



30 Days Dae Izinsuku

Project of the Community Law Centre

CSPRI '30 Days/Dae/Izinsuku' JUNE 2009

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In this Issue:

PRISONERS' RIGHTS

SOUTH AFRICANS IN FOREIGN PRISONS

MEDICAL PAROLE

GOVERNANCE

SENTENCING, PAROLE & PARDONS

UNSENTENCED PRISONERS

OTHER

OTHER AFRICAN COUNTRIES

PRISONERS' RIGHTS

[Top of Page](#)

Three warders convicted of murdering prisoners: South Gauteng High Court Judge, Majake Mabisela, convicted three

Krugersdorp prison warders, 'Simpfiwe Shabangu, Regan Radidge and Donald Letsoamotse on three counts of murder and one of common assault.' The judge found that 'in 2007, the warders beat Thandani Nxumalo, 27, Zamubuntu Maqhina, 35, and Simpfiwe Tshabalala, 28, to death after a fight broke out between two prison gangs.' While 'commenting on a statement by one of the witnesses that sick and injured prisoners were taken to hospital on food trolleys', Judge Mabisela urged the Department of Correctional Services 'to investigate conditions at prisons.' Reported by Dudu Busani, 11 June 2009, Sowetan, at

<http://www.sowetan.co.za/News/Article.aspx?id=1016043> see also

http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=vn20090611050808793C111893

Prisoner takes DCS to court over alleged indecent assault: Mr. Patrick Fondling, who is awaiting trial at St. Albans prison, told Judge Johan Jansen of the Port Elizabeth High Court, that he 'was indecently assaulted and manhandled by warders after he had beaten their colleague in a game of pool.' Mr. Fondling is suing the Department of Correctional Services for R150 000 for 'injuries he suffered, shock and trauma, pain, loss of dignity or reputation and humiliation and embarrassment.' Reported by Hendrick Mphande, 22 June 2009, The Herald, at <http://www.eherald.co.za/article.aspx?id=435798> see also

<http://www.legalbrief.co.za/article.php?story=20090621054030462>

SOUTH AFRICANS IN FOREIGN PRISONS

[Top of Page](#)

Hundreds of South Africans in foreign prisons: There are reportedly 'at least 668 South Africans in foreign prisons on drug-related charges, with half of them held in South American prisons.' Senior Superintendent Devan Naicker, the national head of Narcotics for Organised Crime, reportedly said that 'the number of those imprisoned could be larger, adding that foreign prisons were not good places to be.' Senior Superintendent Naicker added that 'conditions [in some foreign prisons] are horrendous. SA prisons are like Sun City compared to those in South America.' Reported by Rizwana Sheik Umar and Dasen Thathiah, 22 June 2009, IOL, at http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=vn20090622110040410C516991

Call for President Zuma to intervene for the release of a South African in a UAE prison: The parents of a South African national, Ms Roxanne Hillier, 'who is serving a three-month sentence in the United Arab Emirates (UAE) for allegedly having sex with her boss' are reportedly 'gathering signatures for a petition which' they intended to 'present to President Jacob Zuma in the hope that he will campaign for Roxanne's release at the highest level.' Ms Hillier's parents added that they decided to call for the President's intervention after having 'exhausted all legal avenues.' Reported by Mike Behr, 28 June 2009, IOL, at

http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=vn20090628054354515C323099

MEDICAL PAROLE

[Top of Page](#)

Government allegedly blocks investigation into medical parole of high profile prisoner: Dr Loammi Wolf, an expert in constitutional law, said that 'The prosecution, trial and execution of the sentence of [Mr.] Schabir Shaik - and his subsequent release - leave a trail of executive interference in the judicial process.' Dr. Wolf added that although Mr. Shaik's controversial medical parole can be taken directly to court for judicial review, 'the executive has blocked all requests to refer the medical parole decision to the review board.' Opinion by Dr Loammi Wolf, 1 June 2009, Politics web, at <http://www.politicswebco.za/politicsweb/view/politicsweb/en/page72308> ?

