



# 30 Days Dae Izinsuku

Project of  
the  
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Law Centre

CSPRI '30 Days/Dae/Izinsuku'

CSPRI '30 Days/Dae/Izinsuku' May 2007

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## Governance

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**The Department of Correctional Services appoints new National Commissioner:** Correctional Services Minister, Ngconde Balfour, announced the appointment of Mr Vernie Petersen as the new National Commissioner. The minister said that Petersen would be a great asset to the Department and that he believed that he was the right choice for the position. Petersen was 'humbled' by the appointment and promised to work to the expectations of the Department and deal with issues such as overcrowding of prisons and the rehabilitation of offenders. Reported by Sapa, 3 May 2007, IOL at [http://www.iol.co.za/index.php?set\\_id=1&click\\_id=15&art\\_id=nw20070503172944648C343868](http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=nw20070503172944648C343868)

**Prisoners' attempted escape fails:** Two awaiting-trial prisoners who attempted to escape from Pietermaritzburg Medium A prison were unsuccessful. Correctional Services Spokesperson, Nonala Ndlovu, said that the details about the incident were unknown but commended the warders on duty for preventing the escape. Reported by Mercury Reporter, 17 May, 2007, The Mercury at <http://www.themercury.co.za/index.php?fArticleId=3835504>

**Former National Commissioner of Correctional Services innocent says Minister:** Correctional Services Minister, Ngconde Balfour, defended the former National Commissioner of the Department, Linda Mti, and said that allegations of misconduct against him were unfounded and should be rejected. These allegations were in relation to the procurement processes of the Department of Correctional Services which were allegedly tainted with conflicts of interest. Reported by Sapa, 18 May 2007, IOL, at

[http://www.iol.co.za/index.php?set\\_id=1&click\\_id=15&art\\_id=nw20070518114825457C625152](http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=nw20070518114825457C625152) see also Business Day at <http://www.businessday.co.za/articles/national.aspx?ID=BD4A466792>

**More clarity needed on the escape of C Max prisoner:** The Chairperson of the Portfolio Committee on Correctional Services, Mr Dennis Bloem, sought more clarity from the Department of Correctional Services on the escape of a C-Max prisoner last year. Although a report about the escape identified gross negligence and non-compliance as factors responsible for the escape, Mr Bloem said that more information was needed in that regard. Reported by sabcnews, 18 May 2007, Sabcnews, at [http://www.sabcnews.co.za/south\\_africa/crime1justice/0,2172,149335,00.html](http://www.sabcnews.co.za/south_africa/crime1justice/0,2172,149335,00.html)

**Warders accused of smuggling petrol for a petrol bomb:** Five warders at Patensie Prison (St Alban's Management Area) were suspended for allegedly smuggling petrol into the prison allegedly to assist prisoners to make petrol bombs and use them to escape, according to an unnamed official. It is also alleged that the incident is linked to racial tensions between black and coloured warders at the prison and that this incident was aimed at destabilising the management of the prison. Reported by Siphon Masondo, 21 May 2007, The Herald, at [http://www.theherald.co.za/herald/news/n14\\_21052007.htm](http://www.theherald.co.za/herald/news/n14_21052007.htm)

**Correctional Services Act to be amended:** For the first time in three years Parliament is proposing a review of the Correctional Services Act. The amendments will among other things affect the Office of the Inspecting Judge with the proposal that an Inspector General, instead of an Inspecting Judge, should be appointed to inspect prisons. This would mean that any person with at least 10 year experience in the legal field would qualify to be appointed as the Inspector General of Prisons. This proposed amendment has already attracted criticism from civil society and the Democratic Alliance. Reported by Sabcnews, 29 May 2007, at <http://www.sabcnews.com/politics/parliament/0,2172,149952,00.html>

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## Sentencing

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**Minimum sentencing problematic:** A study into the effects and efficiency of minimum sentencing in South Africa, commissioned by Open Society Foundation (SA), concluded that minimum sentencing was responsible for, among other things, the overcrowding of prisons in South Africa. The study also found that judges are not satisfied with the minimum sentencing legislation due to the numerous problems it creates. According to the judges interviewed by the researchers the legislation creates backlogs in the courts. Reported by Ernest Mabuza, 3 May 2007, Business Day, at <http://www.businessday.co.za/articles/national.aspx?ID=BD4A451744>

**Mandatory hard labour should be re-introduced:** The Democratic Alliance (DA) has called on the government to re-introduce mandatory hard labour for offenders convicted of serious offences such as murder, rape and robbery. The DA said the re-introduction of mandatory hard labour would be an effective deterrent message to would-be criminals and would lead to a lower crime rate, as is the case in Botswana. In addition, the DA argued that such a measure would also enable prisoners to contribute towards their upkeep in prisons. Reported by Sapa, 7 May 2006, Dispatch, at <http://www.dispatch.co.za/2007/05/07/SouthAfrica/acriminals.html> See also [http://www.mg.co.za/articlePage.aspx?articleid=306793&area=/breaking\\_news/breaking\\_news\\_\\_national/](http://www.mg.co.za/articlePage.aspx?articleid=306793&area=/breaking_news/breaking_news__national/)

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## Overcrowding

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**Portfolio Committee on Correctional Services visited prisons:** The Portfolio Committee on Correctional Services visited five prisons in the Western Cape to investigate issues affecting prisoners and prison administration. The chairperson of the Committee, Mr Dennis Bloem, said that the Committee would

focus on overcrowding, parole complaints and other issues. Reported by Sapa, 7 May 2007, Cape Times, at

<http://www.capetimes.co.za/index.php?fArticleId=3817056>

**Children's Prison Overcrowded:** Mossel Bay Juvenile Prison, the only boys' prison in the Southern Cape, was reported to be severely overcrowded. The prison was built to accommodate 331 inmates but was reportedly housing 505 children aged between 14 and 18 years. It was also reported that children held there spend months awaiting trial for minor offences, such as stealing light bulbs. The above was revealed when the Chairperson of the Portfolio Committee on Correctional Services, Mr Dennis Bloem, visited the prison. He was also shocked that many child offenders had allegedly committed serious crimes such as murder. He also pointed to the role of the Correctional Supervision and Parole Board to assist in decongesting the prison. Reported by Cathy Dippnall, 10 May 2007, The Herald at

[http://www.theherald.co.za/herald/news/n03\\_10052007.htm](http://www.theherald.co.za/herald/news/n03_10052007.htm) see also

[http://www.iol.co.za/index.php?set\\_id=1&click\\_id=15&art\\_id=nw20070510082653116C808524](http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=nw20070510082653116C808524)

**Deputy Justice Minister concerned about overcrowding in prisons:** The Deputy Minister of Justice, Mr Johnny de Lange, reportedly said that many prisoners in South Africa's prisons are not supposed to be there and this is contributing to overcrowding. He suggested that one of the ways of tackling overcrowding was to release petty offenders on bail before they go to court. He added that several laws allow police officers and prosecutors to release petty offenders on bail but that such laws were not being used effectively. Reported by Sapa, 10 May 2007, IOL, at

[http://www.iol.co.za/index.php?set\\_id=1&click\\_id=15&art\\_id=nw20070510172138707C293731](http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=nw20070510172138707C293731)

**About 11,000 prisoners to be released to reduce overcrowding:** About 11,000 prisoners who have been fined R1000 or less but who have been in prison for failure to pay the fine, will be released on bail in a bid to decongest prisons. These are people who were convicted of 'less serious and non-violent crimes' the Minister of Safety and Security, Charles Nqakula, said. The Director General of Justice, Menzi Simelane said that he wanted 'to see section 63A of the Criminal Procedure Act being put in use. This section allows a prison head to ask the court to free on warning defendants unable to pay bail when prison overcrowding constitutes a material and imminent threat to the defendant's human dignity, physical health or safety.'

Reported by Wendy Jasson da Costa, Janine Stephen, and Angela Quintal, 11 May 2007, Cape Times, at

<http://www.capetimes.co.za/index.php?fArticleId=3824398>

**Democratic Alliance warns against freeing violent inmates:** The Minister of Safety and Security, Charles Nqakula, said that prisoners convicted of less serious and non-violent crimes would be freed so that the problem of overcrowding is addressed. In reaction to the proposal, the Democratic Alliance said that 'it was imperative that anyone who posed a danger to the public should not be released under the latest large-scale release aimed at tackling overcrowding?' While the DA welcomes the move, it cautioned that the procedure should not be abused. Reported by Sapa, 11 May 2007, news24, at

[http://www.news24.com/News24/South\\_Africa/Politics/0,,2-7-12\\_2112034,00.html](http://www.news24.com/News24/South_Africa/Politics/0,,2-7-12_2112034,00.html)

**Violent criminals overcrowding prisons - Minister of Correctional Services:** The Minister of Correctional Services, Ngconde Balfour, said that the large number of violent criminals was causing overcrowding in South African prisons. The Minister said that 'with mandatory sentences, the category of offenders serving 10-15 years increased by over 12 percent over the last six years, from 45 percent in 2000 to 57 percent in 2006.' Reported by Sapa, 18 May 2007, IOL, at

[http://www.iol.co.za/index.php?set\\_id=1&click\\_id=15&art\\_id=nw20070518110315253C228918](http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=nw20070518110315253C228918)

**Other Departments also responsible for awaiting-trial delays:** The Minister of Correctional Services, Ngconde Balfour, said that it was not only the Department of Correctional Services that was responsible for the large number of awaiting-trial prisoners. He said that other Departments such as Justice and Safety and Security should also be held accountable. Reported by sabcnews, 18 May 2007, sabcnews at

[http://www.sabcnews.co.za/south\\_africa/general/0,2172,149331,00.html](http://www.sabcnews.co.za/south_africa/general/0,2172,149331,00.html)

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## Rehabilitation

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**Limpopo centre rehabilitates prisoners:** The To Get Ready and Rehabilitation Centre in Limpopo was started by a young man five years ago and has played an important role in rehabilitating parolees and former prisoners. It helps them to acquire skills such as carpentry and upholstery. They manufacture chairs and office furniture for the local community and some government offices. Reported by sabcnews, 9 May 2007 at

[http://www.sabcnews.co.za/south\\_africa/crime1justice/0,2172,148731,00.html](http://www.sabcnews.co.za/south_africa/crime1justice/0,2172,148731,00.html)

**Parents should assist in correcting offenders:** The Minister of Correctional Services, Ngconde Balfour, said that 'parents and families should assist in correcting offending behaviour instead of supporting criminal activities.' The Minister was reacting to the allegations that the father of recaptured C-Max escapee, Annanias Mathe, was caught smuggling an unidentified substance into prison. Reported by Sapa, 24 May 2005, Mail and Guardian, at

[http://www.mg.co.za/articlePage.aspx?articleid=309392&area=/breaking\\_news/breaking\\_news\\_\\_national/](http://www.mg.co.za/articlePage.aspx?articleid=309392&area=/breaking_news/breaking_news__national/) see also [http://www.sabcnews.co.za/south\\_africa/crime1justice/0,2172,149641,00.html](http://www.sabcnews.co.za/south_africa/crime1justice/0,2172,149641,00.html)

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## Parole

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**Inspecting Judge of Prisons' comments on parole and medical treatment of prisoners:** The Inspecting Judge of Prisons, Judge Nathan Erasmus, said that the allegations that former ANC Chief Whip, Tony Yengeni, and a Durban businessman who was convicted of fraud, Schabir Shaik, were receiving preferential treatment called for the true facts to be disclosed. The Inspecting Judge said that issues regarding people on parole, like Yengeni, fell outside the jurisdiction of the Office of the Inspecting Judge, and that on the issue of medical treatment, 'a prisoner is entitled to health care of a certain level and if the Department [of Correctional Services] can't provide it, then he is entitled to receive it at an outside hospital on medical advise.' Reported Daily News Correspondent, 10 May 2007, IOL, at

[http://www.iol.co.za/index.php?set\\_id=1&click\\_id=15&art\\_id=vn20070510103141241C240903](http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=vn20070510103141241C240903)

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## Prisoners' rights and treatment

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**Inspecting Judge to investigate allegations regarding Schabir Shaik:** The Office of the Inspecting Judge of Prisons was to investigate allegations that Schabir Shaik, a Durban businessman convicted of fraud and sentenced to a 15-year prison term, was enjoying preferential treatment at a Durban public hospital. It was alleged that Shaik was not wearing a prison uniform at the hospital and not cuffed to his bed as other prisoners are when they are admitted to hospital. The Office of the Inspecting Judge would investigate the allegations. Reported by Heinz de Boer, 18 May 2007, IOL, at

[http://www.iol.co.za/index.php?set\\_id=1&click\\_id=15&art\\_id=vn20070518101411858C685541](http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=vn20070518101411858C685541) see also Sowetan at <http://www.sowetan.co.za/News/Article.aspx?id=466903>

**Inspecting Judge found no special treatment for Shaik:** The Inspecting Judge of Prisons, Judge Nathan Erasmus, said that his office's investigations established that Shaik was not being offered preferential treatment in prison as had been alleged in the media. The judge said that Shaik's prison cell was equipped with essentials like other prisoners' cells and that his food was being prescribed by his doctor. Reported by Sapa, 22 May 2007 at

[http://www.news24.com/News24/South\\_Africa/News/0,,2-7-1442\\_2116992,00.html](http://www.news24.com/News24/South_Africa/News/0,,2-7-1442_2116992,00.html) See also [http://www.mg.co.za/articlePage.aspx?articleid=309063&area=/breaking\\_news/breaking\\_news\\_\\_national/](http://www.mg.co.za/articlePage.aspx?articleid=309063&area=/breaking_news/breaking_news__national/)

**Balfour confirms that Shaik was sent back to prison:** The Correctional Services Minister, Ngconde Balfour, while addressing the National Assembly's Correctional Services Portfolio Committee, confirmed that he had read a report from a Correctional Services doctor and based on this information, he decided that Shaik, a Durban businessman convicted of fraud and sentenced to 15 years in jail, must return to prison. Shaik, had been in hospital for more than a month where he had been undergoing treatment for

hypertension. Reported by Sibusiso Ngalwa and Angela Quintal, 22 May 2007, IOL, at [http://www.iol.co.za/index.php?set\\_id=1&click\\_id=15&art\\_id=iol1179825441517S216](http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=iol1179825441517S216) See also [http://www.iol.co.za/index.php?set\\_id=1&click\\_id=15&art\\_id=vn20070523093047619C572943](http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=vn20070523093047619C572943)

**Justice Minister said "No Political Prisoners" in South Africa:** The Justice Minister, Brigitte Mabandla, said that there are no political prisoners in South Africa and that those in detention who claimed to be political prisoners committed offences after 1994. She said that some of them committed offences such as rape and robbery. She denied ignoring recommendations by the South Africa Human Rights Commission on the issue of the alleged political prisoners and said that that issue, of political prisoners, was 'sensitive and complex.' Reported by Sapa, 29 May 2007, News24, at [http://www.news24.com/News24/South\\_Africa/Politics/0,,2-7-12\\_2120945,00.html](http://www.news24.com/News24/South_Africa/Politics/0,,2-7-12_2120945,00.html) See also [http://www.mg.co.za/articlePage.aspx?articleid=309831&area=/breaking\\_news/breaking\\_news\\_\\_national/](http://www.mg.co.za/articlePage.aspx?articleid=309831&area=/breaking_news/breaking_news__national/)

**Prisoners injured in a collision:** A Correctional Services truck carrying 53 prisoners to Alberton Magistrates' Court collided with a taxi in Boksburg and as a result 28 prisoners sustained injuries. The 'injured prisoners were taken to hospital under heavy police guard'. Reported by sabcnews, 29 May, 2007, at [http://www.sabcnews.co.za/south\\_africa/general/0,2172,149932,00.html](http://www.sabcnews.co.za/south_africa/general/0,2172,149932,00.html)

**Prisoners resort to High Court for a presidential pardon:** Representatives of the 384 political prisoners who applied for presidential pardon over four years ago served High Court papers on the Justice Minister, Brigitte Mabandla, and the President, Thabo Mbeki, in an attempt to ensure that the prisoners are granted presidential pardons. The representatives also accused the Justice Minister of ignoring the recommendations of the South Africa Human Rights Commission that such prisoners should be considered for pardon. They also called for her resignation saying that she has failed to execute her constitutional mandate. Reported by Sapa, 29 May 2007, Citizen, at <http://www.citizen.co.za/index/article.aspx?pDesc=40039,1,22>

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## Prison staff

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**Prison warden and prisoners to face trial for murder and other offences:** A prison warden at Pretoria Maximum Security Prison and three prisoners will stand trial in November 2007 for allegedly murdering two senior prison warders in a failed escape attempt in 2004. The four allegedly colluded in the murders in a bid to ensure a smooth escape. They also face charges of robbery and unlawful possession of a firearm and ammunition. Reported by Sapa, 8 May 2007, News24, at [http://www.news24.com/News24/South\\_Africa/News/0,,2-7-1442\\_2110242,00.html](http://www.news24.com/News24/South_Africa/News/0,,2-7-1442_2110242,00.html) See also [http://www.iol.co.za/index.php?set\\_id=1&click\\_id=15&art\\_id=nw20070508143003740C921695](http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=nw20070508143003740C921695)

**Prison warders working under 'dehumanising' conditions:** The Democratic Alliance (DA) said that prison warders in South Africa were working under dehumanising conditions as they were working over-time, are understaffed and underpaid. The DA added that this could be the reason why the Department of Correctional Services had failed to attract more people to work for it. The DA, however, cautioned that working in dehumanising conditions should not be an excuse for prison warders to engage in corruption: Reported by Sapa, 18 May 2007, at [http://www.news24.com/News24/South\\_Africa/Politics/0,,2-7-12\\_2115347,00.html](http://www.news24.com/News24/South_Africa/Politics/0,,2-7-12_2115347,00.html)

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## Privatisation

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**Government for private prisons:** 'The government appeared prepared to go the private sector route for the provision of five prisons.' The five prisons are estimated to cost the government six billion Rand and their construction has been in contemplation for 'some years.' The Correctional Services Minister, Ngconde Balfour, while appearing before the Portfolio Committee on Correctional Services, said that he wanted the

prisons to be built as soon as possible and that such prisons should aim at rehabilitating prisoners.

Reported by Wyndham Hartley, 23 May 2007, Business Day, at

<http://www.businessday.co.za/articles/national.aspx?ID=BD4A470004> See also

<http://www.citizen.co.za/index/article.aspx?pDesc=39371,1,22> See also

<http://www.busrep.co.za/index.php?fSectionId=&fArticleId=3844836>

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## News from other African countries

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### General

**Executions decline in Africa:** Amnesty International reported that the rate at which prisoners sentenced to death were being executed had declined in many parts of the world, including Africa. Sudan remained the country in Africa with the highest execution rate. Press Release by Amnesty International, 27 April 2007 at <http://web.amnesty.org/library/Index/ENGACT500132007?open&of=ENG-392>

### Nigeria

**Legal Aid boss disturbed by prison congestion:** The Chairman of the Nigerian Legal Aid Council, Chief Kenneth Gbagi, decried the high level of prison congestion and the large number of awaiting-trial inmates in various prisons of Edo State Prison command and called on the 'concerned authorities to take urgent steps to give the inmates some level of human feeling and justice.' Chief Gbagi said that the aim of imprisonment is to reform the offender and that imprisoning inmates in congested and inhuman conditions do not enhance this aim. The Chief made these remarks at a press conference in Benin, the capital of Edo State, on 2 May 2007 after visiting Oko Maximum prison in Benin where he found hundreds of awaiting-trial prisoners, some of whom had spent over seven years on remand. He also found that the toilet facilities were in appalling condition. Reported by Vincent Adekoye, Daily Champion, 3 May 2007 available at <http://allafrica.com/stories/200705030383.html>

### Burundi

**Prisoners' Rights Activist wins the 2007 Martin Ennals Award:** Human Rights Watch, one of the members of the Jury of the Martin Ennals Award for Human Rights Defenders, announced on 4 May 2007 that the 2007 Laureates are Rajan Hoole and Kopalasingham Sritharan (from Sri Lanka) and Pierre Claver Mbonimpa from Burundi. Mr Mbonimpa is a former policeman in Burundi who was detained for two years in Burundi 'on false accusations.' After his release, he founded NGOs to promote and protect the rights of prisoners in Burundi, 'including the 9,000 prisoners that have been awaiting for trial for years in the country's overcrowded jails.' He also campaigned against torture in Burundi and many law enforcement officers have been called to account for their torturous activities as a result of his advocacy work. Press Release by Human Rights Watch, Brussels, 4 May 2007 at <http://hrw.org/english/docs/2007/05/04/slanka15851.htm>

### Eritrea

**The unknown fate of journalist- inmates in Eritrean prisons:** Several journalists who were arrested and detained in different Eritrean prisons cannot be visited by their relatives or friends and some are presumed to have died. The international NGO 'Reporters without Borders' called upon people to sign a petition demanding the release of the detained journalists. See press release by Reporters without Borders at [http://www.rsf.org/article.php3?id\\_article=3789](http://www.rsf.org/article.php3?id_article=3789)

### Ethiopia

**Court orders prison authorities to facilitate treason inmates to prepare for their defence:** The Ethiopian Federal High Court ordered that the accused in the treason charge trial receive copies of the earlier relevant court rulings and audio-video footage of evidence adduced against them by the state prosecutor. The court ordered the 'Prison Administration to designate a place to show the materials to the

defendants - two tapes a day.' The court also ordered the prison administration 'to bring the defendants together for a half- day discussion on their defence.' The Court pledged to provide the defendants space for discussion if the Prisons Administration does not have enough room'. Reported by ENA, 3 May 2007, The Ethiopian Herald, at <http://allafrica.com/stories/200705030427.html>

## Liberia

**Male rape, drug abuse and overcrowding common in Liberian prisons:** A former inmate at Monrovia Central Prison told The Inquirer newspaper that male rape, drug abuse and overcrowding were serious in the prison where he was detained for some time. He alleged that he was about to be raped by another inmate but that he was saved by his friend because he cried too much and that he was considered young. He alleged that drugs are smuggled into prisons by female visitors and also by some foreign religious workers. The former inmate said that when prisoners are raped, they scream but the officials do not come to their rescue because they are afraid. The prison authorities refuted the allegations of rape and drug abuse and attributed the problem of overcrowding to the failure by the Ministry of Justice which has not brought many of the awaiting-trial prisoners to trial. Reported by Melissa Chea-Annan, 4 May 2007, The Inquirer, at <http://allafrica.com/stories/200705040538.html>

**Newspaper calls for investigation into allegations of rape, drug abuse and escapes in Liberian prisons:** In its editorial The Inquirer newspaper has called upon the Liberian government investigate allegations of male rape, drug abuse and frequent escapes of inmates in various Liberian prisons. The newspaper also condemns the overcrowding in prisons and prolonged detention of prisoners without trial. The Inquirer, 4 May 2007 at [http://www.theinquirer.com.lr/editorial\\_details.php?recordID=2999](http://www.theinquirer.com.lr/editorial_details.php?recordID=2999)

## Malawi

**Prisons for modernisation:** The Malawian government earmarked six prisons for rehabilitation 'in an effort to reduce the worrying situation of congestion in Malawi prisons.' The Commissioner for Prisons responsible for Operations, Tobias Nowa, said that the 'modernisation' process would begin in July 2007. He said that the congested and poorly maintained prisons were responsible for the spread of infectious diseases such as tuberculosis. Reported by, Staff Reporter, 23 May 2007, Nyasa Times, at <http://www.nyasatimes.com/Breaking-News/779.html>

## Uganda

**Female inmates stay naked as uniforms dry:** The 35 female inmates at Malukhu government prison in Mbale have only one uniform each and when they wash it, they have to stay naked until it is dry. This was reported when members of a local Rotary Club visited the prison to deliver items such as salt and sugar to the prisoners. The Officer in Charge of the prison said that clothing was a big problem although the department was trying its best to solve the problem amidst serious financial constraints. The prison authorities also said that the Rotarians should come to the rescue of children imprisoned with their mothers as they were learning bad habits in prisons. Reported by Kakaire A. Kirunda, 30 April, The Monitor, at <http://allafrica.com/stories/200704300014.html>

## Namibia

**Prison torture report to be released:** The Ombudsman's Office said that it has nearly completed a report on the investigations it carried out alleging that prison warders at Windhoek Central Prison had tortured inmates. The prison warders allegedly suspected that some inmates had mobile phones in their cells. They allegedly sprayed pepper spray and teargas on the inmates and forced them to handover the phones. The Namibian National Society for Human Rights condemned the prison operation and said that such operations were common in other prisons in Namibia. Reported by Jeremiah Ndloze, 7 May 2007, Informanté, at [http://www.informante.web.na:8080/informante/index.php?option=com\\_content&task=view&id=763](http://www.informante.web.na:8080/informante/index.php?option=com_content&task=view&id=763)

## Swaziland

**Inmate's three- week old baby died:** A three-week old baby, who was removed from her mother who was sentenced to prison for illegally entering into South Africa, died as a result of poor feeding. The baby

died while it was with the relatives of the prisoner. Reported by Njabulo Dlamini, 6 May 2007, Swazi Observer, at

<http://www.observer.org.sz/main.php?id=34507&section=main>

**Inmate nearly gave birth in cell:** A pregnant Swazi woman, who had been detained in a prison near the South Africa-Swaziland border for illegal entry into South Africa, had to be rushed back to Swaziland by the officers of the South African Department of Correctional Services when she was about to deliver her baby in prison. Many Swaziland citizens are held at border post prisons for allegedly illegally entering into South African and Members of Parliament and other leaders have expressed concern over their situation in these prisons. Reported by Njabulo Dlamini, 9 May 2007, Swazi Observer, at

<http://www.observer.org.sz/main.php?id=34569&section=main>

**Swazi prisoners victimised in South African prisons:** Swazi prisoners arrested for illegally entering into South Africa were reportedly tortured and ridiculed by South African prisoners. The Swazi prisoners reported to their Members of Parliament that they were made to dance all night and are at times 'taxed' by the South African prisoners. The prison authorities had to put them in a separate cell to protect them from the 'xenophobic' mistreatment. Reported by Timothy Simelana, 10 May 2007, Swazi Observer at

<http://www.observer.org.sz/main.php?id=34599&section=main>

**Prisoners kept 'underground':** A Mozambican inmate escaped from a magistrate's court and his escape was blamed on the poor facilities under which the prisoners are kept. Prisoners 'are kept in a cell in what appears to be underground and in the dark.' He escaped when he fooled warders that he had gone to urinate. He was serving sentences for previous convictions and was before court on further charges.

Reported by Njabulo Dlamini, 11 May 2007, The Swazi Observer, at

<http://www.observer.org.sz/main.php?id=34634&section=main>

## Somalia

**A Somali Guantanamo prisoner denies links to Al-Qaeda:** A Somali detainee at Guantanamo Bay, Cuba, Guleed Ahmed Hassan, denied that he had links to Al-Qaeda. He said that he was only fighting the Ethiopians who had attacked his country and that he had a right to do so. He is one of the more than 300 detainees that the United States of America is keeping at Guantanamo Bay. Reported by Aweys Osman Yusuf, 5 May 2007, Shabelle, at

<http://www.shabelle.net/news/ne2840.htm>

## Zimbabwe

**Prisoners reportedly starving:** Prison conditions in Zimbabwe have deteriorated to the extent that as many as 10 deaths are allegedly reported everyday at Zimbabwe's Maximum Prison. These deaths are reportedly the result of malnutrition related illnesses because the prisoners are not only underfed but also because the diet lacks the required nutritional content. The hygienic conditions in the prison are also appalling as many toilets do not flush; the facility is overcrowded and medical care for those who are sick, is insufficient. The Justice Ministry said that plans are underway for an open prison system, which allows offenders to serve part of their sentences in the community and thus alleviate overcrowding. Reported by Irinnews, 10 May 2007, at <http://www.irinnews.org/Report.aspx?ReportId=72083>

## Democratic Republic of Congo

**UN Official criticises appalling prison conditions in DRC:** The United Nations High Commissioner for Human Rights, Louise Arbour, criticised the appalling conditions of prisons in the Democratic Republic of Congo and called upon the government to ensure that detainees are brought to trial as soon as possible to decongest the prisons. She also said that reforms to improve the detention system in the DRC needed to be accelerated. Reported by Irinnews, 17 May 2007, at

<http://www.irinnews.org/Report.aspx?ReportId=72212>

## Tanzania

**Prisons Department to transport inmates:** The Minister for Home Affairs, Joseph Mungai, said that from July 2007 the Prisons Department will start transporting remand prisoners to and from court, instead of the police. The Minister advised prison officials to learn from other countries such as Switzerland where

the prisons department is responsible for all matters relating to prisons. Reported by Rodney Thadeus, 22 May 2007, Daily News, at <http://www.dailynews-tsn.com/page.php?id=6929>

**Prisons Department to use high technology:** The Minister for Home Affairs, Joseph Mungai, said that the Prisons Department beginning from the next financial year will start using a computer system known as 'Offenders Management Information System' to keep records of prisoners. The Minister said that the new system would enable 'the department to correctly examine offenders' psychological problems and provide them with appropriate counselling programmes.' Reported by Rodney Thadeus, 23 May 2007, Daily News, at <http://www.dailynews-tsn.com/page.php?id=6937>

## Yemen

Call for closure of private prisons: Human rights organisations in Yemen are concerned about the large number of private prisons run by sheikhs and tribal heads. The sheikhs and tribal heads reportedly have their private prisons within the government prison systems. In these private prisons individuals are detained without trial and many are subjected to torture. However, the government is reluctant to close these private prisons down as the sheikhs wield significant political power over Parliament. Reported by Irinnews, 2 May 2007, at <http://www.irinnews.org/Report.aspx?ReportId=71905>

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