



30 Days Dae Izinsuku

Project of the
Community Law Centre

CSPRI '30 Days/Dae/Izinsuku' April 2009

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2009

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SENTENCING AND PAROLE

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NGOs to petition court over political prisoners: A coalition of civil rights groups is to take President Kgalema Motlanthe to court to stop him from granting presidential pardons to some apartheid-era prisoners. 'The pardons are for prisoners serving time for politically motivated crimes committed before June 1999' and who 'did not seek amnesty from the Truth and Reconciliation Commission after the end of apartheid in 1994.' The coalition is expected to argue before court 'that the pardon process is unlawful because victims of the perpetrators have not been consulted.' Reported by Mpho Lakaje, 2 April 2009, BBC News, at <http://news.bbc.co.uk/2/hi/africa/7978482.stm> see also http://jv.news24.com/Beeld/Suid-Afrika/0,,3-975_2496013,00.html

Court orders the release of prisoner on parole: The North Gauteng High Court ordered the release of a prisoner who had been denied parole by the Parole Board. The prisoner, Ms Charmaine Vermaak, who had served a half of her sentence for fraud by the time her parole application was rejected, 'entered prison with a BCom degree and almost completed her BSc degree in industrial psychology and Masters degree in business leadership in jail.' However, the Parole Board 'found that she had not obtained a meaningful qualification' to qualify for parole. In ordering Ms Vermaak's release on parole, Judge Francis Legodi held that whether she had attained higher education or not 'should not have been a consideration of the board.' Reported by Herman Scholtz, 3 April 2009, Beeld, at http://jv.news24.com/Beeld/Suid-Afrika/0,,3-975_2496476,00.html

Lifers released after their dockets went missing: The Grahamstown High Court released two prisoners who were serving life sentence for murder when their dockets went missing and the transcripts of their cases were unclear. The prisoners, Mr. Harris Menze and Mr. Fanisile Nkonye, had been sentenced by the East London Magistrate's Court in 2002. The relatives of the deceased said that they feared for their lives after the two were released. Reported by Bongani Fuzile, 9 April 2009, Daily Dispatch, at

<http://www.dispatch.co.za/article.aspx?id=307013>

Prisoner to appeal against court ruling dismissing his parole application: Mr. Clive Derby-Lewis, 73, serving a life sentence in Pretoria's C-Maximum Security Prison for the murder of a prominent South African politician, Chris Hani, said that he was 'to apply for leave to appeal against the North Gauteng High Court's dismissal of his parole review application.' Mr. Derby-Lewis's attorney, Marius Coertze, said that 'they will again challenge the legislative basis for the refusal to release the 73-year-old.' Coertze and Derby-Lewis's argument is that 'legislation giving the right to the families of victims to make representations during the parole applications only came into force after Derby-Lewis was sentenced.' Reported by Sonja Carstens, 12 April 2009, Beeld, http://jv.news24.com/Beeld/Suid-Afrika/0,,3-975_2500294,00.html see also http://jv.news24.com/Beeld/Suid-Afrika/0,,3-975_2503206,00.html

Prisoner to appeal against conviction and sentence: Ms Najwa Petersen, who is serving a 28-year prison sentence in a woman's prison in Worcester for the murder of her husband, Taliep Petersen, is to ask the Cape High Court for leave to go to the Supreme Court of Appeal to challenge her conviction and sentence. The ground of appeal is that the High Court 'relied on the evidence of police officials who interrogated her even though she had not been informed of her constitutional rights. Reported by Fatima Schroeder, 27 April 2009, IOL, at http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=vn20090427111521118C267608

DEATHS IN CUSTODY

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Prisoner dies in custody: Mr. Jerry Richardson, who was believed to be in his 50s, died of natural causes when he was 'serving a life sentence at Johannesburg's Leeuwkop prison.' Mr. Richardson was sentenced to life imprisonment for the murder of a 14-year-old boy for allegedly being a police informant. Reported by Sapa, 7 April 2009, Sowetan, at <http://www.sowetan.co.za/News/Article.aspx?id=976736>

