



30 Days  
Dae  
Izinsuku

Project of the  
Community  
Law Centre

CSPRI "30Days/Dae/Izinsuku" April 2012

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## GOVERNANCE AND CORRUPTION

**Employment policy challenged:** IOL reported that four Department of Correctional Services' employees had taken legal action against their employer, challenging the constitutionality of its employment policy, which reportedly prevents white and coloured employees from being promoted. Reported by Aziz Hartley, 12 April 2012, at <http://www.iol.co.za/capetimes/race-quota-row-rocks-prisons-1.1274423>

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## SENTENCING AND PAROLE

**Remission of prisoners:** News 24 reported that President Jacob Zuma announced that his administration would grant a special remission of sentence to specific categories of sentenced offenders, probationers and parolees. The remission will reportedly result in the early release of approximately 14 000 prisoners and benefit approximately 21 000 parolees. Reported by [news24.com](http://www.news24.com), 27 April 2012, at <http://www.news24.com/SouthAfrica/News/Zuma-says-jail-sentences-to-be-cut-for-some-20120427>

**Sentence remissions criticised:** IOL reported that the remission of certain sentences announced by the Presidency has come under criticism from the political opposition. The Democratic Alliance (DA) reportedly stated that a blanket remission "undermines judicial processes, independence and discretion, and the careful consideration of factors on which judges hand down sentences." The reported added that the DA has recommended that alternative methods should be used to reduce overcrowding in prisons. Reported by Ntando Makhulu, 30 April 2012, at <http://www.iol.co.za/news/crime-courts/remissions-not-the-way-to-cure-jail-overcrowding-da-1.1285984>

**Prisoners criticise sentence remissions:** IOL reported that prisoners at Pretoria Central Prison stated that sentence remissions "would not solve overcrowding or induce inmates to commit fewer crimes." They reportedly recommended that the President change his strategy, given that many petty criminals are habitual re-offenders, whilst many doing "hard time," despite having rehabilitated themselves, will never benefit from presidential pardons. Reported by Ntando Makhulu, 30 April 2012, at <http://www.iol.co.za/news/crime-courts/prisoners-question-logic-of-remission-1.1286539>

**Critics concerned about sentence remissions:** IOL reported that critics were concerned about the sentence remissions. In particular, Lukas Muntingh of the Civil Society Prison Reform Initiative, stated that "it was difficult to understand the rationale for the remission...since the last early release programme, in 2005, came at a time when the country's jails were so full that conditions in them were deemed inhumane." In addition, he stated that "there is not the same amount of pressure on the prisons system now as there was then" and that there had been no calls for a presidential remission. Reported by Gaye

Davis, 30 April 2012, at <http://www.iol.co.za/news/crime-courts/early-release-dumbfounds-zuma-s-critics-1.1286246>

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## PRISON CONDITIONS

**Relatives of tuberculosis sufferer to sue Government:** The Mail and Guardian reported that the two sisters of a deceased man are suing the Department of Correctional Services for what they claim is its failure to prevent the spread of tuberculosis which reportedly led to the death of their brother shortly after he was released from Pretoria Local Prison. Reported by Ruth Hopkins, 13 April 2012, at <http://mg.co.za/article/2012-04-13-sisters-probe-tb-scourge-in-prison/>

**New mother-and-child unit:** The Sowetan reported that South Africa's first mother-and-child unit at Cape Town's Pollsmoor Prison is functioning well and is benefitting the children of female prisoners at the prison. The facility was reportedly commissioned by the Minister of Correctional Services in 2011. Reported by Anna Majavu, 12 April 2012, at <http://www.sowetanlive.co.za/news/2012/04/12/prison-babies-get-keys-to-childhood>

**Prisoners on "strike":** The New Age reported that prisoners at the Rooigrond Correctional Centre were refusing to participate in rehabilitation activities in protest against the alleged physical abuse by prison officials and poor sanitation. Reported by Elfes Torerai, 14 April 2012, at [http://www.thenewage.co.za/48508-1018-53-Rooigrond\\_inmates\\_down\\_tools](http://www.thenewage.co.za/48508-1018-53-Rooigrond_inmates_down_tools)

