

# AFRICA PRETRIAL JUSTICE MONITOR



Africa Pretrial Justice Monitor

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**New publication on torture:** Juan Mendez, the UN Special Rapporteur on Torture, has authored a recently published book entitled, "Taking a Stand: The Evolution of Human Rights." The book discusses the struggle against violations of human rights, including the role of torture as a tool of oppression and terror. A review of the book is available at <http://ictj.org/news/ictj-presents-taking-stand-evolution-human-rights>

**Committee against Torture considers Morocco Report:** On 1 November 2011 the Committee against Torture considered the fourth periodic report submitted by Morocco in relation to its implementation of the provisions of the Convention against Torture. Details of the proceedings are available at <http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=11557&LangID=E> and details of Morocco's response to questions posed by Committee experts, delivered on the 2 November 2011, are available at <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=11561&LangID=E%3E>

**SubCommittee on Prevention of Torture (SPT) announces field visits for 2012:** The SPT has announced its provisional programme of country visits for 2012. The SPT will be visiting six countries, two of which are Gabon and Senegal. More information is available at <http://www2.ohchr.org/english/bodies/cat/opcat/>

**Intimidation and harassment of human rights defenders:** On 22 November the Observatory for the Protection of Human Rights released a series of interviews with human rights defenders from Sub-Saharan Africa and North Africa. Much of the subject matter deals with the harassment and intimidation by the state of human rights defenders and vulnerable minorities. More information is available at <http://www.omct.org/human-rights-defenders/urgent-interventions/2011/11/d21518/>

**Penal Reform International training manual:** Penal Reform International has released a training manual entitled "A Training Manual for Independent Monitors of Juvenile Detention Facilities." The document is based on international minimum standards and contains helpful interpretive information for practitioners. The manual is available at <http://www.penalreform.org/training-resources>

## Country Reports

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### CAMEROON

**Police bribery:** Jade Cameroun reported that police officers often arrest people (on Fridays) and detain them in police custody as a means of ensuring bribes. The report discusses a number of individual cases of persons who said they were arrested for no reason at all and then asked for money in exchange for their release. Reported by Christian Locka, Jade Cameroun, 23 November 2011, at <http://jadecameroun.com/news.php?detailAct=214> (Original report in French)

### COTE D'IVOIRE

**Journalists detained:** Starafrika.com reported that three journalists employed by an "opposition newspaper," were detained without formal charge. The detainees were reportedly held in a police station cell beyond the 48 hour detention limit. Reported by [starafrika.com](http://starafrika.com), 29 November 2011, at <http://www.starafrika.com/en/news/detail-news/view/three-opposition-journalists-detained-in-205555.html>

## ETHIOPIA

**Appeal to stop arrests:** Star Africa reported that Human Rights Watch and Amnesty International have appealed to the Ethiopian government to cease using its broad anti-terrorism laws to arrest and detain journalists and peaceful political activists. Reported by [starafrika.com](http://www.starafrika.com), 21 November 2011, at <http://www.starafrika.com/en/news/detail-news/view/ethiopia-stop-using-anti-terror-law-to-203832.html>

## GUINEA

**Appeals to investigate detention:** Human Rights Watch has appealed to the Guinean government to investigate the role of two high-level officials in the detention and intimidation of members of a prominent Guinean human rights group. The detainees were reportedly subjected to hours of interrogation and threatened with death. Reported by Corinne Dufka, 11 November 2011, at <http://www.hrw.org/news/2011/11/11/guinea-investigate-detention-intimidation-activists>

## LIBERIA

**Congested remand detention centres:** allAfrica.com reported that a Judge of Criminal Court 'A' at the Temple of Justice in Monrovia, James Zotaa, said that prisons in Liberia are congested due to the negligence of many complainants in pursuing their respective cases once those they have accused are in remand detention. Reported by Winston W. Parley, 15 November 2011, at <http://allafrica.com/stories/201111150772.html>

## LIBYA

**Detained Gaddafi supporters demand freedom:** Times Live reported that inmates accused of having supported the ousted Gadhafi regime are demanding their freedom as they are reportedly being held in detention centres without charge. Reported by Times Live, 21 November 2011, at <http://www.timeslive.co.za/africa/2011/11/21/jailed-gaddafi-supporters-demand-freedom>

**Private citizen's detention centre:** The Independent reported that a Libyan pilot had set up his own detention centre in a former school in the town of Zintan where more than 100 prisoners from the Gaddafi regime were reportedly held. The detention centre was handed over to rebel leaders at the time of Gadhafi's ousting. Reported by the Portia Walker, 22 November 2011, at <http://www.independent.co.uk/news/world/africa/libya-eyewitness-who-gave-me-permission-to-run-a-prison-i-dont-need-it-6267105.html>