Prisoner dies, five others and warders injured in attempted escape: Superintendent Mzukisi Fatyela said that 'an awaiting trial prisoner died and five prisoners and eight warders were injured, during an attempted escape at Mthatha's Wellington Prison, Eastern Cape.' Superintendent Fatyela reportedly added that 'the attempted escape ? was really like something out of the movies.' He said that the 'badly' injured prisoners and the warders were taken to hospital for treatment. Reported by Sapa, 13 April 2009, News24, at http://www.news24.com/News24/South_Africa/News/0,,2-7-1442_2500459,00.html see also <http://www.sowetan.co.za/News/Article.aspx?id=979649>

Warders appear in court for allegedly murdering inmates: Seven prison warders appeared before the South Gauteng High Court for allegedly murdering three inmates and attempting to kill another at Krugersdorp prison. The deceased inmates were believed to be gangsters and were allegedly assaulted by the accused warders leading to their deaths. In court, the seven warders pleaded not guilty to the charges. Reported by Khethiwe Mabena, 21 April 2009, The Times, at <http://www.thetimes.co.za/News/Article.aspx?id=985005>

ELECTIONS 2009

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Electoral body chief explains prisoners voting procedure: The Chief Electoral Officer, Pansy Tlakula, reportedly said that the Independent Electoral Commission decided against using ballot boxes with

transparent lids because when they were tested 'the lid cracked under pressure.' She also added that 'a mobile voting station would be used on April 22, for prisoners to vote in prison and their ballot papers would be counted at a voting station near to the prison.' Reported by Sapa, 17 April 2009, News24, at http://www.news24.com/News24/Elections/News/0,,2-2478-2479_2503136,00.html

Few prisoners registered to vote: Of the over 180, 000 prisoners in South Africa's prisons, just more than 17,000 registered to vote in the provincial and national elections that were held on 22 April. Mr. Clive Monacks, Director of Risk Profile Management in the Department of Correctional Services, reportedly said that 'the low registration gives you an idea of the lack of enthusiasm that those behind bars have in the process.' However, Mr. Golden Miles Bhudu, a prisoners' rights activist, disagreed with Mr. Monacks and said that many prisoners did not register to vote because they did not have identity documents. Reported by Vivian Warby, 22 April, IOL, at http://www.iol.co.za/index.php?set_id=1&click_id=6&art_id=vn20090422051705210C740048

Prisoners and warders cast their votes: Several prisoners at Leeuwkop prison, north of Johannesburg, cast their votes in the national and provincial elections on 22 April 2009. The 'prisoners voted with warders who lived on the grounds, in special balloting performed by the Independent Electoral Commission.' However, the polling station in the prison ran out of ballot papers and the Independent Electoral Commission officials failed to bring more ballot papers even 'after numerous requests and 90 minutes of waiting.' Reported by Sapa, 23 April 2009, News24, at http://www.news24.com/News24/Elections/News/0,,2-2478-2479_2505594,00.html

Prisoner said he voted for the party that would fight crime: Mr. Vusi Thabete, a prisoner at Leeuwkop prison, north of Johannesburg, reportedly said that 'crime was a major issue' in the country. Mr. Thabete added that because of the scarcity of jobs, one has no alternative but to resort to crime. He said that he voted for the opposition party, the Democratic Alliance, in the hope that it will create more employment opportunities compared to the ruling party, the African National Congress. Reported by Sapa, 23 April 2009, News24 at http://www.news24.com/News24/Elections/News/0,,2-2478-2479_2505541,00.html

SECURITY AND ESCAPES

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Department to investigate prison escape attempt: While commenting on an attempted escape of prisoners from Mthatha Prison which 'ended in the death of a prisoner and the wounding of five other inmates and two wardens', the Department of Correctional Services' Regional Commissioner, Ms Nontsikelelo Jolingana, said that the Department was 'very concerned about the situation.' She reportedly added that 'the rate at which these escapes are happening in Mthatha is shocking to say the least' and that Mthatha prison was 'the worst and the most problematic in the Eastern Cape in terms of escapes.' Ms Jolingana added that the Department of Correctional Services 'would commission an investigation into the attempted escape and try to get to the root of the matter.' Reported by Lubabalo Ngcukana, 14 April 2009, Daily Dispatch, at <http://www.dispatch.co.za/article.aspx?id=308036> see also <http://www.dispatch.co.za/article.aspx?id=308002>