**Prisoner speaks out about abuse suffered in prison:** The Metro reported that a South African businessman has spoken out about the multiple gang rapes he suffered in a South African prison, as a result of which contracted HIV. Sean Smith was detained at St Albans prison in 2007 after his arrest in connection with charges of fraud. Reported by Metro, 16 April 2012, at <http://www.metro.co.uk/news/896211-businessman-tells-of-south-african-prison-rape-that-left-him-hiv-positive>

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## UNSENTENCED PRISONERS

**Suspect in remand detention for seven years:** The Citizen reported that a detainee, Uakareraije Maundu, has been awaiting trial at Diepkloof prison for seven years, and is the prison's longest held remand detainee. Maundu was charged with possession of stolen goods, which only carries a sentence of five years. The trial, which commenced in 2008, has reportedly been postponed more than 50 times. Reported by Grethe Koen, 11 April 2012, at <http://www.citizen.co.za/citizen/content/en/citizen/local-news?oid=271131&sn=Detail&pid=146826&Diepkloof%E2%80%99s-longest-awaiting-trial-detainee-still-there-after-7-years-%3E>

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## SOUTH AFRICANS IMPRISONED ABROAD

**South African returns after 18 years in Thai jail:** Eye Witness News reported that Shani Krebs, who arrested in Thailand in 1994 for attempting to smuggle drugs, arrived back in South Africa on 22 April 2012. He was initially sentenced to 100 years imprisonment but was granted "amnesty" by the King of Thailand in December 2011, drastically reducing the sentence. Reported by IOL, 28 April 2012, at <http://www.eyewitnessnews.co.za/en/2012/04/28/Home%20after%2018%20years%20in%20Thai%20prison.aspx#>

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## OTHER AFRICAN COUNTRIES

### ANGOLA

**Prisoners enjoy Easter service:** allAfrica.com reported that prisoners at Luanda's Viana Prison celebrated Easter Sunday by attending a church service conducted by Catholic Bishop Dom Joaquim Ferreira Lopes. Reported by allAfrica.com, 9 April 2012, at <http://allafrica.com/stories/201204090699.html>

## BURUNDI

**Burundian prisons 300% full:** Iwacu reported that according to a human rights non-governmental organisation, Burundian prisons are currently 300% full, with more than 50% of prisoners awaiting trial. The NGO reportedly insisted that Burundi implement its domestic legislation and grant bail to all detainees who so qualify, as well as uphold its international commitments to improve conditions of detention. Original report in French. By Jean Jules Nzanyumwete, 25 April 2012, at <http://iwacu-burundi.org/spip.php?article2490>.

## DEMOCRATIC REPUBLIC OF CONGO

**New carpentry workshop in prison:** Radio Okapi reported that the United Nations Mission to the DRC (MONUSCO) funded a new carpentry workshop for detainees at the Kalemie Prison in Katanga. The project cost approximately USD 17 000. Twenty detainees are reportedly working in the workshop. In the past MONUSCO supported a similar project for female detainees that involved soap making. Original report in French. Reported by Radio Okapi, 2 April 2012, at <http://radiookapi.net/en-bref/2012/04/02/kalemie-la-monusco-forme-des-detenus-de-la-prison-centrale-de-kalemie-des-metiers/>

**Poor conditions of detention:** Radio Okapi reported that MONUSCO stated that the conditions of detention in Mbuji-Mayi and Mwnene Ditu prisons were “deplorable”. During inspection visits MONUSCO officials reportedly witnessed severely overcrowded conditions and prisoners in ill health sleeping on the floor. Original report in French. Reported by Radio Okapi, 20 April 2012, at <http://radiookapi.net/regions/kasai-oriental/2012/04/20/kasai-oriental-de-conditions-detentions-inhumaines-pour-les-detenus-mbuji-mayi-mwene-ditu/>

## GHANA

**Literacy classes introduced:** Ghanaweb reported that the Ho Central Prison introduced informal literacy classes for the purpose of educating prisoners who are unable to read or write. Reported by [ghanaweb.com](http://ghanaweb.com), 2 April 2012, at <http://www.ghanaweb.com/GhanaHomePage/regional/artikel.php?ID=234759>

**Poor conditions of detention:** allAfrica.com reported that research carried out by Amnesty International indicated that there is overcrowding, inadequate infrastructure and sanitation, and insufficient food in Ghanaian prisons. Reported by allAfrica.com, 25 April 2012, at <http://allafrica.com/stories/201204250986.html>