**Evidence of the torture of detainees:** The Australian reported that Libyan doctor Osama Mussa confirmed that health facilities in Libya are treating prisoners who were tortured by the rebels during the campaign against Moammar Gadhafi. One prisoner was quoted saying, "They burnt people with cigarettes, beat their feet, hung men by their arms". Reported by Tom Coghlan, 26 November 2011, at <http://www.theaustralian.com.au/news/world/libyan-prisoners-tortured-by-rebels/story-e6frg6so-1226206469194>

**Detention without trial:** The BBC reported that UN Secretary General Ban Ki-moon told the Security Council that as many as 7000 detainees are being held without access to legal process because the police and courts are not functioning. Many of these detainees have reportedly been tortured. Reported by Barbara Plett, 29 November 2011, at <http://www.bbc.co.uk/news/world-africa-15932105>

## LESOTHO

**Police in illegal handover of suspect:** Les Times carried a story which alleged that Lesotho's police abducted and tortured a Mosotho man, Moloi Ralentsoe, before illegally handing him over to South Africa to stand trial for unlawful escape and armed robbery. Reported by Caswell Tlali, 17 November 2011, at <http://www.lesstimes.com/?p=7656>

## MOROCCO

**Detainees on hunger strike:** [allafrica.com](http://allafrica.com) reported that 24 Saharawi human rights defenders and "prisoners of conscience" who are yet to appear before the Morocco court-martial have gone on hunger strike. The prisoners are striking in protest against the fact that they have been detained for over a year. Reported by Malainin Lakhal, 18 November 2011, at <http://allafrica.com/stories/201111180988.html>

## MOZAMBIQUE

**Police officers detained:** [allafrica.com](http://allafrica.com) reported that two policemen had been detained in connection with the escape of six men, all described as highly dangerous, from the cells in the Maputo City Police Command. Reported by [allafrica.com](http://allafrica.com), 3 November 2011, at <http://allafrica.com/stories/201111040154.html>

**Prisoners escape from police custody:** The Zimbabwean reported that seven men described as "dangerous criminals" by the police had escaped from the cells at the Maputo City Police Command. Reported by the Zimbabwean, 3 November 2011, at [http://www.thezimbabwean.co.uk/news/africa/54295/breakout-from-cells-of-maputo.html?utm\\_source=thezim&utm\\_medium=homepage&utm\\_campaign=latestarticles](http://www.thezimbabwean.co.uk/news/africa/54295/breakout-from-cells-of-maputo.html?utm_source=thezim&utm_medium=homepage&utm_campaign=latestarticles)

**Deaths in police custody revealed:** The Mercury reported that during parliamentary hearings on various government departments' Annual Reports, the Independent Complaints Directorate explained that there had been almost 800 deaths as a direct result of police action in the 2010/2011 financial year. Reported by the Mercury, 2 November 2011, at <http://themercury.newspaperdirect.com/epaper/showarticle.aspx?article=d3355dc2-f0e8-4476-83ec-d99ff9b9f87&key=EhzVifKXAYW4xa1lDgS1Vw%3d%3d&issue=64032011110200000000001001> (subscription needed)

## SOUTH AFRICA

**Krugersdorp remand detainees die as a result of prison fire:** [news24.com](http://www.news24.com/SouthAfrica/News/Krugersdorp-prisoner-dies-after-fire-20111103) reported that two remand detainees died in Krugersdorp Prison and a third was recovering in hospital after they reportedly set fire to their cell. The three were reportedly awaiting trial on charges of house breaking, assault, rape and murder. Reported by [news24.com](http://www.news24.com), 3 November 2011, at <http://www.news24.com/SouthAfrica/News/Krugersdorp-prisoner-dies-after-fire-20111103>

**Minister of Justice questions “extraditions”:** Times Live reported that the Minister of Justice has been demanding answers from the police regarding illegal “renditions” of people to Zimbabwe. Many of those illegally handed over to Zimbabwe police are alleged to have been tortured or killed. Reported by Times Live, 6 November 2011, at <http://www.timeslive.co.za/africa/2011/11/06/angry-sa-justice-minister-demands-answers-on-death-handovers-to-zim>