MEDICAL PAROLE

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South African President to reportedly ask the review of medical parole of high profile prisoner: Presidential spokesman, Mr. Thabo Masebe, reportedly said that South African President, Kgalema Motlanthe, 'asked the Minister of Correctional Services, Ngconde Balfour, to initiate a review of the medical parole of convicted fraudster' Mr. Schabir Shaik. Mr. Masebe reportedly said that President

Motlanthe approached the Minister of Correctional Services regarding the matter. The review followed complaints by the opposition party, the Democratic Alliance, after Mr. Shaik's controversial release from custody on medical parole in early March. Reported by Sashni Pather, 6 April 2009, The Times, at <http://www.thetimes.co.za/News/Article.aspx?id=975240>

Opposition party leader criticises ruling party for releasing prisoner on medical parole: While on her party's campaign trail for the national and provincial elections, the Democratic Alliance leader, Helen Zille, reportedly said that the ruling party, the African National Congress, 'engineered the release of their crony, Schabir Shaik, from prison' on medical parole. She urged South African voters to vote for her party. Reported by Sapa, 14 April 2009, News24, at http://www.news24.com/News24/Elections/News/0,,2-2478-2479_2501012,00.html

Correctional Services Minister believes Parole Board made a correct decision regarding the medical parole of high profile prisoner: The Health Professions Council of South Africa released a report to the effect that independent experts established that the reports upon which the release of Mr. Schabir Shaik on medical parole was based 'were not exaggerated, misrepresented or falsified.' While welcoming the report and the findings, the Minister of Correctional Services reportedly said that he was still of the view 'that the Westville Correctional Supervision and Parole Board followed the correct processes as required by the Act and made a correct decision.' Reported by Sapa, 20 April 2009, News24, at http://www.news24.com/News24/South_Africa/Politics/0,,2-7-12_2504486,00.html see also http://www.health24.com/news/Health_care/1-918,50528.asp see also http://www.news24.com/News24/South_Africa/News/0,,2-7-1442_2504024,00.html

Medical association calls for 'equal and fair treatment of all terminally ill prisoners': The chairperson of South Africa Medical Association, Ms Denise White, 'called for the equal and fair treatment of all terminally ill prisoners.' Ms White made the statement while 'responding to the decision of the Health Professions Council of SA (HPCSA) which cleared the doctors, who examined convicted fraudster Schabir Shaik, of any unethical conduct.' Ms White reportedly said the medical association 'expects all terminally ill prisoners to be given equal and fair consideration for parole on medical grounds by the Department of Correctional Services, who decide on these matters.' Reported by Sapa, 24 April 2009, News24, at http://www.news24.com/News24/South_Africa/News/0,,2-7-1442_2505899,00.html see also <http://www.mg.co.za/article/2009-04-20-shaiks-doctors-cleared>

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Prisoner reportedly 'expelled' from prison: Mr. Golden Miles Bhudu, a prisoners' rights activist who was sentenced to eight years imprisonment by the Wynberg magistrate's court in September 2008 for helping a prisoner escape, reportedly told journalists that he was out of prison because 'the officials feared' that he 'would corrupt other prisoners so they expelled' him from prison. Mr. Bhudu added that he was released because he was 'organising identity documents for the prisoners to vote.' However, the truth of the matter, reportedly, is that Mr. Bhudu was released on bail pending appeal. Reported by Penwell Dlamini, 8 April 2009, Sowetan, at <http://www.sowetan.co.za/News/Article.aspx?id=976852>

Prisoner goes to equality court over racial discrimination: Mr. Jan Hendrick Engelbrecht, an inmate at Johannesburg Prison, popularly known as Sun City, went to the Equality Court and 'complained of bad racial treatment when other prisoners started using his personal things without asking him.' Mr. Engelbrecht's argument was that the reason why other prisoners were using his belongings without his consent was that 'because he was white.' Reported by Don Makatile, 14 April 2009, Sowetan, at <http://www.sowetan.co.za/News/Article.aspx?id=979522>

Prince Edward visits prison: As part of his involvement in The President's Award for Youth Empowerment, which rehabilitates young offenders, Prince Edward of England visited Drakenstein prison at which he attended a programme on youth empowerment. The prince said that he had visited the same prison in 2000 and was glad to see that some of the faces had 'changed since then.' He advised the

prisoners to 'use the opportunity which was afforded to them through the programme.' Reported by Jan Gerber, 15 April 2009, News24, at http://www.news24.com/News24/South_Africa/News/0,,2-7-1442_2501383,00.html