Correctional Services Portfolio Committee to discuss medical parole: The Chairperson of the Portfolio Committee on Correctional Services, Mr. Vincent Smith, reportedly said that the 'Correctional Services Act was unclear on who should qualify for medical parole and might need clarification' and that 'he wanted input from as wide a spectrum of interest groups as possible on parole regulations in general as this could be one way of relieving chronic overcrowding in prisons.' Mr. Smith reportedly said that the 'Parole Review Board chairman and Western Cape Judge Siraj Desai was among those likely to be called by the National Assembly's Correctional Services Portfolio Committee to give his views on the issue.' Reported by Carien du Plessis, 15 June 2009, IOL, at http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=vn20090615050855208C816772

Prisoner dies before being released on medical: Mr. Andries Pretorius who was serving a 10-year prison sentence at Leeuwkop Maximum Security prison in Johannesburg for attempted murder reportedly died of lung cancer in the Johannesburg General Hospital 'just hours after his family was informed that he was terminally ill and might need to go home for care.' Although a doctor had recommended that Mr. Pretorius 'only had two months to live', he was not considered for medical parole. Democratic Alliance Member of Parliament, Mr. James Selfe, reportedly said that 'there is a need for an investigation into which inmates have been released on medical parole and which have been refused, to establish whether there is equality of treatment for all qualifying inmates.' Reported by Carien du Plessis, 19 June 2009, IOL, at http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=vn20090619104233797C783741

Medical parolee allegedly seen in restaurant: Mr. Schabir Shaik, who was released on medical parole after serving less than three years of his 15 year sentence for fraud, was allegedly 'sighted at an upmarket French restaurant' in Durban while celebrating

his wife's birthday. Mr. Shaik was allegedly in the company of relatives and friends. However, the restaurant owner reportedly said that although he was aware that a private luncheon party had been organised at his restaurant on the date on which Mr. Shaik was allegedly seen at the restaurant, he 'did not elaborate on the guest list.' Reported by Liz Clarke, 28 June 2009, IOL, at http://www.iol.co.za/index.php?set_id=1&click_id=139&art_id=vn20090628060205994C917874 see also http://www.iol.co.za/index.php?set_id=1&click_id=1&art_id=vn20090607075636959C108790

GOVERNANCE

[Top of Page](#)

Judge finds that warders assisted prisoner in escape attempt: Judge Geraldine Borchers of Johannesburg High Court, while convicting Mr. Annanias Mathe for attempting to escape from his cell at C-Max Prison on 30 April 2006, held that she was convinced 'that Mathe must have received outside assistance to obtain' the tools he used in his attempted escape. The judge added that she had 'a strong feeling that those who were employed to guard him turned a blind eye.' Reported by Baldwin Ndaba, 4 June 2009, IOL, at http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=vn20090604054828248C130681 see also <http://www.legalbrief.co.za/article.php?story=20090604133030563>

CSPRI urges government to reconsider new prisons: While addressing the Parliamentary Portfolio Committee on Correctional Services, Mr. Lukas Muntingh of the Civil Society Prison Reform Initiative (CSPRI) reportedly 'called for plans to build the privately run prisons - and the costly 25-year maintenance plans into which the government would be locked - to be reconsidered in the light of the economic crisis.' Mr. Muntingh added that 'not only would the cost of building and running the prisons put extra demands on burdened taxpayers, but it may also take away funds from government initiatives (like job creation) that might have prevented crime in the first instance.' Reported by Carien du Plessis, 18 June 2009, IOL, at http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=vn20090618051456152C535283

SENTENCING, PAROLE & PARDONS

[Top of Page](#)

Former President allegedly wanted to pardon AWB prisoners: South African former President, Kgalema Motlanthe, would allegedly have freed from prison 'four Afrikaner Weerstandsbeweging (AWB) members who went on an unashamedly racist rampage against black people at Kuruman in the Northern Cape in 1995.' The four prisoners whose names allegedly appeared on the list of the people the former President would have released had he 'got his way' were Mr. Ryan Allbut, Mr. Alexander George Whitehead, Mr. Arend Christian de Waal and Mr. Hans Jacob Wessels. Reported by Anna Majavu, 9 June 2009, Sowetan, at <http://www.sowetan.co.za/News/Article.aspx?id=1014543> see also http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=nw20090610184105240C705927

Prisoner to appeal against conviction: Mr. Abdoer Raasiet Emjedi, who was sentenced by the Cape High Court to 24 years imprisonment for his role in the murder of a Cape Town based musician, Mr. Taliep Petersen, 'filed a petition with the Supreme Court of Appeal to ask for leave to appeal against his convictions.' Mr. Emjedi's attorney, Mario Walters, reportedly said that after reading the Cape High Court judgment, he failed to establish the reasons why his client was convicted. Reported by Fatima Schroeder, 12 June 2009, IOL, at http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=vn20090612115215452C246365