**Allegations of human rights abuses in remand detention facility:** Politics Web reported that there is much “cause for concern” regarding what appear to be large-scale human rights abuses at the Grootvlei Prison, the result of which was the recent strike of over 1000 remand detainees. The nature of the abuses suffered by the remand detainees are reportedly torture, assault, bribery and corruption, unhygienic living conditions and the denial of visitation rights. Reported by Politics Web, 4 November 2011, at [http://www.politicsweb.co.za/politicsweb/view/politicsweb/en/page72308?oid=265156&sn=Marketingweb\\_detail&pid=90389](http://www.politicsweb.co.za/politicsweb/view/politicsweb/en/page72308?oid=265156&sn=Marketingweb_detail&pid=90389)

**Torture in prisons:** Reuters reported that civil society representatives had made submissions before the Portfolio Committee on Correctional Services on 30 November 2011 regarding torture in prisons. Stakeholders highlighted the need for independent oversight mechanisms and the importance of criminalizing torture, as required by the United Nations Convention against Torture. Reported by Wendell Roelf, 30 November 2011, at <http://af.reuters.com/article/topNews/idAFJ0E7AT06C20111130?pageNumber=2&virtualBrandChannel=0&sp=true>

## SOUTH SUDAN

**Journalists arrested and detained:** The Daily Maverick reported that two journalists were arrested and detained without charge for writing and publishing an opinion piece criticising the fact that President Salva Kiir's daughter had married an Ethiopian national. Reported by Theresa Mallinson, 9 November 2011, at <http://dailymaverick.co.za/article/2011-11-09-south-sudanese-journalists-arrested-newspaper-suspended>

## UGANDA

**Adverse report released:** The Monitor reported that Amnesty International had released a report in which the organization reportedly states that it is “strange that in a country that commits to rule of law, opposition politicians and activists face arbitrary arrest, threats and politically-motivated criminal charges for expressing views deemed critical of the authorities.” 1 November 2011, at <http://www.monitor.co.ug/News/National/-/688334/1264908/-/bhf8voz/-/>

**Appeal made to curb torture:** Key Correspondents carried a story in which it said that the government should do more to ensure that suspected perpetrators of torture in the police and prison services are brought to justice, and that victims are granted access to justice and legal remedies. Reported by Key Correspondents, 22 November 2011, at <http://www.keycorrespondents.org/2011/11/22/torture-%E2%80%98still-haunting-security-agencies-in-uganda/>

**Detainees allege torture:** The Observer reported that one of the men suspected to have carried out the bombing in Kamapale in July 2010 has claimed that security officers forced him to eat pork and have anal sex, contrary to the Islamic faith. The allegation is contained in a petition filed in the Constitutional Court in early November 2011. Reported by Siraje Lubwama, 30 November 2011, at [http://www.observer.ug/index.php?option=com\\_content&view=article&id=16133:they-forced-me-to-have-pork-anal-sex&catid=78:topstories&Itemid=59](http://www.observer.ug/index.php?option=com_content&view=article&id=16133:they-forced-me-to-have-pork-anal-sex&catid=78:topstories&Itemid=59)

## ZIMBABWE

**Prospects for release of activists enhanced:** The Zimbabwean reported that “prospects are now bright” in relation to the release of six political activists arrested in February after having been found watching videos of the Arab spring uprisings in Egypt and Tunisia. The six were initially charged with treason and plotting to overthrow Robert Mugabe but that was then changed to ‘conspiracy to commit public violence’. Reported by Tichaona Sibanda, 9 November 2011, at <http://www.thezimbabwean.co.uk/news/zimbabwe/54463/gwisai-case-near-collapse-after.html>

**Activists detained for six months:** SW Radio reported that a group of six MDC-T activists, accused of murdering a police officer, have been in police detention for six months now, despite documented evidence that many were not even at the scene when the police officer they are accused of killing died. Reported by Tererai Karimakwenda, 21 November 2011, at <http://www.swradioafrica.com/2011/11/21/glen-view-mdc-t-activists-detained-for-6-months/>

## Global Campaign for Pretrial Justice

On any given day, an estimated three million people around the world are behind bars awaiting trial. Many will spend months and even years in detention - without being tried or found guilty - languishing under worse conditions than people convicted of crimes and

sentenced to prison. To address the over-reliance on pretrial detention and promote greater access to legal assistance, the Global Campaign for Pretrial Justice is working to gather empirical evidence to document the scale and gravity of the problem; pilot innovative practices and methodologies, to identify effective, low-cost solutions; and build a forum for sharing knowledge among practitioners, researchers and policymakers. For more information on the Global Campaign for Pretrial Justice, please visit [http://www.soros.org/initiatives/justice/focus/criminal\\_justice/projects/globalcampaign](http://www.soros.org/initiatives/justice/focus/criminal_justice/projects/globalcampaign)

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