Learners tour prison: A group 31 Grade 7 pupils from Glenanda Primary School went on a tour of Johannesburg Prison. The tour was organised by Mondeor South African Police Service and Pillar to Post, an educational theatre company. During the tour, prisoners advised the learners to avoid engaging in criminal activities because crime does not pay and has serious consequences. One of the learners, Matthew Matthysen, reportedly said after the tour that he learnt that crime does not pay and that he would avoid making mistakes that would land him in prison. Reported by Luzuko Pongoma, 20 April 2009, Sowetan, at <http://www.sowetan.co.za/News/Article.aspx?id=983865>

OTHER AFRICAN COUNTRIES

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Tanzania

Close to 10 per cent of prisoners are HIV positive: According to the 2008 Human Rights Report by the Tanzania based non-governmental organisation, Legal and Human Rights Centre, 'approximately 9.2 per cent of Tanzania's prison population is infected with HIV/Aids.' The rights body advocate, Mr. Clarence Kipobota, reportedly said that 'the situation was very alarming in Tanzania's prisons.' He added that 'there is no information on appropriate health facilities for people living with HIV/Aids in prisons' and that 'there were no mechanisms in place to assist infected inmates.' The report also highlighted overcrowding as one of the problems in prisons and that the Parole Board Act had not been used to effectively address this problem. Reported by Lusekelo Philemon, 28 April 2009, IPP Media, at <http://ippmedia.com/ipp/guardian/2009/04/28/135682.html>

Cape Verde

Former political prisoners to participate in symposium: Former political prisoners from Cape Verde, Angola, Guinea Bissau and Portugal will from 28 April to 1 May 2009 take part in 'an international symposium to mark the 35th anniversary of the closure of the Tarrafal concentration camp on the Cape Verdian island of San Tiago, where nationalists in the ex-colonies of Portugal in Africa were jailed.' The symposium was organised by the Amilcar Cabral Foundation in collaboration with the Angolan and Cape Verdian culture ministries. One of the objectives of the Amilcar Cabral Foundation is 'to receive testimonies and documents relative to the existence and operation of the Tarrafal prison.' Reported on 27 April 2009, Afrique en ligne, at <http://www.afriquejet.com/news/africa-news/cape-verde-hosts-symposium-on-tarrafal-concentration-camp-2009042826429.html>

Zimbabwe

Prison conditions 'a form of torture', human rights lawyer: Ms Annah Moyo, a Zimbabwean lawyer who works with the Southern African Centre for Survivors of Torture reportedly said that 'conditions in Zimbabwean prisons were a form of torture.' Ms Moyo was reacting to images filmed in Zimbabwean prisons and broadcast on SABC TV3 which showed 'emaciated inmates too weak to stand and eating as if they can barely bring food to their mouths.' Reported by AP, 1 April 2009, News24, at http://www.news24.com/News24/Africa/Zimbabwe/0,,2-11-1662_2495285,00.html see also <http://www.dailymail.co.uk/news/worldnews/article-1166509/Life-Mugabes-Hell-Hole-Zimbabwe-jail-exposed-secret-film-shows-inmates-starving-death.html>

Documentary on prisons fabricated, Justice Minister: While reacting to the 'SABC 3 Special Assignment documentary which aired horrifying footage exposing how prisons in the country have become death camps for thousands of inmates who are deprived of food and medical care', the Justice Minister, Patrick Chinamasa, reportedly said that what was shown by SABC was not true and that the SABC was lying. The Minister reportedly added that 'the pictures shown are not from Zimbabwe prisons'

but elsewhere in Africa and these are being attributed to us. We know our prisons are facing challenges but that documentary was false. Also it is unethical for the SABC to show such pictures of foreign prisoners and attribute them to Zimbabwe. I want to re-state that no-one is allowed inside our prisons with cameras.' Reported on 3 April 2009, The Zimbabwe Times, at <http://www.thezimbabwetimes.com/?p=14492> see also <http://www.swradioafrica.com/News090409/Yuda090409.htm>

Warders arrested for filming 'shocking' prison conditions: A senior police officer at Beitbridge reportedly said that three prison warders, Mr.Thabiso Nyathi, Mr. Siyai Muchechedzi and Mr. Thembinkosi Nkomo, were arrested 'on allegations that they helped film the shocking conditions in two of the country's prisons for a documentary that was screened' on the South African Broadcasting Corporation, SABC. The SABC team reportedly said that 'sympathetic warders had been supplied with secret cameras to film conditions in two institutions, Khami prison in the western city of Bulawayo, and one in the southern border town of Beitbridge.' The three warders were arrested 'on charges under the Official Secrets Act, which prescribes lengthy jail terms for government employees who leak state secrets.' Reported by DPA, 5 April 2009, News24, at http://www.news24.com/News24/Africa/Zimbabwe/0,,2-11-1662_2497066,00.html see also <http://www.thetimes.co.za/News/Article.aspx?id=975050> see also <http://www.thetimes.co.za/News/Article.aspx?id=975675>

Awaiting trial prisoners' bail application dismissed: Justice Godfrey Chidyausiku of the Supreme Court dismissed the bail application of three political detainees, Mr. Chris Dlamini, Mr. Gandhi Mudzingwa and Mr.Shadreck Andrew Manyere, although they had been awaiting trial for over four months. The applicants had been denied bail by the High Court and appealed to the Supreme Court to overturn the High Court ruling arguing that the allegations against them were frivolous. However, 'Justice Chidyausiku dismissed the application saying there was no misdirection to the earlier ruling by' the High Court. Reported by Violet Gonda, 6 April 2009, at <http://allafrica.com/stories/200904061437.html>

Prisoner says prison conditions are 'horrific' and not conducive for rehabilitation: Mr. George Nyathi, who was serving an 18 month's prison term for housebreaking at Khami maximum security prison in Bulawayo, reportedly said that 'the conditions at Khami maximum security prison are horrific.' Mr. Nyathi added that 'there is no chance for anyone who goes to Khami to reform. Prisoners are there to serve their sentence and are not reformed in any way. The most serious problem is overcrowding - you find over 40 prisoners crammed in a cell meant for less than 10 people.' Reported by IRIN News, 7 April 2009, at <http://www.irinnews.org/Report.aspx?ReportId=83836>

Warders suspended over prison escape: Three prison warders, including the officer-in-charge of Masvingo Remand Prison, Mr. Ishmael Chatikobo, were 'suspended pending dismissal after they allegedly received bribes to facilitate the escape of seven dangerous criminals from custody early this year.' The suspended officers 'allegedly received various amounts ranging from US 200 to US 350 from dangerous criminals to induce them to allow their escape from the remand prison.' Reported by Owen Chikari, 8 April 2009, The Zimbabwe Times, at <http://www.thezimbabwetimes.com/?p=14844>

Prison warders dismissed over SACB TV documentary: Three prison wardens, Mr. Thabiso Nyathi, Mr. Bhekinkosi Nkomo and Mr. Siyanai Muchechesi, who were acquitted on charges of contravening sections of the Official Secrets Act for allegedly helping 'an SABC 3 television crew to obtain video footage on Zimbabwe's dire prison situation' were dismissed from the Prison Service. In a related incident, at least 20 prisoners have been released by the Bulawayo courts on medical grounds. A majority of the released prisoners were those suffering from pellagra ? a disease caused by lack of Vitamin B3.' Reported by Albert Mazhale, 11 April 2009, The Zimbabwe Times, at <http://www.thezimbabwetimes.com/?p=14998>

Prisoners 'not treated as normal human beings', former prisoner: Mr. Kevin Woods, a former political prisoner who spent 18 years in Zimbabwe's Chikurubi's Maximum Security prison, reportedly said that in Zimbabwe prisoners 'are not treated as normal human beings with rights.' Mr. Woods added that while in prison, he had to use 'every trick in the book to survive.' He added that he had to smuggle food and other necessities such as toilet paper into prison. He reportedly said that while in prison, there was 'no water for months on end, overflowing toilets, no food, no electricity, no blankets' and that the blankets they had 'were infested with lice.' Reported interview with The Standard, 18 April 2009, The Standard, at <http://www.thezimbabwestandard.com/local/20206-prisons-a-serious-abuse-of-human-rights.html>

Former inmate says that he saw prisoners who were like skeletons: Mr. Andrisson Manyere, a freelance journalist who was arrested for allegedly training militias in neighbouring Botswana to topple President Robert Mugabe's government, was allegedly 'detained in Zimbabwe in December 2008 and released in April 2009, after spending most of his time in solitary confinement.' Mr. Manyere added that while in solitary confinement, he would 'only be given two litres of water a week and some strange leaves' which he had to eat because he had no option. He also said that he 'saw fellow inmates who were like skeletons at Chikurubi' maximum security prison. Reported on 23 April 2009, The Zimbabwe Times, at <http://www.thezimbabwetimes.com/?p=15679>

Red Cross assesses prison conditions: The International Committee of the Red Cross Head of Delegation in Harare, Mr. Andre Jaross, said that the humanitarian body 'reached agreement with the government of Zimbabwe that they are allowed to work in the prisons.' Mr. Jaross reportedly added that they started with Chikurubi and Harare Central prisons but will also work in other prisons. He said that the Red Cross would not only 'assess conditions in prisons, evaluate inmates' requirements and prepare a report' for the Zimbabwe government, but also provide material assistance. Reported by Andrew Moyo, 28 April 2009, Zim Online, at <http://www.zimonline.co.za/Article.aspx?ArticleId=4532>

Democratic Republic of Congo

Over 200 prisoners freed under heavy gunfire: Over 200 prisoners at Uvira's central prison in South Kivu province were freed by gunmen who attacked the prison 'with heavy weapons.' Mr. Victor Chomachoma, Uvira's territorial administrator, reportedly said that 'Uvira's central prison had been holding 231 prisoners at the time of the attack, but just nine remained after the assault, during which gunmen used machine guns and rocket propelled grenades.' He added that 'three of the attackers, one government soldier and a female town resident were killed during the attack.' Reported by Reuters, 9 April 2009, News24, at http://www.news24.com/News24/Africa/News/0,,2-11-1447_2499411,00.html

Sudan

Nine prisoners executed: Nine male prisoners were executed in a Khartoum prison for 'the beheading of a prominent newspaper editor', Mr. Mohamed Taha Mohamed Ahmed, who was 'kidnapped from his home in 2006' and 'his decapitated body was found in the streets of Khartoum the next day.' The deceased were hanged 'in front of Mohamed Taha's relatives.' However, the international human rights watchdog, Amnesty International, 'condemned the conviction of the executed men, saying their confessions were extracted under torture.' Reported by DPA, 14 April 2009, News24, at http://www.news24.com/News24/Africa/News/0,,2-11-1447_2500903,00.html see also http://www.news24.com/News24/Africa/News/0,,2-11-1447_2500585,00.html see also <http://news.bbc.co.uk/2/hi/africa/7997641.stm>

Mozambique

Justice Minister attributed high HIV infection rates in prisons to unprotected sex: Mozambican Justice Minister, Benvinda Levy, reportedly told participants at a seminar on prison health that 'the high rates of HIV prevalence in prisons is related to unprotected sexual relations, and to the sharing of needles to inject drugs.' Addressing participants at the same seminar, the Regional Advisor for HIV/AIDS in African prisons for the UN Office on Drugs and Crime, Mr. Brian Tkachuk, reportedly 'stressed that the distribution of condoms to prisoners was essential to cut the spread of HIV infection in prisons.' He added that 'several African countries, including South Africa, Lesotho and Burundi, have recognised this reality and make condoms available in their prisons.' Reported on 14 April 2009, at <http://allafrica.com/stories/200904140999.html> see also http://www.kaisernetwork.org/daily_reports/rep_index.cfm?DR_ID=58036

Prison conditions and facilities improve, Attorney General: The Mozambican Attorney-General, Augusto Paulino, while presenting his annual report to Parliament, said that there 'had been some improvement in prison buildings and facilities to guarantee a minimum of respect for human dignity and human rights.' He reportedly added that 'medical care for prisoners had improved with the establishment of health centres inside prisons, and the development of programmes to combat diseases such as cholera and malaria, and particularly HIV/AIDS among prison inmates.' However, the Attorney-General also recognised the fact that many prisons were overcrowded. Reported on 22 April 2009, at <http://allafrica.com/stories/200904220686.html>

Over 32 per cent of prison population HIV positive: Mr. Zizoto reportedly said that while he was a minor, he was arrested and detained for two years awaiting trial at Cadeia Central da Machava prison. He alleged that during that period he was 'repeatedly raped and abused by older inmates.' It was after his release that he learnt that he had contracted HIV. It is estimated that over 30 per cent of the prison population in Mozambique is HIV positive. A senior government official reportedly said that 'there are no HIV/AIDS intervention programmes in place within the prison system and no medicine for those infected inmates with full-blown AIDS.' Reported by dpa 29 April 2009, Trend News, at <http://news-en.trend.az/world/wnews/1462748.html>

Ghana

Several Ghanaians 'languishing' in Trinidad and Tobago prison: 22 Ghanaians are among the 55 Africans 'languishing in a Maximum Security Prison at Arouca in Trinidad and Tobago.' Some of the inmates called a Ghana-based newspaper, the Daily Guide, and said that 'though they have not been charged with any offence, they are being kept behind bars illegally for years, while prison officials prevent them from seeking legal counsel.' They 'alleged further that some of them have long completed their jail-terms but are still being detained and made to engage in hard labour together with fresh prisoners.' Reported by Daily Guide, 17 April 2009, at <http://news.myjoyonline.com/news/200904/28881.asp>

Ethiopia

Protestors call for the release of prisoner: 'Opposition protesters staged a rare demonstration in the Ethiopian capital? demanding the release of' Ms Birtukan Midekssa, the head of the Unity for Democracy Justice, who was sentenced to life imprisonment 'after she reportedly denied ever expressing remorse to obtain a pardon in 2007 for treason and outrage against the constitution among other offences.' The Unity for Democracy Justice's deputy chief, Yacob Hailemariam, reportedly said that the aim of the protest was to 'publicise the illegality of her detention, and to demand her immediate release.' Reported by AFP, 16 April 2009, News24, at http://www.news24.com/News24/Africa/News/0,,2-11-1447_2502377,00.html

Senegal

Court orders the immediate release of 'homosexual' prisoners: Judge Bara Niang of Dakar's Court of Appeal, 'overturned jail convictions for homosexuality against nine Senegalese nationals and ordered their immediate release.' Judge Niang, the chairman of the judges, 'annulled the official statement in the case and the subsequent procedure and ordered the arrest warrants against the men lifted.' Reported by AFP, 20 April 2009, News24, at http://www.news24.com/News24/Africa/News/0,,2-11-1447_2504228,00.html

Nigeria

Federal Government improves prisons: While addressing delegates at the African Regional Workshop on Prisons and Corrections in Abuja, the Minister of Interior, Major General Godwin Abbe [rtd], reportedly said that 'systematic improvement on the physical infrastructure has commenced so that many of the cells reflecting colonial past will give way between now and 2011.' The Minister added that 'human capacity development and procurement of materials for the educational and vocational training of inmates have also begun, while After Care Centres have been established across the country with the mandate of equipping and supervising discharged inmates so that they could be economically productive and independent as they return to freedom.' Reported by Sadeeq Aliyu, 31 March 2009, Daily Trust, at <http://allafrica.com/stories/200904010105.html>

45 death sentences commuted and 240 prisoners pardoned: Addressing delegates at the first African regional workshop on Prisons and Corrections in Abuja, the Minister of Interior, Maj. Gen. Godwin Abbe (rtd), reportedly said that in 2008 the Federal Government commuted 45 death sentences to life imprisonment and 240 inmates serving various terms were granted amnesty. Speaking at the same event, the Corrections Advisor to the United Nations Department for Peace Keeping Operations, Mr. Richard Kuurie, reportedly said that 'prisons played a critical role in the maintenance of law and order in every society, especially developing ones.' The Minister reportedly added that 'the Federal Government placed serious premium on the welfare of the inmates and their state of being after serving out their

terms hence, the improvement of prisons infrastructure across the country.' Reported by Ademola Adedeji, 1 April 2009, The Punch, at <http://www.punchng.com/Artcl.aspx?theartic=Art2009040134812>

Uganda

Prison officers transferred and others appointed to new offices: The Commissioner General of Prisons, Dr. Johnson Byabashaija, 'made some transfers of senior officers and appointed others to new offices.' The transfers and appointments took immediate effect and included 'the reshuffle of six Assistant Commissioners of Prisons' and the officers redeployed included those who had 'just returned from Sudan where they were serving on a United Nations mission.' Reported by Charles Arik, 3 April 2009, The New Vision, at <http://allafrica.com/stories/200904060211.html>

Sierra Leone

Prisons conditions below UN standards: The spokesman for the Special Court for Sierra Leone, Mr. Peter Anderson, reportedly said that prisons in that country 'do not meet the standards' required by the Special Court. Mr. Anderson was expressing his opinion on whether the former rebel leaders who were convicted of war crimes and crimes against humanity and sentenced by the Special Court to prison terms ranging between 25 and 52 years would serve their sentences in Sierra Leone. Mr. Anderson reportedly added that the former rebel leaders were likely to serve their sentences in Rwanda. Reported by CNN, 8 April 2009, at <http://edition.cnn.com/2009/WORLD/africa/04/08/sierra.leone.war.crimes/>

Libya

Government wants prisoner transferred from Scotland to serve his sentence in Libya: The government of Libya reportedly 'plans to seek the extradition of Lockerbie bomber Abdelbaset Ali Mohmet al-Megrahi, who is serving a life sentence in a Scottish prison and suffering from terminal cancer.' Libya was in the process of signing an extradition treaty with Britain after which it 'will officially submit a request for Abdelbaset Megrahi's extradition' to Libya 'to continue his sentence in a Libyan prison, particularly since he is suffering from an advanced stage of cancer and has only a few weeks left to live.' Reported by AFP, 20 April 2009, IOL, at http://www.iol.co.za/index.php?set_id=1&click_id=68&art_id=nw20090420142942508C550491

Kenya

Government improves prison conditions and staff salaries: The Kenyan Vice President, Kalonzo Musyoka, reportedly said that all Kenyan prisons have been equipped 'with closed circuit television in an effort to end trafficking in contraband.' Mr. Musyoka added that 'for the first time, each of the 50,000 inmates has a new mattress and two blankets; bucket toilets have been abolished and warders are being issued with new uniforms and boots as the ministry has procured 4,000 uniforms.' He also added that 'the ministry effected a 10 per cent pay rise and a risk allowance of Sh5,000 for the warders beginning last July.' Reported by Sammy Cheboi, 17 April 2009, Daily Nation, at <http://www.nation.co.ke/News/-/1056/561326/-/u4aa07/-/>

Maximum security prison overcrowded: Shimo La Tewa, Mombasa's Maximum Security Prison which houses some of the suspected Somali pirates awaiting trial for piracy, is occupied 'three times its capacity.' The suspected pirates 'will face the Mombasa courts under the terms of a secret agreement signed between the UK and Kenya last December and later copied by the US and the EU.' However, lawyers and human rights activists have argued that Kenya lacks jurisdiction to try the pirates. Reported by Daniel Howden, 19 April 2009, IOL, at http://www.iol.co.za/index.php?set_id=1&click_id=87&art_id=vn20090419103828642C332381 see also <http://www.eastafricaforum.net/2009/04/14/the-jailed-pirates-that-nobody-wants/>

Liberia

40 prisoners escape: The Zwedru Provincial Governor, Christopher Bailey, reportedly said that 'forty inmates, very hardcore criminals, broke jail from the correction center in Zwedru, Grand Gedeh county'

and warned that the escapees were 'hardened criminals who are capable of causing havoc anywhere.' Mr. Bailey added that 'inadequate security measures contributed' to the escape. However, nine of the escapees were re-arrested. Reported by Alphonso Toweh, 17 April 2009, Reuters, at <http://www.reuters.com/article/latestCrisis/idUSLH363303>

Eritrea

Prisoners held in appalling conditions: The international human rights watchdog, Human Rights Watch, alleged that the Eritrean government was using torture extensively and that 'most political prisoners and those detained for trying to flee the country or for practising illegal religions are held incommunicado in appalling conditions, often underground or in metal shipping containers.' However, the government denied the reports stating that they are meant to undermine the country's sovereignty. Reported on 16 April 2009, Reuters, at <http://af.reuters.com/article/topNews/idAFJOE53F07Z20090416>

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