Psychiatrist tells court that prisoner is a danger to society: Dr Larissa Panieri-Peter, a psychiatrist, reportedly told the Western Cape High Court that when she evaluated Mr. Tsediso Letsoenya, who was convicted of 28 rapes and 28 counts of indecent assault, she established that he 'is a dangerous man with strong psychopathic traits.' Mr. Letsoenya was being detained at Pollsmoor Prison when Dr. Panieri-Peter evaluated him. Professor Sean Kaliski, head of Valkenberg's forensic psychiatric unit, told court that because Mr. Letsoenya was diagnosed as suffering from 'sex addiction,' incarceration was the only 'treatment.' Reported by Helen Bamford, 13 June 2009, IOL, at http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=vn20090613084648266C433695

Prisoner applies for parole because he has reformed: Dr. Shaheem Ismail, who is serving 12 years' imprisonment at Helderstroom Prison since 2005 for 'for masterminding a conspiracy to kill a Cape Town magistrate', reportedly applied to the Cape High Court 'to authorise the conversion of the remainder of his sentence into one of correctional supervision' because he 'claims that he is a changed man and wants an opportunity to prove to society that he has become a better person since his incarceration.' The chairman of the Case Management Committee at Helderstroom Prison, Mr. Cornelius Bothma, reportedly supports Dr. Ismail's parole application and told the court that 'Ismail has accepted responsibility for his actions and that he has enjoyed A-group privileges (the highest privilege classification for good behaviour) since November 2005.' Reported by Fatima Schroeder, 15 June 2009, IOL, at http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=vn20090615105357408C707178

Activist calls for life imprisonment without parole: Mr. Rozario Brown, the Director of the Anti- Murder Campaign of South Africa, wrote in an opinion piece that one of the ways through which murderers could be prevented from reoffending is 'for the government to introduce legislation to deal with these cold-blooded killers.' Mr. Brown added that judges and magistrates should stop giving 'greater consideration to the rights of an accused person' and that it is 'unfair' that an offender sentenced to life imprisonment 'could be back on the streets within 20 to 25 years.' He recommended that murderers and rapists 'should never be

allowed to be considered for parole' and that 'they should rot in prison.' Opinion by Mr. Rozario Brown, 19 June 2009, Business Day, at <http://www.businessday.co.za/Articles/Content.aspx?id=73698>

UNSENTENCED PRISONERS

[Top of Page](#)

Government to be sued over child who was denied bail for over three years: The Justice Alliance of South Africa, JASA, released a press statement in which it stated that it will take the government to court over the case of a 17-year-old boy, Andre Williams, who was denied bail for over three years while awaiting trial for robbery. JASA said that it 'will take the matter to the Cape High Court alleging breaches of sections 28, 29, and 35 of the Bill of Rights, and claiming damages for loss of amenities of life and loss of formal education.' Press release by JASA, 4 June 2009, at <http://www.legalbrief.co.za/article.php?story=20090604112655437>

State argues that suspect wrongly granted bail: The Directorate of Public Prosecutions (DPP) filed an application in the Cape High Court arguing that the decision by a Cape Town magistrate to grant bail to Mr. Arthur Brown, who is on trial for fraud, was erroneous. The DPP argues that 'the magistrate who granted Brown bail erred in placing the onus on the State to prove why Brown should not be released.' The DPP added that 'the onus should have been on Brown to prove why it was in the interests of justice to permit his release on bail.' However, Mr. Brown is opposing the application by arguing that 'the office of the State attorney, which is dealing with the application, does not have the right to file the application in the name of the State or the DPP.' Reported by Fatima Schroeder, 16 June 2009, IOL, at http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=vn20090616103202897C347738

OTHER

[Top of Page](#)

Union threatens that prison warders would strike: The President of the Police and Prisons Civil Rights Union (Popcru), Mr. Zizamele Cebekhulu, gave 'the Correctional Services Department five days to make good on its 12 percent salary increase promise or face a national strike.' Mr. Cebekhulu 'issued the ultimatum while addressing a couple of hundred POPCRU members at the Beyers

