of detainees on remand had to await trial for longer. The Permanent Secretary in the Justice Ministry, Mr. David Mangota, said the magistrates had to go back to work before their grievances were addressed. However, the magistrates ignored his directive. Reported by Lance Guma, 30 November 2007, SW Radio, at <http://www.swradioafrica.com/news301107/strike301107.htm>

Malawi

Prison authorities concede that overcrowding is a challenge: Prison authorities conceded that overcrowding was a big challenge and appealed to the judiciary to impose prison sentences on only those offenders who commit serious crimes as a way of reducing the number of offenders being sent to prison. The Commissioner of Prisons in Central Region, Little Mtengano, said that courts should consider community service as an alternative to imprisonment in order to reduce overcrowding. Reported by Josh Ashaz, 12 December 2007, Nyasa Times, at <http://www.nyasatimes.com/index.php?news=1757>

President pardons 439 prisoners: Malawi President, Bingu wa Mutharika, pardoned 439 prisoners, a move that was applauded by the prison authorities as it reduced overcrowding in those prisons where the prisoners were being held. Home Affairs said that the prisoners who were pardoned were only those who had demonstrated good behaviour while in prison and those who were chronically ill. Reported by Ruby Suzgika, 24 December 2007, Nyasa Times, at <http://www.nyasatimes.com/index.php?news=1813>

TB cases in prisons alarming: The Director of the National TB Control Programme, Felix Salaniponi, while at a workshop attended by prison officials and people who work with the Prisons Services, said that statistics of TB cases in prisons were alarming and a cause for attention. He condemned prison congestion, which he said was behind about forty percent of national statistics of all registered TB cases. He emphasised that such high numbers of infections meant that prisons were breeding places for TB. Reported by Macdonald Phiri, 24 December 2007, Daily Times, <http://www.dailytimes.bppmw.com/article.asp?ArticleID=7714>

Former prisoner to monitor education in prisons: Former prisoner, Mr. Sud Adak Suliamana formed an organisation to oversee the

implementation of education programmes in Malawi prisons. The organisation is known as Centre for Education Rehabilitation, Reformation in Correctional Facilities. He said that there is a relationship between crime and illiteracy and that his organisation will, amongst others, introduce schools in prisons as a crime prevention and rehabilitation measure. Mr. Sulaimana said that his organisation has support from top government officials. Reported by Josh Ashaz, 6 January 2008, Nyasa Times, at <http://www.nyasatimes.com/index.php?news=1878>

Sudan

Country allegedly has some of the world's worst prisons: Justice Africa, a UK-based research group, said that guards at one of the women's prisons in Sudan, Omdurman, treated inmates like slaves and that the prison lacked beds, clean drinking water and prisoners were served poor quality food. The organisation Coordinator, Mr. Hafiz Mohammed, added that prisons in Sudan were overcrowded and lacked roofs which compelled prisoners to use sheets to shelter themselves from the sun. Mr. Mohammed added that the hygiene was very poor and foreign prisoners who were not accustomed to hard life, as the Sudanese, might have to rely on bottled water. That most prisons are old, lacked toilets and are poorly maintained. Reported by BBC News, 30 November 2007, at <http://news.bbc.co.uk/2/hi/africa/7120615.stm>

President pardons prisoner: Sudan's President, Omar al-Bashir, pardoned a British teacher who was imprisoned for insulting Islam after one of her pupils named a teddy bear Mohammed. On her way from prison, the teacher, Gillian Gibbons, 54, was accompanied by the two British Muslim peers who secured her pardon. She had been sentenced to 15 days in prison for insulting the religion by allowing children at an English school to name a teddy bear Mohammed. She was ordered to leave Sudan and was accompanied to the airport by the British Ambassador in Sudan. Reported by Charles Onians, 4 December 2007, Cape Times, at <http://www.capetimes.co.za/index.php?fArticleId=4157541>

Angola

Minister calls for humanised re-education of inmates: Angola Deputy Minister of Interior for Social Affairs and Human Rights, José Bamokina Zau, while speaking at the opening of the 21st Broad Consultative Council of the Prisons Services, said that there was a need for the more humanised re-education of prisoners to ensure their dignified social reintegration after release. The Minister said that such education programmes help to reduce the damaging effects caused by imprisonment and also contribute to the development of self-esteem and a sense of responsibility among inmates. Reported by Angola Press, 29 November 2007, at <http://www.angolapress-angop.ao/noticia-f.asp?ID=578340>

Nigerian prisoner reallocated: Henry Okah, Leader of the Movement for the Emancipation of the Niger Delta (MEND), who was arrested and incarcerated since 3 September 2007 in Angola for alleged gun-running, was moved from the smaller prison, Departamento de Investigaec Nacional and Criminal (DINC), Luanda, where he was detained during the first month of his arrest, to a larger prison, Viena in Angola. The prison conditions under which he is being detained are allegedly not good and his wife cannot visit him in prison as the Angolan authorities denied her a visa to enter Angola. Reported by Emma Amaize, 27 December 2007, Vanguard, at http://www.vanguardngr.com/index.php?option=com_content&task=view&id=3760&Itemid=0

Uganda

HIV prevalence high among Nebbi inmates: HIV/AIDS infections were reported to be high among inmates in Nebbi District. Doctors With Africa Cuamm, an Italian health care NGO, which carried out a sero-status survey in Paidha and Ojigo prisons, noted an increase of 7% in the infection rate. Out of 187 inmates tested, 13 were positive. The Assistant Programme Officer, who carried out the survey, Mr Mario Drasiku, attributed the increase of HIV infection to overcrowding and negative attitudes towards living with the disease. Reported by Warom Felix Okello, 4 December 2007, The Monitor, at <http://allafrica.com/stories/200712031891.html>

Prisoners to be released on parole: The Commissioner General of Prisons, Dr. Johnson Byabashaija, told senior prison officers at a workshop organised by the International Centre for Criminal Law Reform and Policy of Vancouver, Canada, UNAFRI in conjunction with the Uganda Prisons Service, that the parole system under the 2006 Prisons Act should be implemented to, amongst other things, help in solving the overcrowding problem. The Commissioner said that community service as opposed to incarceration should be emphasised. Reported by Charles Ariko, 10 December 2007, The New Vision, at <http://allafrica.com/stories/200712110045.html>

90% of the inmates are illiterate: The Commissioner General of Prisons, Dr. Johnson Byabashaija, said that 90% percent of the prisoners countrywide are illiterate and do not know the laws related to the offences they have committed. The Commissioner added that inmates in this category tend to spend more time in prison compared to those who are educated and know their rights. Reported by Charles Ariko, 16 December 2007, The New Vision, at <http://www.newvision.co.ug/detail.php?mainNewsCategoryId=8&newsCategoryId=13&newsId=602409> see also <http://allafrica.com/stories/200712131208.html>

Minister asks judiciary to decongest prisons: The Internal Affairs State Minister, Matia Kasaija, appealed to the judiciary to reduce decongestion in prisons immediately by expeditiously disposing off cases of inmates on remand. The Minister warned that keeping suspects on remand for long periods of time angers members of the public. The Commissioner General of Prisons, Dr. Johnson Byabashaija, said that the Uganda Prisons Service faces many problems which included congestion; poor infrastructure; and lack of the necessary training to handle General Court Martial prisoners who were increasingly being sent to 'civilian' prisons. Reported by Charles Kakamwa, 19 December 2007, The New Vision, at <http://allafrica.com/stories/200712200027.html>

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