## MALAWI

**Hopes that prison expenditure will increase:** One News Now reported that prison authorities had “great expectations” that Malawi’s new president, Joyce Banda, would prioritise prison services expenditure. The prisons service has reportedly “suffered financial neglect” during the past few years. Reported by One News Now, 23 April 2012, at <http://www.onenewsnow.com/Missions/Default.aspx?id=1581318>

## MALI

**Detention condemned:** Amnesty International issued a statement expressing concern over the continued detention of ten Malian politicians and government officials who were arrested during the immediate aftermath of the coup that removed President Amadou Toumani Touré from power. Reported by Amnesty International, 29 March 2012, at <http://www.amnesty.org/en/news/mali-end-attacks-and-arrest-peaceful-protesters-amid-military-coup-2012-03-29>

## MOROCCO

**Detained as a result of mistaken identity:** Le Monde reported that Rachid Alamin, a Franco-Moroccan, was arrested in Tangier due to the fact that he has the same name as a man accused of drug trafficking. He has reportedly been detained since November 2011. Original report in French. By Flora Genoux, 6 April 2012, at [http://www.lemonde.fr/societe/article/2012/04/06/un-francais-incarcere-depuis-quatre-mois-au-maroc-pour-une-affaire-d-homonymie\\_1681746\\_3224.html](http://www.lemonde.fr/societe/article/2012/04/06/un-francais-incarcere-depuis-quatre-mois-au-maroc-pour-une-affaire-d-homonymie_1681746_3224.html).

## MOZAMBIQUE

**Prisoners escape:** allAfrica.com reported that nine prisoners escaped from Beira Central Prison on 1 April 2012. The prisoners reportedly squeezed through the bars of a cell window. The prison officials on duty at that time have reportedly been arrested. Reported by allAfrica.com, 4 April 2012, at <http://allafrica.com/stories/201204040962.html>

## NAMIBIA

**Security enhanced at Windhoek prison:** New Era reported that the stabbing that led to the death of a Windhoek Central Prison prisoner earlier in 2012 has “prompted the Correctional Services Department to increase security” so as to ensure that similar incidents are not repeated. The circumstances leading to the violence incident were reportedly “still being investigated.” Reported by Desie Heita, 25 April 2012, at <http://www.newera.com.na/articles/44524/Prisons-tighten-safety-and-security->

## NIGERIA

**Nigeria’s first “prison” court:** The Tribune reported that the first court to be built on prison premises under the state’s “rapid justice system programme” has been commissioned. The court is reportedly the first of a series of “prison courts” to be established to ensure the speedy dispensation of justice in the state. Reported by The Tribune, 3 April 2012, at <http://www.tribune.com.ng/index.php/news/38647-mimiko-commissions-africas-first-court-in-prison>

**Prison security tightened:** allAfrica reported that the violent activities of the sect Boko Haram had “forced the authorities of the Nigerian Prison Service to fortify the various prisons across the nation to forestall any further attacks.” Reported by Amby Uneze, 3 April 2012, at <http://allafrica.com/stories/201204030424.html>

**Remand detainees worsen prison overcrowding:** allAfrica.com reported that 36 217 out of a prison population of about 74 000 prisoners are awaiting trial, many of whom are forced to wait years before being brought to trial. The report stated that the “troubles” with the criminal justice system are a result of out-dated governmental and administrative policies. Reported by John Egbeazien Oshodi, 4 April 2012, at <http://allafrica.com/stories/201204040346.html>

**Secret detention facility:** Associated Press reported that a secret detention centre would be opened for the purposes of holding and interrogating “suspected high-level members of a radical Islamist sect responsible for hundreds of killings this year alone.” The report added, however, that Nigeria’s security forces have a notorious human rights record, with a documented history of abusing and even killing prisoners. Reported by Associated Press, 23 April 2012, at <http://www.google.com/hostednews/ap/article/ALeqM5jfXpOuoNSJS1X7SQfdxeFQou2m4A?docId=f799b70355764ca29329f68ea1a7f94e>

**Nigerian prisoners in Togo:** Africa Review reported that approximately 800 Nigerians are serving various prison sentences in Togo for offences ranging from possessing illegal travel documents to allegedly “trumped-up” charges arising from prejudice and language barriers occasioned by the inability to speak either French or any of the local languages. Reported by Emmanuel Maya, 24 April 2012, at <http://www.africareview.com/News/800+Nigerians+languish+in+Togo+prisons/-/979180/1392656/-/rmek9xz/-/index.html>

## RWANDA

**Prisons’ energy solution:** Voice of Africa reported that the prison system is turning sewage into biogas for the purposes of cooking. The Prison Department reportedly plans to expand the program, so that biogas could possibly be used to power lights. Reported by Ricci Shryock, 2 April 2012, at <http://www.voanews.com/english/news/africa/Rwandas-Prison-System-Innovates-Energy-With-Human-Waste-145812295.html>

**Prison to accommodate female prisoners exclusively:** allAfrica.com reported that Gikongoro prison, located in the southern province of Rwanda, has been reclassified as a prison for female prisoners. The report added that the 1000 male prisoners currently situated there will be transferred to Karubanda prison. Reported by allAfrica.com, 11 April 2012, at <http://allafrica.com/stories/201204121071.html>

## SUDAN

**Prisoners of war released:** IOL reported that on 25 April 2012 South Sudan released Sudanese prisoners of war as a “gesture” it hopes will put an end to tensions between Khartoum and Juba, whose armies have been embroiled in a cross-border warfare. The prisoners of war were reportedly captured during the “battles of Heglig” from 10-15 April 2012. Reported by Yara Bayoumy and Michael Martina, 25 April 2012, at <http://www.iol.co.za/news/africa/s-sudan-frees-prisoners-to-defuse-tensions-1.1284028>

## WESTERN SAHARA / MOROCCO

**Sahrawi political prisoners “secretly” detained:** IOL reported that the South African government has expressed its disappointment that the United Nations Security Council, when renewing the mandate of a peacekeeping force in the disputed territory of Western Sahara, did not ask UN troops to monitor alleged rights abuses. “Dozens” of Sahrawi political

prisoners are being secretly detained in Moroccan prisons, the report noted, which the UN renewal resolution does not address. Reported by Michelle Nichols, 25 April 2012, at <http://www.iol.co.za/news/africa/un-renews-western-sahara-mission-1.1283132>

## SWAZILAND

**Basic skills programmes for prisoners:** The Swazi Observer reported that over 600 prisoners from the Matsapha Correctional Institution are receiving training in basic business management skills, courtesy of students from the University of Swaziland and the Department of Correctional Services. Reported by Winile Masinga, 10 April 2012, at <http://www.observer.org.sz/index.php?news=37465>

**Detained journalists released:** Bizcommunity reported that two South African television journalists detained by police in Swaziland on 11 April 2012 in connection with covering the protests in the region, had been released. Reported by [bizcommunity.com](http://bizcommunity.com), 12 April 2012, at <http://www.bizcommunity.com/Article/203/66/73683.html>

**Activists detained:** IOL reported that Swazi riot police detained at least seven activists on 13 April 2012 in connection with participating in a “pro-democracy church service” in Manzini. Reported by IOL, 15 April 2012, at <http://www.iol.co.za/news/africa/swazi-activists-detained-1.1276093>

## TUNISIA

**Seven year sentence for blasphemy:** Le Monde reported that two Tunisian men were sentenced to seven years imprisonment for having published cartoons of Mohammed on Facebook. The sentence has been condemned by human rights organisations as being far too harsh. Original report in French. By Le Monde, 5 April 2012, at [http://www.lemonde.fr/tunisie/article/2012/04/05/sept-ans-de-prison-pour-avoir-poste-des-caricatures-du-prophete-sur-facebook\\_1681471\\_1466522.html](http://www.lemonde.fr/tunisie/article/2012/04/05/sept-ans-de-prison-pour-avoir-poste-des-caricatures-du-prophete-sur-facebook_1681471_1466522.html)

**Death penalty spurs controversy:** Eurasia Review reported that civil rights advocates are calling for the abolition of the death penalty but that supporters of Sharia law are insisting that it is necessary to deter crime. Reported by Monia Ghanmi, 20 April 2012, at <http://www.eurasiareview.com/20042012-tunisia-death-penalty-spurs-controversy/>

## UGANDA

**Prisoners to be pardoned:** New Vision reported that prison authorities had compiled a list of 570 inmates who qualify for presidential pardon through the prerogative of mercy. The report noted that those expected to be pardoned included breastfeeding mothers, terminally ill prisoners and petty offenders. Reported by Petride Mudoola, 1 April 2012, at <http://www.newvision.co.ug/news/630001-570-prisoners-in-line-to-get-presidential-pardon.html>

**Long sentences causing congestion in prisons:** allAfrica reported that the Commissioner General of Prisons had stated that the increasing number of offenders sentenced to lengthy terms of imprisonment were contributing to the congestion at Luzira Maximum Security Prison. Reported by Petride Mudoola, 24 April 2012, at <http://allafrica.com/stories/201204240149.html>

**Prisons hit by malaria:** New Vision reported that the rate of malaria infections in prisons is much higher than the national prevalence rate due to the fact that the Prison’s Department does not have access to certain “control measures” such as effective drug treatments. Reported by Petride Mudoola, 26 April 2012, at <http://www.newvision.co.ug/news/630619-prisons-hit-hard-by-malaria.html>

## ZAMBIA

**Prisons in poor shape:** UK Zambia reported that the recent “fact finding” visit of the Vice President had shed light on the plight of prisoners in Zambia. The report notes that overcrowding and delapidated prison structures are some of the problems associated with imprisonment in Zambia. Reported by UK Zambia, 16 April 2012, at <http://www.ukzambians.co.uk/home/2012/04/16/zambia-prison-life-maximum-shows-ugly-side/>

**Deteriorating prison conditions:** Deutsche Welle reported that a visit by the Vice President to the country's only maximum security prison revealed worsening conditions of detention. The report added that a prison cell, originally built to accommodate one prisoner holds up to 15 prisoners. Zambia’s prisons have reportedly been described by international human rights groups as “among the worst in Africa.” Reported by Deutsche Welle, 26 April 2012, at <http://www.dw.de/dw/article/0,,15913863,00.html>

## ZIMBABWE

**Food shortages:** Zimdiaspora reported that prisoners at Chikurubi Maximum Security Prison are forced to survive on sadza and roasted groundnuts after the Government banned food assistance from humanitarian organisations. Reported by Zimdiaspora, 1 April 2012, at [http://www.zimdiaspora.com/index.php?option=com\\_content&view=article&id=8158:prisoners-surviving-on-prisoners-ground-nuts&catid=38:travel-tips&Itemid=18](http://www.zimdiaspora.com/index.php?option=com_content&view=article&id=8158:prisoners-surviving-on-prisoners-ground-nuts&catid=38:travel-tips&Itemid=18)

**Prison flooded during rainy season:** News Day reported that the cells at Khami Prison, one of the country's largest detention facilities, are frequently flooded during the rainy season because of dilapidated roofing. Reported by News Day, 9 April 2012, at <http://www.newsday.co.zw/article/2012-04-09-khami-prison-has-no-doors-report/>

**Conditions of detention at an all time low:** Times Live reported that the conditions of detention in Zimbabwean prisons have reached an all time low. Cells are reportedly overcrowded and there is a shortage of prisoner uniforms. In addition, the ill, who are suffering from scurvy, typhoid and cholera, are forced to share lice-infested cells with healthy prisoners. Children, who are in prison with their mothers, are also subjected to such conditions. Reported by Times Live, 15 April 2012, at <http://www.timeslive.co.za/africa/2012/04/15/35-children-in-prisons-as-hunger-disease-stalk-jails>

**Political appeal to assist prisoners:** allAfrica reported that the Movement for Democratic Change has "implored the inclusive government to "urgently look at the deplorable conditions at the country's prisons." Prisoners in the country's prisons are reportedly starving and lacking in many basic sanitary necessities. The MDC reportedly called upon the government to appeal to development partners for food aid, which, it is hoped, will avoid a repeat of the "pre-2008 period" which saw the death of thousands of prisoners as a result of food and sanitary facilities. Reported by allAfrica.com, 19 April 2012, at <http://allafrica.com/stories/201204200262.html>

**Commitment to ease food shortages:** allAfrica reported that an official of the Department of Agriculture stated that her department was committed to easing food shortages in prisons through its "farmer training" programmes. Reported by Kelvin Benjamin, 24 April 2012, at <http://allafrica.com/stories/201204240923.html>



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