Naude Square ? where he said the union was tired of the Public Service and Administration Department dragging its feet in implementing the Occupation Specific Dispensation (OSD) agreement signed almost two years ago and which was supposed to have been started on July 1 last year.' The union also added that the planned strike was 'in response to the 500 POPCRU members - from Boksburg, Leeuwkop and Baviaanspoort Prisons - who ?[were] ? suspended for participating in lunch hour picketing.' Reported by Thandi Skade, 2 June 2009, IOL, at

http://www.iol.co.za/index.php?from=rss_Crime%20And%20Courts&set_id=1&click_id=15&art_id=nw20090602202038544C613398

see also <http://www.businessday.co.za/Articles/Content.aspx?id=72769>

Ministers meet union members to avert prison warders' strike: COSATU president, Mr. S'dumo Dlamini, reportedly said that the labour union held a meeting with 'the ANC and public sector Cabinet ministers' with the aim of coming up with a solution to the impending civil servants strike over 'ongoing wage issues.' Mr. Dlamini reportedly added that 'an agreement between Cosatu and the government would end the planned strikes by the prisons' civil rights union, the SA Municipal Workers Union, the South African Police Service, emergency services personnel, the military and the teachers' unions.' Reported by Zukile Majova, 9 June 2009, Sowetan, at <http://www.sowetan.co.za/News/Article.aspx?id=1014544>

Correctional Services call members of the public for a prison tour: The Department of Correctional Services released a press statement in which it offered 'an opportunity' to members of the public who have 'ever wondered what it's like to be incarcerated' to join its officials for a tour of the Boksburg Correctional Centre to 'gain a better understanding of the South Africa Prison System.' The statement added that those who would tour the prison would experience for themselves 'what life behind bars is like.' Press statement by the Department of Correctional Services, 17 June 2009, at

<http://www.info.gov.za/speeches/2009/09061514051001.htm> seen also <http://forafrica.co.za/?p=3764>

OTHER AFRICAN COUNTRIES

[Top of Page](#)

Morocco

American tells of harsh prison conditions: American national, Mr. James D. Willson, who was released 'after being imprisoned ? since May 7, 2008, when he was arrested and charged with illegally entering the country and drug trafficking', reportedly said that he did not expect to be pardoned by the Moroccan King. Mr. Willson's family members reportedly said that 'the harsh, crowded conditions in the prison near the Moroccan capital of Rabat at one point caused Willson to lose more than 60 pounds - well over a

third of his body weight.' Reported by Dan Rozek, 23 June 2009, Chicago Sun Times, at <http://www.suntimes.com/news/metro/1635892,willson-released-moroccan-prison-062309.article>

Egypt

Prisoners' death sentence upheld: An Egyptian court 'confirmed the death sentence for Hisham Talaat Mustafa, a real-estate tycoon, and his associate for the murder of Suzanne Tamim, a Lebanese pop singer.' Mr. Hisham Talaat Mustafa and Mr. Mohsen al-Sukkari were on 21 May this year 'sentenced to death by hanging, with the sentence referred to Egypt's Grand Mufti Ali Gomaa for confirmation.' The Grand Mufti upheld the death sentence. Reported on 25 June 2009, Aljazeera, at <http://english.aljazeera.net/news/middleeast/2009/06/2009625125926391830.html>

Togo

Parliament abolishes the death penalty: The Togolese Parliament 'voted unanimously to abolish the death penalty.' Commenting on the vote, Justice Minister Kokou Tozoun reportedly said that it was the 'best decision' because 'death is not a good thing to give.' In applauding Togo for abolishing the death penalty, 'Amnesty International said the decision means Togo has become the 15th member of the African Union and the 94th country in the world to abolish the death penalty for all crimes.' Reported on 24 June 2009, BBC News, at <http://news.bbc.co.uk/2/hi/africa/8116293.stm>

Democratic Republic of Congo

Male prisoners rape female prisoners: The United Nations Organisation Mission in the Democratic Republic of Congo (MONUC) released a statement saying that rioting prisoners at the central prison in Goma, capital of the eastern border province of North Kivu, 'raped around 20 female prisoners during a failed prison break.' MONUC also added that two people were killed and 12 injured during the attempted escape. Reported on 23 June 2009, Reuters, at <http://www.reuters.com/article/worldNews/idUSTRE55M1RY20090623>

Prison officials attend a workshop on prison administration: The Ministry for Justice in conjunction with the United Nations Organisation Mission in the Democratic Republic of Congo (MONUC) organised a workshop in Kinshasa from 23 June to 3 July 2009 'on the restructuring of the prison administration in the Democratic Republic of Congo.' Ms Harriet Solloway, the head of MONUC's Rule of Law section, reportedly said that 'she hoped that the workshop would make it possible to find solutions to the many problems which the DRC prison authorities face.' Reported by MONUC, 25 June 2009, at <http://www.reliefweb.int/rw/rwb.nsf/db900SID/EGUA-7TCQS4?OpenDocument>

Côte d'Ivoire

Officials work to improve prison conditions: In its National Daily Press Review, the US Embassy in Abidjan, Côte d'Ivoire, indicated that an independent newspaper, L'intelligent d'Abidjan, reported that prison conditions were poor 'in a prison located in the south-west city of Sassandra.' The same newspaper paper also reported that 'in a bid to improve detainees' conditions, the prison's officials have carried out a series of rehabilitation projects' and that 'officials are also working with the town's main hospital to ensure attention to the medical needs of the detainees.' Press release of 11 June 2009, at <http://allafrica.com/stories/200906110885.html>

Mozambique

Donors criticise government over prison conditions and budget: The Irish ambassador and head of the G19 group of budget support donors, Mr. Frank Sheridan, reportedly said at an aid pledging ceremony on 28 May that donors 'were prepared to give Mozambique increased budget support but decided not to because of the government's "disappointing performance" last year, particularly with respect to justice and economic development.' The donors also reportedly expressed concern that 'conditions in prisons are poor and the prison system is unable to spend its budget.' Reported by Joe Hanlon 10 June 2009, SW Radio, at <http://www.swradioafrica.com/pages/moz110609.htm>

Tanzania

Prisons meet international standards: The Tanzanian Minister for Justice and Constitutional Affairs, Mr. Mathias Chikawe, reportedly informed the President of the International Criminal Court, Mr Sang-Hyung, who was on a visit to Tanzania, that his country 'offered to host the pending trials when the International Criminal Tribunal for Rwanda shuts down' because it has 'UN-standards prison facilities.' The prison facilities mentioned by Mr. Chikawe can reportedly 'accommodate 90 inmates. They also have a gym, a library, a dining hall, medical room and rooms for conjugal visits.' Reported by Catherine Riungu, 8 June 2009, The East African, at <http://www.theeastafrican.co.ke/news/-/2558/607632/-/r2y52ez/-/>

Mauritania

Call for the release of political prisoners: The international community reportedly called for the release of all the people detained after the August 2008 military coup. One of the political prisoners and Mauritania's former prime minister, Yahya Ould Ahmed Waghf, was reportedly released after spending six months in detention in 'Nouakchott's biggest prison, Dar Naim.' Reported on 4 June 2009, AFP, at http://www.google.com/hostednews/afp/article/ALeqM5ilXWBW_JTnkSk63NJBVOUkAC4YpQ

Kenya

5,000 prisoners on death row: In a report to Parliament, the Parliamentary Committee on Administration, National Security and Local Authorities, revealed that countrywide there were 5,000 offenders on death row with 900 in Nairobi prisons alone. The

Committee chairperson, Mr. Fred Kapondi, reportedly said that his Committee wanted the death penalty to be abolished and replaced with life imprisonment as 'this will greatly reduce cases of unrest in prisons, usually planned and executed by "idle" convicts on death row.' Reported by Caroline Wafula, 4 June 2009, Daily Nation, at <http://www.nation.co.ke/News/-/1056/606924/-/ujrdnl/-/>

Guinea Conakry

Senior government officer urges people to burn suspects alive because prisons are full: Captain Moussa Tiegoro Camara, a senior government officer in charge of fighting crime and drug trafficking, reportedly urged members of the public 'to burn alive armed bandits who are caught red-handed' because the country's prisons and correctional services 'can no longer take in people and the situation cannot carry on like this.' The Guinean Organisation of Human Rights reportedly said the idea by Capt Camara was 'unacceptable and intolerable.' Reported on 4 June 2009, BBC News, at <http://news.bbc.co.uk/2/hi/africa/8082532.stm>

Nigeria

Over 150 prisoners escape: The Comptroller General of Nigeria's prison service, Olushola Ogundipe, reportedly said that over 150 inmates escaped from Enugu prison in south-east Nigeria. The Comptroller General reportedly added that in order to escape, 'the prisoners climbed along inside the roof of a prison block to where it met the perimeter wall.' Mr. Ogundipe told journalists that 'the prisoners who escaped were agitated at the serious delays in the judicial process.' Reported on 3 June 2009, BBC News, at <http://news.bbc.co.uk/2/hi/africa/8081819.stm> see also <http://nspace.nigeria.com/main/news/mass-escape-enugu-prison-wednesday-left-authorities-ngex> see also <http://ghanavoices.wordpress.com/2009/06/04/nigeria-153-prisoners-escape-in-jailbreak/>

Zimbabwe

Ministry prioritising feeding prisoners over taking them to court: Zimbabwe's Justice Minister, Patrick Chinamasa, reportedly said that his Ministry does not have trucks to transport prisoners to court because it had 'received only a fraction of its annual budget allocation' and 'was prioritising feeding prisoners.' The Minister reportedly added that 'there was not even a single Zimbabwe Prison Service (ZPS) vehicle in operation, adding that the problems affecting the prison services were beyond his ministry.' Reported by Nqobizitha Khumalo, 2 June 2009, Zimonline, at <http://www.zimonline.co.za/Article.aspx?ArticleId=4672>

Several prisoners die of cholera and others hospitalised: Ten prisoners at Mutimurefu Prison reportedly died of cholera following a fresh outbreak of the disease at the institution. The media reported that 'five inmates were found dead in their cells ? while five others died on admission at Masvingo General Hospital' and that 'several others have been hospitalised.' However, Police spokesman, Inspector Phibion Nyambo, reportedly 'confirmed the deaths but could not give details, arguing that investigations to establish the death of the ten were still in progress.' Reported by Owen Chikari, 2 June 2009, The Zimbabwe Times, <http://www.thezimbabwetimes.com/?p=17257>

Red Cross works with government to improve prison conditions: The head of the International Committee of the Red Cross's (ICRC) regional delegation in Harare, Mr. Thomas Merkelbach, reportedly said that the humanitarian body was 'working closely with the prison authorities to improve the situation for the most vulnerable detainees' and that 'the ICRC has set up therapeutic feeding programmes and begun improving cooking facilities and water supply systems inside prisons.' Mr. Merkelbach reportedly added that the ICRC 'will work to prevent transmission of communicable diseases and make sure that detainees receive the treatment they require in the event of any outbreak of disease such as cholera.' Reported by Nokuthula Sibanda, 6 June 2009, Zimonline, at <http://www.zimonline.co.za/Article.aspx?ArticleId=4696> see also <http://appablog.wordpress.com/2009/06/05/zimbabwe-icrc-distributes-food-to-thousands-of-detainees/> see also <http://gbcghana.com/news/26350detail.html> see also <http://www.irinnews.org/Report.aspx?ReportId=84756>

Prison conditions deplorable, rights body: The international human rights watchdog, Amnesty International, sent a mission to Zimbabwe which established, among other things, that there were serious human rights violations in the country. With regard to prisons, the mission found that 'conditions in Zimbabwe's prisons are deplorable, with serious food shortages and lack of medical care leading to high levels of deaths. Out of a prison population of 15,000, 970 prisoners died between January - May 2009.' Press release by Amnesty International, 18 June 2009, at <http://www.amnesty.org/en/news-and-updates/news/without-justice-there-can-be-no-real-healing-in-zimbabwe-20090618>

Somalia

UN expert concerned about conditions in prison after visit: The United Nations Independent Expert on the Situation of Human Rights in Somalia, Dr. Shamsul Bari, reportedly expressed concern over the general situation of human rights in Somalia and the prison conditions in particular. After his visit to the central prison of Garowe, Dr. Bari reportedly said that the prison conditions were 'not compliant with international human rights standards' and 'recommended training of the custodial administration on the UN's minimum standards for treatment of detainees.' Reported on 18 June 2009, Inside Somalia, at <http://insidesomalia.org/200906181295/News/Aid/UN-expert-seriously-concerned-about-violence-and-rights-abuses-in-Somalia.html>

Uganda

Prisoners transfer agreement signed: The United Kingdom and Uganda signed a Prisoners Transfer Agreement which 'will provide for the repatriation of Ugandan prisoners in the UK and vice versa.' One of the provisions of the agreement stipulates that 'the country transferring the prisoners meets the costs.' Mr. Darren Forbes-Batey, the officer in charge of migration affairs at the British High Commission in Kampala, reportedly said that there are currently 77 Ugandan prisoners in the UK and that 44 of them are likely to be transferred to serve their sentences in Uganda. Reported by Charles Ariko and Bernadette Manisula, 2 June 2009, The New Vision, at <http://www.newvision.co.ug/D/8/12/683408> see also

http://www.monitor.co.ug/artman/publish/opinions/Diplomatic_immunity_for_Ugandan_and_British_convicts_86668.shtml

Prison officers commended for upholding human rights: The regional prisons commander, Mr. Alfred Okulu, while 'addressing senior prisons officers from Lango and Acholi sub-regions at a party at Diana Gardens in Gulu Municipality' reportedly commended prison officers for upholding human rights. Mr. Okulu said that 'in the past prison used to punish the wrong doers, but these days they are used to rehabilitate them.' Reported by Charles Mukiibi, 14 June 2009, The New Vision, at <http://www.newvision.co.ug/D/8/16/684725>

Homosexuality on the increase in prisons, Prisons Chief: The Commissioner General of Uganda Prisons, Dr Johnson Byabashaija, reportedly said that 'homosexual behaviour ? is growing among prisoners, heightening the risk of faster HIV/Aids spread at confinement facilities countrywide.' Dr. Byabashaija reportedly attributed homosexual behaviour in prisons to 'sexual starvation among inmates and general moral rot on Uganda's streets.' He added that 'cases of homosexuality, especially sodomy in prisons are of two types; sodomy by consent and that by coercion. Sodomy by coercion ? is almost non-existent but the one by consent ? is definitely there.' Reported by Tabu Butagira and Lulu Jemimah, Sunday Monitor, 21 June 2009, at http://www.monitor.co.ug/artman/publish/sun_news/Prisons_chief_Sodomy_is_my_biggest_headache_86794.shtml

Awaiting trial prisoners escape: South western regional police spokesperson, Ms Polly Namaye, reportedly said that seven awaiting trial prisoners escaped from police cells in Kiruhura District. Ms Namanya added that 'the suspects first made loud noise for more than three hours, in an apparent attempt to divert the attention of the police officers as they dug a hole ? a cell.' Ms Namanya said that 'the escapees were capital offenders' and that 'most of the suspects were due to be transferred to the police regional headquarters while the files for the others had already been sanctioned by the state attorney.' Reported by Joseph Mazige, 22 June 2009, Daily Monitor, at http://www.monitor.co.ug/artman/publish/regional-special/Seven_suspects_escape_from_Police_cell_86840.shtml

Rights body orders government to close down prisons: In its mid-year human rights situation report for eastern Uganda, the Uganda Human Rights Commission 'recommended the immediate closure of some of the detention centres in the eastern region' of the country. The report 'exposed appalling conditions in holding centres and echoed [allegations of] torture and ill-treatment of detainees.' The report also indicated, amongst other things, that some prisons had leaking roofs and were collapsing and that 'some prisoners are housed in mud and wattle structures that are not fit for safe custody of inmates.' Reported by Solomon Muyita and Pauline Kairu, 27 June 2009, The Monitor, at http://www.monitor.co.ug/artman/publish/news/UHRC_orders_closure_of_prisons_in_eastern_Uganda_87087.shtml

Cameroon

Pregnant woman sentenced to lengthy prison term in the United States for her HIV status: U.S. District Judge, John

Woodcock, sentenced an HIV-positive Cameroonian national, Ms Quinta Layin Tuleh, 'to 238 days in federal prison for having fake documents.' In justifying the sentence, Judge Woodcock held 'that he was not imposing the longer prison term to punish her further but to protect her unborn child' because Ms Tuleh 'was more likely to receive medical treatment and follow a drug regimen in federal prison than out on her own or in the custody of immigration officials.' The judge concluded that 'the sentence would ensure that Tuleh's baby, due Aug. 29, has a good chance of being born free of the AIDS virus.' Reported by Judy Harrison, 3 June 2009, Bangor Daily News, at <http://www.bangordailynews.com/detail/107508.html>

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