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## GOVERNANCE AND CORRUPTION

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**Regional Commissioner of Correctional Services dismissed:** The Mercury reported that the Gauteng Regional Commissioner of Correctional Services was summarily dismissed on charges of renting a luxury house at taxpayers' expense. The report said that Tozama Mqobi-Balfour had alleged that her departmental house was insecure and she needed private accommodation. It also said that, contradictory to her allegations, it was found that the departmental house had palisade fencing, a remote-controlled gate and Spanish burglar bars on the windows. The report further said that earlier Mqobi-Balfour had been found guilty of fraud, contravening the departmental housing policy, and breaching the Public Finance Management Act and the Code of Conduct for Public Servants. Reported by Mercury, 3 November 2010, at <http://themercury.newspaperdirect.com/epaper/viewer.aspx>

**Prison Public Private Partnership tenders still valid:** Sake24 reported that the tenders for the public private partnerships for the construction and management of four prisons remain valid after an agreement was reached between the Government and the companies that submitted tenders. The report said that the tenders submitted by four consortiums had remained unopened for 18 months while the Department of Correctional Services was considering scrapping them. It further said that although there were concerns that the tenders were only

valid for one month, an agreement was reached to extend the validity of the tenders for one year. *Original report in Afrikaans*. Reported by Sake24, 7 November 2010, at <http://www.sake24.com/Algemene/Sakenuus/Tronk-vennootskappe-met-staat-gaan-voort-20101106>

**Solidarity obtains warrant to seize DCS assets:** News24 reported that the trade union Solidarity obtained a warrant to seize assets worth about R40 000 from the Department of Correctional Services for failing to pay a legal bill. The report said that the DCS had offered to pay legal costs incurred by Solidarity after DCS had failed to challenge a proceeding related to affirmative action, which had been brought by the trade union, but had failed to pay the costs. It also said that Dirk Hermann, Secretary General of Solidarity, said that "it seems that the state (...) uses litigation in an attempt to bankrupt civic organisations financed by ordinary South Africans" and it was for that reason that the organisation obtained a warrant to seize DCS assets. Reported by News24, 10 November 2010, at <http://www.news24.com/SouthAfrica/News/Solidarity-to-seize-government-assets-20101110-2>

**Department ordered to promote official:** News.24 reported that the trade union Solidarity and the Department of Correctional Services had reached a settlement in the Labour Court in Johannesburg in the affirmative action case of Herman Denysschen. In terms of the court order, Denysschen would be promoted to assistant director of PAS System Management backdated to June 2008, and correctional services would pay the costs of the matter. Denysschen's application for promotion was turned down on the grounds of affirmative action even though an interview panel, where 75% of those conducting the interview were black, recommended him for the position. However, no other candidate was appointed to the position and Denysschen had been acting in it since then. Reported by SAPA. 11 November 2010. <http://www.news24.com/SouthAfrica/News/White-prison-official-to-be-promoted-20101111>

## AWAITING TRIAL PRISONERS

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**Parliament told of increase in number of awaiting trial prisoners:** News24 reported that Parliament's Portfolio Committee on Correctional Services was briefed on the increase in the number of awaiting trial prisoners being held in South African prisons. The report said that Parliament was told that as of 17 August 2010, there were 47 414 awaiting trial prisoners compared to 45 861 awaiting trial prisoners in August 2009. It also said at least 2080 awaiting trial prisoners were being held for more than two years while they wait for their trials to either begin or finish. The report also made reference to a significant number of awaiting trial prisoners who have been held for longer periods without trial. Reported by News24, at <http://www.news24.com/SouthAfrica/News/2-080-in-jail-over-2-years-awaiting-trial-20101103>

**Terre'Blanche killers to be tried by the same court:** IOL reported that the NPA announced that there would be no separation of trial for the two suspects accused of killing former right-wing leader Eugene Terre'Blanche. The report said that Chris Mahlangu and his 15-year-old co-accused were due to appear in the Ventersdorp Magistrate Court on 22 November 2010. It also said that the co-accused would appear together in the same court, but they would be tried under different legislation. The report also said that Mahlangu, who had been released on

R5000 bail in July 2010, was re-arrested in October 2010 after the Pretoria High Court held that the Ventersdorp magistrate who awarded him bail had made incomprehensive findings. Reported by News24, 19 November 2010, at <http://www.iol.co.za/news/crime-courts/no-separation-of-et-trial-mpa-1.847675>

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## PAROLE AND SENTENCING

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**Two men get life sentences for killing policeman:** The Witness reported that the KwaZulu-Natal High Court sentenced two men to life imprisonment for the murder of police constable, Nomvula Ngubane, of the Phoenix Police Station. The report said that Frans Spelele Nkomo, Godfrey Nkomo and Skhumbuzo Ndlovo had been charged with the murder and theft of Ngubane's vehicle. It also said that the third suspect, Ndlovo died before the delivery of the judgment. Reported by Lloyd Burnard, 3 November 2010, the Witness at [http://www.witness.co.za/index.php?showcontent&global\[id\]=50123](http://www.witness.co.za/index.php?showcontent&global[id]=50123)

**Lawyer tells about deterioration in Derby-Lewis's health:** IOL reported that Clive Derby-Lewis's lawyer, Marius Coertze, said that his client's cancer had spread to other parts of his body and it is worse than expected. The report said that Derby-Lewis, convicted for the murder of South Africa Communist Party leader, Chris Hani, was operated on to remove the last of the skin cancer from his face when it was found that the cancer had spread to internal organs. Reported by IOL, 4 November 2010, at <http://www.iol.co.za/news/crime-courts/derby-lewis-trying-to-stay-positive-1.708504>

**Prisoners challenge parole regime:** The Mercury reported that two men, