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CONDITIONS OF DETENTION

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Awaiting trial prisoners suffer psychological breakdown: The men accused of trying to overthrow South Africa's democratic government remanded to custody awaiting trial have 'complained to the court that they were facing psychological breakdown, and one of them had even contemplated suicide, because of the 'black music' played on MetroFM nine hours every day at the maximum security prison where they are being held.' The prisoners are facing up to 42 charges including high treason and sabotage, murder and attempted murder. The Boeremag case, as it is commonly called, is reported to be the country's longest-running criminal trial that has cost taxpayers nearly R30-million to date. The trial began in May 2003. It is reported that 23 men were remanded amongst whom were an electrician, an engineer, a retired lecturer, a group of farmers, two medical doctors, a cash loan company owner and several students. Three others include a colonel in the SANDF as well as two majors, have continued to receive their government salaries which by July this year, and were estimated to have reached a total of R11-million, it was reported. Of the 23 men accused, one is reported to have died and another- 'Dawid Oosthuizen, pleaded guilty to a charge of terrorism after entering into a plea bargain with the state that saw him become one of its witnesses. He was sentenced to an effective 8 years in prison, but was [later] released in 2006 after his sentence was changed to one of correctional supervision'. By Kim Hawkey 8 August 2009 The Times at <http://www.thetimes.co.za/News/Article.aspx?id=1047066>

63-year old prisoner gets a single cell: The High Court in Pretoria has ordered the Minister of Correctional Services and the Commissioner of Correctional Services to allocate a single cell to Mr. Alwyn Rhodes Wright. Beeld reported that Wright was sentenced to 12-years imprisonment in August 2006 and was initially placed in a communal cell. Wright later applied for a single cell, arguing that he is a non-smoker and that the smoke in the communal cells is to the detriment of his health. He also added that it

is impossible to read in the communal cells and that the television is permanently tuned to isiZulu which he does not understand. The High Court is reported to have granted Wright's request for a single cell seven days a week. Beeld 13 August 2009 at

http://jv.news24.com/Beeld/Suid-Afrika/0,,3-975_2547254,00.html

Government embarks on new prison project to stop overcrowding: The Minister of Correctional Services, Nosiviwe Mapisa-Nqakula, has revealed that the South African government is embarking on the construction of new-generation prisons to address overcrowding, The Mail & Guardian reported. 'The minister said the Kimberley Correctional Centre, the country's first new-generation prison, was expected to be commissioned in January 2010. It will be built at a cost estimated at R700-million.' She added that "Four other similar prisons in Klerksdorp, Nigel, East London and Paarl should be completed by 2012. "Smaller new-generation correctional centers are also in an advanced stage [of construction]."

Reuters 13 August 2009 Mail & Guardian at

<http://www.mg.co.za/article/2009-08-13-sa-to-build-new-prisons-ease-overcrowding>

Prisoners on hunger strike: About 90 prisoners in the Mangaung prison went on hunger strike IOL reported. The Deputy Minister of Correctional Services, Hlengiwe Mkhize, is reported to have visited the Free State prison and urged prisoners to end the strike while their grievances are being looked into. Hlengiwe said "You have a set of issues, give us a chance to look at it. Let's fight verbally and create a partnership." The striking prisoners accused the prison management of exploiting prisoners and causing the government to lose money. They also accused the prison management of racism, corruption, propaganda, providing sub-standard training and materials, as well as not providing prisoners with internet access. They also wish that the re-classification program be implemented. 'The prison, with 2 928 male offenders, is a maximum security facility, one of two in South Africa managed through a public-private partnership.' Reported by SAPA, 14 August 2009 at

http://www.iol.co.za/index.phpset_id=1&click_id=13&art_id=nw20090814001239463C313369 See also <http://www.citizen.co.za/index/article.aspx?pDesc=102900,1,22>

Improved services for infants in prison: The Department of Correctional Services (DCS) has launched the national Imbeleko Project aimed at 'keeping the bond strong between mother and child and ensuring that proper treatment and management is given to babies [living with their mothers] at the West Bank Prison,' The Daily Dispatch reported. 'Thulisa Blayi, 22, of Cofimvaba, serving a 15-year sentence for murder, said: "I was sentenced on my seventh month of pregnancy and my baby is now one year and eight months." Raising Mihle had been very painful for her because the child was growing up in what she described as a place where she was not supposed to be.' The project, it is reported, will also enable members of the public to "adopt a child" for a weekend before they are finally separated from their parent(s). According to Nontsikelelo Jolingana, who is the regional commissioner of DCS, the new move will enable such babies to familiarise themselves with the outside world and a friendly environment. Daily Dispatch is reported to have interviewed a 33-year old mother who said raising a child in prison is a complete nightmare yet she said "My child left when she was two but then she had to come back because the guardian turned out to be a drunkard." By Xolisa Mgwatyu 28 August 2009 Daily Dispatch at

<http://www.dispatch.co.za/article.aspx?id=340488>

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Unregistered medical doctor treats prisoners: The Department of Correctional Services is reported to have hired an unregistered medical doctor, Ann Nosizwe Mbodla, costing the department R35, 000. IOL reported that Mbola was arrested this weekend and has been charged with fraud. Correctional Services spokesperson, Manelisi Wolela, is quoted as saying that " most doctors coming to our facilities are coming to us through the department of health. Doctors are not employed by us." It is reported that the South African Police Service is investigating Mbola's contract with the Department of Correctional Services of Umzinto. IOL reported that registered doctors of Umzinto have called for a thorough investigation. They

expressed their concern about the fact that they had never been contracted for services at the local correctional services facilities. According to Dr Yacob Kadwa, chairperson of the local Independent Practitioners Association representing doctors in the Umzinto area and surrounding South Coast areas, "Someone needs to be held accountable in Department of Health or Correctional Services for awarding a contact before checking on the person's credentials." By Fred Kockott 30 August 2009 IOL at http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=vn20090830082000750C117477

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Malmesbury prison nurses suspended: Six nurses working at the Malmesbury Correctional Centre have been suspended after they refused to "work flexible hours" in line with a new shift system, IOL reported. The suspension, it is believed, will result in a major health problem the Democratic Nursing Organisation of South Africa's Bongani Lose said, "This situation creates a major health hazard for both the [prisoners] and the officials working in that prison." The Democratic Nursing Organisation of South Africa has condemned the suspension. The Department of Correctional Services (DCS) has, however, defended the suspension. Manelisi Wolela of the DCS said that the department had redeployed some of the professional nurses from other correctional centres to Malmesbury to "beef up the remaining three nurses and to ensure uninterrupted delivery of services." The IOL reported that according to the department, the Occupational Specific Dispensation (OSD) for nurses, as agreed upon by government and public sector unions representing nurses, required nurses to work a 40-hour seven-day work week, instead of the previous five-day work week. By Michelle Jones 9 August 2009 IOL at http://www.iol.co.za/index.php?set_id=1&click_id=594&art_id=nw20090809200354339C164400

Lack of medical treatment slow down awaiting trial prisoners' trial process: Prison staff embarked on a strike action resulting in awaiting trial prisoners not being taken to court while others could not receive medical treatment. The Department of Correctional Services has threatened dismissal if officials continue with the strike action. Hundreds of awaiting trial prisoners are reported to have failed to appear in the Lenasia Magistrate court and in courts around Johannesburg including four of the six alleged Lenasia drug dealers, arrested last month. 'Prison officials are unhappy about the Occupational Specific Dispensation (OSD) which they claim has not been implemented by the correctional services department. By JP du Plessis, Eyewitness News 22 August 2009 at <http://www.eyewitnessnews.co.za/articleprog.aspx?id=19970>

SENTENCING, PARDONS AND PAROLE

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Prisoner released on parole kills again: Authorities of the Department of Correctional Services were reportedly warned at the time Wayne Nass, aged 34, was being released from prison on parole that he poses a danger to society. Nass was serving a 20-year sentence. Eight months after his release Nass and an accomplice committed murder and were subsequently convicted of murder in the Johannesburg High Court. By Baldwin Ndaba 1 August 2009 IOL at http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=vn20090801061715898C843603

Shaik's release on medical parole needs a review: The Department of Correctional Services has argued that there is no basis to review the decision to free Schabir Shaik on medical parole. A report by Pierre De Vos on Constitutionally Speaking reveals that the fraudster was released because he was allegedly suffering from a terminal disease. Shaik is reported to have been seen driving around Durban

and appears to be in excellent health. Mail & Guardian reported that the Department of Correctional Services was quoted as saying that "It must be remembered that Mr. Shaik was examined by three medical doctors who concurred that he qualified for placement on parole in terms of Section 79 of Correctional Services Act." According to section 79 of the Correctional Services Act, "Any person serving any sentence in a prison and who, based on the written evidence of the medical practitioner treating that person, is diagnosed as being in the final phase of a terminal disease or condition may be considered for placement under correctional supervision or on parole? to die a consolatory and dignified death." The doctors who examined Shaik are reported to have said "We cannot keep him in hospital indefinitely and since the prison authorities are reluctant to manage him at the prison hospital, where conditions are suboptimal, we recommend that he be considered for medical parole." Constitutionally Speaking reported that the factual basis for Shaik's release based on the doctors' report did not conform to the requirement of Section 79. It concluded that decision can be reviewed by a court and set aside as it was not a legally valid decision. By Pierre De Vos 11 August 2009 at <http://constitutionallyspeaking.co.za/no-shaiking-the-truth/> see also

<http://www.mg.co.za/article/2009-08-13-schabir-shaik-denies-he-was-driving-in-durban>

Judges scraps Transkei "Dangerous Weapon Act": The Mthatha High Court has scrapped an apartheid-era homeland law was after it was deemed that it subjected offenders to "harsher punishment". The Dispatch reported that the "Dangerous Weapons Act" made it obligatory for courts to imprison those who commit violent crime with a weapon to a minimum of two years imprisonment and a possible maximum of eight years with no possibility of suspension of the prison term. It is reported that the Act was discriminatory as it was not applicable in other parts of South Africa. Justice Irma Schoeman said "People who commit a crime of violence, using a weapon, on this side of the Kei River [were] punished differently from people who commit the same crime on the other side of the Kei," adding that "It creates the impression that people living in a former homeland deserve to be sentenced more harshly than other people in South Africa and are not entitled to the benefits of non-custodial sentences that are applicable in the rest of South Africa." Dispatch also reported that the Dangerous Weapons Act ceased to be applicable since 1978 in South Africa. The declaration has been referred to the constitutional court for confirmation. Dispatch 14 August 2009 at

<http://blogs.dispatch.co.za/dispatchnow/2009/08/14/old-tkei-law-harsher-scrapped/>

Lost transcripts may free 400 prisoners in Gauteng: More than 400 prisoners may be freed from prisons around Gauteng because transcripts of their trials have apparently disappeared from the Department of Justice. IOL reported that the 400 prisoners are trying to appeal their convictions before the Supreme Court of Appeal (SCA), or petitioning the SCA for leave to appeal, but neither of these can be done without transcripts. According to Legal Aid South Africa (LASA) "the Department of Justice and its officially-appointed transcribers have been unable to provide" certain required records to LASA attorneys. It is reported that difficulties in obtaining documents for prisoners appealing to the SCA have been going on for the past two years and a judge may set aside case or release a prisoner on the grounds that his constitutional rights have been infringed. However, the 'acting director of court operations for the Department of Justice, Louis Hanekom, said the department could only respond to "allegations" if it was given full particulars about each of the missing transcripts. By Masibulele Yaso and Jeremy Gordin 16 August 2009 IOL at

http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=vn20090816064248589C780496

Release on parole causes anger from victim's mother: Mogamat Adams, a prisoner convicted of the murder of seven-year-old Christel Abrahams and the attempted murder of Riaan van Rooyen and Lester September, has been released from prison on parole. It is reported that the prisoner and his co-accused were initially sentenced to 8 years imprisonment, but an appeal from the state increased their prison term to 15 years. The mother of the teenager who was one of the victims said "I am not satisfied with this. He will be allowed to go back to his family but Christel will never return, and my son will never be the same again." Hilda van Rooyen's son was 15 at the time he was injured on a playground in Ocean View after drug lords shot at Pagad members in retaliation for an earlier gun battle. Van Rooyen's son was shot in the buttocks. "The doctors said it would be dangerous to remove it. Although he was very afraid then, he is much better now, but hasn't completely healed physically," IOL reported. The spokesperson for People Against Gangsterism and Drugs (Pagad) said that Adams' arrest and conviction was part of a conspiracy led by authorities to arrest and imprison anyone in order to stem the public outcry at the time that the

attacks took place. He added that "It was only when he decided to launch a court action to probe why he did not receive parole that they changed their minds." IOL reported that Adams, parole conditions restrict him from speaking to the media. By Lavern de Vries 19 August 2009 IOL at

http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=vn20090819114716786C617469

Government considers sending young mothers in prison home: The Minister of Correctional Services, Nosiviwe Mapisa-Nqakula, is reported to have proposed a different sentence system to allow mothers in prison to serve part of their term under correctional supervision while raising their children. She told the National Assembly's committee on correctional services "(It is) not that we do not recognise the grave crimes against (sic) them. It's abnormal to punish a child because the mother has committed a crime," adding that "We are aware that some of these girls have committed serious crimes. It's not people you can easily let loose into our society." Mr. James Selfe, of the DA, replied by saying that this may be an incentive to remain pregnant in order to stay out of prison. By Siyabonga Mkhwanazi 19 August 2009 IOL at

http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=vn20090819110215864C472560

384 prisoners apply for pardons: The Constitutional Court will have to make a decision on who is responsible for making a decision on the applications for pardon from 384 prisoners. The Mail & Guardian reported that the prisoners, most of whom are said to have committed serious crimes such as murder and robbery had previously applied for pardons six years ago but was turned down for technical reasons. Inkatha Freedom Party (IFP) chief whip Koos van der Merwe said though most of them are in prison for serious crimes, they are allegedly political. Van der Merwe is reported to have said the Ministry of Justice had been incompetent and arrogant in dealing with the issue. "The gross violation of the human rights of these prisoners reflects badly on South Africa as a whole." "Government's deliberate lack of action is clearly a violation of the spirit of our Constitution and we are therefore confident that the court will rule in our favour tomorrow," he added. The matter is reported to have been placed before the Constitutional Court for review. SAPA 24 August 2009 Mail & Guardian at <http://www.mg.co.za/article/2009-08-24-constitutional-court-to-rule-on-prisoner-pardons>

Prisoners' pardon, whose responsibility?: Lawyers for President Jacob Zuma and Minister of Justice, Jeff Radebe, told the Constitutional Court that decisions on pardons were a presidential responsibility. It is reported that "the Supreme Court of Appeal states, 'A prisoner clearly has the right to apply for a pardon and someone has the obligation to give an answer,' that 'someone' can only be the president," argued Moerane. The Justice Department received an application for pardon from convicted murderer Mqabukeni Chonco and 383 other prisoners, with the help of the IFP in 2003. Despite the fact that former President Thabo Mbeki told Parliament that he had asked the then Minister of Justice, Brigitte Mabandla, to expedite the applications, by 2007 the SA Human Rights Commission found Mabandla guilty of violating human rights for failing to implement the president's decision, IOL reported. The prisoners took the minister and president to court and, in February, 2008, the Pretoria High Court ordered the minister to process the applications within three months, but did not make any finding against the president.' The case was brought to the Constitutional Court by the Minister of Justice, supported by the Presidency, against the prisoners. 'During [the] hearing, Constitutional Court judges said pardons were essentially discretionary. They questioned why the prisoners' case had not focused on the president instead of the minister, saying if the minister had been tardy in processing the applications, it was up to the president to deal with [the issue].' The IOL reported that the last time a president granted prisoners pardon was in 2002, (for politically related crimes committed up to June 1999) which turned into a political nightmare when one of the prisoner committed murder within two weeks of his release. There are about 2 300 applications for presidential pardons including the Chonco group. By Louise Flanagan 26 August 2009 IOL at

http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=vn20090826041255405C618211also

<http://www.businessday.co.za/Articles/Content.aspx?id=79589>

Apartheid prisoner released on parole: Correctional Services Minister, Nosiviwe Mapisa-Nqakula, is reported saying that she was satisfied that Butana Almond Nofemela has been rehabilitated, IOL reported. The minister on the occasion of the release of the prisoner is reported to have added that "We wish Mr. Nofemela well and trust that he will contribute positively to the building of a strong democracy as he is re-united with his family and loved ones. It is indeed in instances such as this that we can truly be proud

of the path of reconciliation and restorative justice that we, as a people, have chosen to embrace." According to IOL Nofemela was sentenced to death for murdering a Brits farmer, Johannes Hendrik Lourens, and escaped the gallows at the last minute in 1987. He was later granted amnesty for the killing of eight ANC members after pleading guilty but continued to serve a life sentence for the murder of Lourens. SAPA 28 August 2009 IOL at

http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=nw20090828110634852C761058

http://www.iol.co.za/index.phpset_id=1&click_id=15&art_id=nw20090828124806206C294143

Cape High Court overturns 12-year prison sentence: Justice Siraj Desai of the Cape High Court overturned a 12-year sentence against Wayne Jones who was convicted for raping a 16-year old girl in 2005. It is reported that the Mitchells Plain Regional Court, in its original judgement, had convicted Jones of the 2000 rape of a 16-year old girl. A full Bench the Cape High Court overturned the judgement of the lower court setting the prisoner free. By Fatima Schroeder 30 August 2009 IOL at

http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=nw20090803084505889C422049

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59-year old prisoner found dead: The Department of Correctional Services reportedly announced the death of a 59-year old male prisoner believed to have died of unnatural causes. Correctional Services Minister Nosiviwe Mapisa-Nqakula visited the centre as an investigation has been opened to the cause of the death. IOL reported that the deceased was one of 50 dangerous prisoners transferred from Durban Westville Correctional Centre in December 2008, to Ebongweni Correctional Centre in Kokstad. SAPA 15 August 2009 News24 at

http://www.news24.com/Content/SouthAfrica/News/1059/0b777ee87cdf4055947ca8fe5da5bc0f/15-08-2009%2007-08/Probe_into_prisoners_death

Prisoners' plot to escape prison unveiled: SA Prisoners' Organization for Human Rights president, Golden Miles Bhudu, has reportedly unveiled a plot by some prisoners to take advantage of warders' strike to escape from prison, IOL reported. The prisoners who are reported to be in the Johannesburg prison said through an alleged SMS to Golden Miles that they "have been locked up 24 hours with no exercise, no medicine and we are fed cold food." Some of the prisoners who are eligible for parole have not been taken to court due to the warders' strike. Police officers were being used to fill in for prison warders IOL reported. However, Gauteng police spokesperson, Superintendent Lungelo Dlamini, refuted the allegations when he said "We can't do that because it's another department. We can't help unless they ask for help." SAPA 19 August 2009 at

http://www.iol.co.za/index.php?set_id=1&click_id=2935&art_id=nw20090819122628421C663740

Prisoner commits suicide: A 32-year old man hanged himself after he received two terms of life imprisonment. Musa Goodman Shabane, 32 is reported to have hanged himself at the Ramsgate High Court holding cells. Captain Vincent Pandarum said "He is believed to have committed suicide. He was alone in the cell and no foul play is suspected." Shabane is reported 'was sentenced to 15 years in prison for housebreaking and robbery with aggravating circumstances. He also received two life sentences for two murders and another five years for attempted murder.' An inquest docket was opened and the matter was referred to the Independent Complaints Directorate. Sapa 19 August 2009 IOL at

http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=nw20090819164909331C309306

Police officer facilitates prisoner escape: A police officer at the Specialised Commercial Crimes unit, Captain City Ndala has been charged for assisting a prisoner to escape, Beeld reported. 'The Specialised Commercial Crime Court heard that Ndala allegedly booked out Bension Levy, a suspect said to have ties with the 'Israeli mafia', from the Lyttelton police holding cells and took him to a Centurion hotel to meet his wife of the time.' The prisoner is alleged to have escaped after Ndala reportedly assisted him. Beeld reported that the prisoner was seen at the hotel where he allegedly met his wife. Lynette Anne van

Schalkwyk testified that Ndala brought her ex-husband (Levy) to the hotel and they are reported to have gone shopping in a mall. Levy has not been apprehended since his escape on 1 November 2003. Ndala applied for a discharge, but the application was dismissed. The trial will continue in November. Herman Scholtz 26 August 2009 Beeld at http://www.beeld.com/Content/Suid-Afrika/Nuus/1928/18e8cf77cf434088ac5845c662ad9601/26-08-2009%2012-08/Verdagte_uitgeboek_vir_seks_met_vrou

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South African women in foreign prisons: IOL reported that six South African women, held in Lima (Peru), are pleading for a transfer to South Africa to complete their prison terms. IOL reported that the women were in prison for drug trafficking. The women whose names IOL got are Magdalena Petronella Kleinhaus, 54, from Barberton, Mpumalanga; Lorraine Christine Penny, 49, from Amanzimtoti, Durban; Bernadette Mary Cloete, 61, from Cape Town; Cecelia Javu, 46, from Cape Town; Heila Magdalena Swanepoel, 58, from Pretoria; and Lucille de Campos, 49, from Johannesburg. The Peruvian government is reported to be desperate to repatriate foreigners imprisoned in Peru. The South African Ministry for International Relations has confirmed that they are receiving reports from prisoners who wish to serve their prison terms at home. However, the department stated that there are legal issues involved and both Peru and South Africa are working towards an agreement. A National Prisons Institute of Peru report shows that in 2007 Santa Monica women's prison had 1 275 prisoners accused of drug-related crimes: 942 Peruvians and 207 foreigners. Fewer than 240 had been convicted and imprisoned. By Murray Williams 10 August 2009 IOL at

http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=vn20090810115854594C325470

South Africa objects to ICC proposal to accommodate warlord Jean-Pierre Bemba: The South African government is reported to have turned down a request from the International Criminal Court (ICC) at The Hague to host former president of the Democratic Republic of Congo, Jean-Pierre Bemba. South Africa is one of six countries that were nominated by Bemba, including Belgium, France, Germany, Italy and Portugal. The prosecution wants Bemba to continue to stay in prison at The Hague pending his trial. It is reported that Bemba has been charged with murder, rape and pillaging. The charges stem from his Movement for the Liberation of Congo's (MLC) campaign in neighboring Central African Republic from October 2002 to March 2003. The ICC has issued a conditional release for Bemba who has been condemned by the international community. By Deon de Lange 16 August 2009 IOL at

[http://www.iol.co.za/index.php?click_id=68&art_id=vn20090816064258406C493604&set_id =](http://www.iol.co.za/index.php?click_id=68&art_id=vn20090816064258406C493604&set_id=)

South African woman calls upon government for prisoner exchange agreement: A South African woman, Patricia Gerber, is reported to have petitioned the government for refusing to enter into a prison exchange agreement with Mauritius, The Times reported. 'Patricia Gerber's son, Johann, is serving a nine-year [prison] term at the Beau Bassin Prison in Mauritius since June 2007. According to the report, Gerber lodged an application with the Pretoria High Court 'against the ministers of international relations, correctional services and justice, to force the government to enter into an agreement for prisoner exchange which could lead to her son to be transferred to South Africa to complete his sentence. By Suthentira Govender 22 August 2009 at

<http://www.thetimes.co.za/PrintEdition/News/Article.aspx?id=1053953>

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Libya

Libya celebrates Al-Megrahi's release from prison: Al-Megrahi has received a joyous welcome from both the Libyan government and Libyan supporters. 'Abdel Basset al-Megrahi, a former intelligence agent, landed in Tripoli, the Libyan capital, hours after being freed from prison on the orders of Scotland's justice minister. It is reported that thousands of Libyans turned out to welcome the prisoner carrying the Libyan flag. By Pan-African News Wire 21 August 2009 at

<http://panafricannews.blogspot.com/2009/08/libyans-celebrate-return-of-recently.html>

Zimbabwe

Severe malnutrition hits Kwekwe prison: Doctors without Borders (Le Médecins Sans Frontières (MSF)) have responded to the recent malnutrition and hygiene crises at Kwekwe prison in Zimbabwe's central Midlands Province. The timely intervention of MSF 'focuses on providing basic health care and therapeutic feeding to the prisoners, many of whom are severely malnourished. Additionally, MSF aims to improve the poor water and sanitation conditions at the prison, including performing cholera prevention activities.' Two rapid surveillance teams were reported to have been sent to assess the health, nutrition, and water and sanitation situations in 15 prisons. MSF Head of Mission, Rian van de Braak, reportedly said "In Kwekwe [they] have assessed 179 prisoners, of whom 17 percent were identified as being malnourished," Pip Millard, MSF project coordinator added that "[They] found prisoners wearing torn and ragged uniforms and lacking blankets during Zimbabwe's coldest months, with prison officers doing their best with limited resources." Thanks to good cooperation with the Ministry of Justice and the Ministry of Health, MSF continues to extend its intervention to Murewa, Motoko, Guruve, Chivu, Gokwe, and Marondera prisons, after visiting Kadoma and Bindura. 5 August 2009 at

<http://www.doctorswithoutborders.org/news/article.cfm?id=3779&ref=home-sidebar-right>

Uganda

Parliamentary committee stops the hiring of prisoners: The parliamentary committee on public accounts in Uganda has ordered prison authorities to stop hiring out prisoners to work for private purposes. 'The committee, chaired by Rebecca Amuge (Lira), said it was illegal to subject prisoners to working on people's farms since the money from such activities was not recorded.' It was reported that some prisoners work for government officials. The committee noted that in some constituencies prison officials connived with state attorneys to keep able-bodied prisoners awaiting trial for long in order for them to continue providing labour to individuals as the officials benefit. Buvuma MP, William Nsubuga, is reported saying that prisoners [are] tortured when they went for such labour, in addition to making them work on Sundays and public holidays. The economic monitoring minister, Vincent Nyanzi, was reportedly cited as one of those who hire prisoners. By Vision Reporter 6 August 2009 at

<http://www.newvision.co.ug/D/8/13/690536>

Ghana

Minister for the Interior calls for effective modern penal system: The need for an overhaul of the Ghanaian penal system to meet up with the exigencies of modernity has been highlighted by the Minister for the Interior, Mr. Cletus Avorka. He is reported to have raised questions about why criminals whose infractions were only misdemeanours were crammed into prisons where they mingle with hardened criminals when they could do community service as punishment. 'He challenged Metropolitan, Municipal and District Assemblies to come out with correctional modules to meet the exigencies of the time.' Avorka is reported to have cited two young women of common ancestry on remand at the female ward of the Ho Prison for fighting over a bowl, adding that government would soon negotiate with private developers to tackle the accommodation problems of the security services. "The Police should promote reconciliation by mediating petty squabbles and not use the courts as a dumping ground of your problems," Avorka said. Ghana News Agency also reported that the Minister lamented why some prisoners could be imprisoned for six-months for stealing a fowl and be fed and clothed by government, while someone who embezzle huge sums of public money would only be reprimanded and be given time to refund the amount. 'Mr Al-Hassan Legibo, the Regional Commander of the Prison Service, called for the construction of another prison in the

Southern part of the region.' By GNA 8 August 2009 at http://www.ghananewsagency.org/s_social/r_7300/

Congestion of prisons now a nightmare: The annual report on the state of Ghana's prisons show that the crime rate in Ghana is on the increase. According to the report the cumulative prison population for 2008 was 5,170,840 as against the 2007 figure of 4,867,366, representing an increase of 5.9 per cent with an average daily lock-up of 14,128. Re-offending has been identified as one of the major causes of prison congestion, based on the finding that of the 9,377 convicted prisoners admitted in 2008, a total of 1,806 of them, representing 19.3 per cent, had been previously convicted. 'According to the report, the most frequent offence committed by prisoners in 2008 was stealing, with an increase from 3,155 in 2007 to 4,263 in 2008.' Amongst those convicted, the report revealed that 8,315 or 88.7 per cent of convicts admitted during the year, were aged between 18 and 45. The Director-General of Prisons, William Kwadwo Asiedu, cited "dwindling budgetary allocation; increasing prison population, lack of adequate staff accommodation and the passiveness of society to the welfare of prisoners and its resentment towards ex-convicts." as the key challenges confronting the Prisons Service. 14 August 2009 at <http://news.myjoyonline.com/news/200908/33971.asp>

Gambia

Six Gambian journalists sentenced to 2 years' imprisonment: Amnesty International has expressed its dismay at the sentencing of six Gambian journalists, including three executive members of the Gambian Press Union. 'They were imprisoned for a mandatory two years' and fined 250,000 Dalasis (US\$10,000) on two of the six counts. Failure to pay will result in having to serve two extra years for each count.' Erwin Vander Borgh, Director of Amnesty International's Africa Programme said "These journalists are prisoners of conscience, who are being punished for peacefully expressing their views. They should be released immediately and unconditionally," By the Liberian Times, 9 August 2009 <http://theliberiantimes.com/blogs/index.php?blog=2&p=1851&more=1&c=1&tb=1&pb=1>

DRC

Jean-Pierre Bemba may be released from prison pending trial: The International Criminal Court in The Hague has still not found sufficient reasons to keep former president of the Democratic Republic of Congo in prison. The court did not find any reason that Bemba will obstruct the investigation or repeat any of the crimes he is charged with. The court said "The continued [imprisonment] of Jean-Pierre Bemba Gombo did not appear necessary." It is, however, reported that Bemba will remain in his holding prison in The Hague until a host country is found and conditions for his release agreed. The prosecution has also launched an appeal against the ruling of the court holding that, Bemba, charged with war crimes and crimes against humanity should stay in prison, prosecutor Luis Moreno-Ocampo said. AFP reported that 'the court has invited Belgium, Portugal, France, Germany, Italy and South Africa, as states to which Bemba had asked to be released, to provide "observations" on the issue and "any possible set of conditions restricting liberty to be imposed."' The date for the hearings has been set for this September 7-14. By Mariette le Roux 14 August 2009 AFP http://www.google.com/hostednews/afp/article/ALeqM5icf6EQ4eg2eVerAB95mhU_raG3zg

Ethiopia

Remembering Ethiopia's political prisoners: It is reported that thousands of political prisoners are languishing in prisons around Ethiopia. Nothing is more important and uplifting when prisoners are aware that they are being remembered and being thought of especially those imprisoned for political reasons, Ethiopia Review reported. Birtukan Mideksa is a victim of political and dictatorial leadership in Ethiopia. 'She is a young woman in her mid-thirties and a single mother with a four-year old daughter. She is reported to have studied law and became a judge. She was sentenced to two years imprisonment after the 2005 elections in Ethiopia. She was released by 'pardon' in 2007 but the pardon was later revoked in 2008. According to Ethiopian Review, what is termed "political prisoners" is hard to define. There are those who, like Birtukan, are made political prisoners because they "will forever live for, stand for, and sometimes get jailed and released for [upholding] the rule of law and abide by the constitution." By

Alemayehu G. Mariam 17 August 2009 Ethiopia Review at
<http://www.ethiopianreview.com/content/10580>

Pop star released from prison: A 32-year old singer, Tewodros Kassahun a.k.a. Teddy-Afro, was released from prison. The Ethiopian pop star was sentenced to 6 years imprisonment for the killing of Degu Yibeltal, a homeless teenage boy, in a hit-and-run motor vehicle accident. His lawyers claimed that Tewodros was out of the country on the date of the accident and public opinion hold that they had taken advantage of the accident to punish the singer for his too critical lyrics. It is reported that the Ethiopian penal code provides that 'penalty for the death of a hit-and-run victim ranges from five to 15 years of imprisonment and fine up to maximum of 15,000Br (\$1,250).' IPS reported that Tewodros was sentenced in December 2008 by the High Court to six years imprisonment and a fine of 18,000Br (\$1,500) after he was found guilty on two counts: homicide, including driving without license; and hit-and-run manslaughter.' He was released on parole. 'Ethiopia's law entitles a convict for release on parole after serving a third of the sentence if the prison administration recommends the release to court, stating he has been on good behaviour during his term. The recommendation was initiated upon the prisoner's application for parole stating that he understands the supremacy of the law and regrets his acts. Tewodros' application was granted by the court and supported by the recommendation by Kality Prison Centre - the largest and highly secured detention facility in Addis Ababa,' IPS reported. By Ome Redi 19 August 2009 IPS at <http://mail.google.com/mail/?hl=en&shva=1#inbox/123338ce7dbe4f9c>

Mauritania

News editor imprisoned in Mauritania: A court in Mauritan has sentenced the editor of an online news site to 6 months imprisonment for allegedly criticising the outgoing military regime. Henevi Ould Dehah was also to given a fine of 30 000 ouguiays (about \$120), IOL reported. His lawyer, Brahim Ould Ebetty, said the journalist was acquitted for libel and incitement to rebellion. Prosecutors are reported to be disappointed with the court's ruling arguing that it did not fit the crime committed. The prosecution office is reported to have announced that it would appeal the verdict. 'Ould Dehah was arrested and imprisoned in late June after presidential election candidate Ibrahim Moctar Sarr filed a complaint for libel. His website, Taqadoumy, had gained a reputation for virulent criticism of the military regime that seized power in August 2008. SAPA 20 August 2009 IOL at
http://www.iol.co.za/index.php?set_id=1&click_id=68&art_id=nw20090819230306841C499185
<http://appablog.wordpress.com/2009/08/20/mauritania-website-editor-gets-six-months-in-prison-for-%E2%80%9Coffending-public-decency%E2%80%9D/>

Sudan

Darfur women's prisons receive humanitarian assistance: A joint African Union-United Nations peacekeeping mission in Darfur has made a great humanitarian gesture to women's prison in the western Sudanese region. 'The operation known as UNAMID has contributed items, including cooking utensils and bedding. It also has approved the construction of accommodation for female prisoners.' It is reported to be involved in training correctional services officials in the North Darfur region. About 30 correctional services officials were trained on topics such as human rights standards and prison management. The move by UNAMID is to boost national institutions to enable them to better respond to humanitarian needs. 24 August 2009 UN NEWS CENTRE
[http://www.un.org/apps/news/story.asp?NewsID=31838&Cr=&Cr1 =](http://www.un.org/apps/news/story.asp?NewsID=31838&Cr=&Cr1=)

Cameroon

Five prisoners die every month in Northern Cameroon's prisons: The National Commission of Human Rights known by its French acronym (CNDHL), a government human rights watch dog has revealed that at least 5 prisoners die every month in a prison in northern Cameroon. IRIN reported that by the end of 2008, more than 23,000 prisoners were being held in facilities with a capacity for [just] 16,000 people, according to CNHDL.' The high death rate amongst prisoners is ascribed to the absence of hygiene and medical care, shortage of toilet and washing facilities, failure to separate minors from the rest of the prison population and overall dilapidation of detention areas. According to the report, 62 per

cent of prisoners are awaiting trial, some for as long as 9 years, IRIN reported. The report described prison conditions in Cameroon "harsh and life threatening". IRIN 26 August 2009 at <http://www.irinnews.org/Report.aspx?ReportId=85872>

Rwanda

Appeal court acquits prisoner serving life: Augustin Hategeka, district administrator of the central Gitarama region and former mayor of Muhanga has been acquitted by the Gacaca appeal court of Rwanda. He was sentenced to life imprisonment last month for his part in the 1994 genocide. Hategeka was recently cleared of all charges, it was reported. News24 reported that it was announced that "the gacaca appeals court acquitted Augustin Hategeka of all charges," without giving further details as to the acquittal. 'Rwandan Justice Minister Tharcisse Karugarama said recently that the gacaca courts have so far tried almost 1.5 million suspects.' SAPA 26 August 2009

http://www.news24.com/Content/Africa/News/965/6415211590a0431f91f6758fa853332e/26-08-2009-06-01/Ex-official_acquitted_

Baptist Church Clergy may face life imprisonment for genocide: A Baptist church clergy, Francois Bazaramba, who sought asylum in Finland may be imprisoned for life if found guilty. Bazaramba, who is reported to have been in prison since 2007 in Finland will be on trial this August. Reuters report that Finland had refused to extradite Bazaramba to Rwanda on grounds that he may not get a fair trial in his country. The Finnish government is reported to have said that Finnish courts have jurisdiction to try Mr. Bazaramba. According to Kimmo Nuotio, a professor of criminal law at the University of Helsinki "This is significant. It's important that Finland has taken this responsibility." By Brett Young 28 August 2009 Reuters at

http://www.reuters.com/article/homepageCrisis/idUSLS137451._CH_.2400

Mozambique

Escaped prisoner recaptured: Mozambique's most wanted criminal, Anibal dos Santos Junior, has been arrested in South Africa News24 reported. 'National Director of Criminal Investigations, Carlos Come, said Dos Santos had been recaptured in an operation carried out by Interpol.' It is reported that Dos Santos was serving a 30-year prison sentence for his assassination of investigative journalist Carlos Cardoso when he escaped from prison in December 2008. It is also reported that he had escaped prison three times since his arrest for the murder of Carlos Cardoso. SAPA 26 August 2009 at

http://www.news24.com/Content/Africa/News/965/041e2696020c4b08903171347b572f77/26-08-2009-10-19/Wanted_criminal_recaptured_

12 prisoners dead in Mozambique's overcrowded prison: The Angoche district court sentenced two police officers to one year imprisonment each for negligence that led to the death of 12 prisoners in an overcrowded police cell. IOL reported that the 12 prisoners died of suffocation in the overcrowded cell. SAPA 13 August 2009 IOL at

http://www.iol.co.za/index.php?set_id=1&click_id=68&art_id=nw20090813112518960C510538

Somalia

Somali pirates imprisoned in Kenya: According to a VOA report agreements signed by the United States, Britain, the European Union, and Denmark to transfer suspected Somali pirates to Kenya for trial, violate the human rights of the suspects. Paris-based legal aid networks, Lawyers of the World, are quoted as saying that "Under Kenyan domestic law, there is no entitlement to legal aid for anybody who is not accused of a capital offense," said Singh. "So, suspected pirates have no opportunity to have a lawyer. They have no opportunity to review the evidence against them. At no point is there any independent adjudication of whether these people are actually pirates, have actually committed a crime or not." It is reported that many of those arrested are taken to the notorious overcrowded prison of Shimo la Tewa at the coastal city of Mombasa. Avi Singh said "There are juveniles in there and they all have medical ailments," continued Singh. "There is actually a 14 year-old kid with bullet wounds. There is somebody with a bullet still in the body. They have had no contact with any family members or any opportunity for contact with anybody in Somalia since their arrest." He added that Lawyers of the World

are requesting humanitarian assistance from the International Committee of the Red Cross to deliver food and medicine to piracy suspects and to monitor their treatment in prison. According to the VOA report, many of the accused hijackers have been in prison for months without adequate medical care and access to such basic amenities as soap. By Alisha Ryu 27 August 2009 VOA at <http://www.voanews.com/english/2009-08-27-voa36.cfm>

Niger

Political leaders demand the release of political prisoners: Opposition leaders of Niger are demanding the immediate release of political prisoners. A VOA report is quoted as saying that the 'government has released a number of opposition activists, but kept in jail those it describes as undermining the country's peace.' Member of Parliament of Niger's dissolved parliament, Abdullahi Jauris said "[They] are demanding the release of all the political prisoners because really [they] have to fight for the law and regulation in [their] country because now it is becoming a jungle where there is no regulation" adding that "[They] are facing a very big problem. When you tell your opinion you are locked up. When you go for a rally you are locked up. There are (political) prisoners all over the country? (There) were around 150 prisoners now after releasing some of them, we are around 56 remaining in prison," According to the VOA report the government uses prison threats to clamp down on opposition dissent. By Peter Clotney 28 August 2009 VOA at <http://www.voanews.com/english/Africa/2009-08-28-voa5.cfm>

Madagascar

Veteran politician released from prison: Marc Ravalomanana is reported to have released the former Prime Minister, Manandafy Rakotonirina, from prison. The transitional government is reported to have arrested Rakotonirina two weeks after his appointment for his acts against the transitional authority led by former Antananarivo mayor Andry Rajoelina. 24 August 2009 Chinaview at http://news.xinhuanet.com/english/2009-08/24/content_11937271.htm

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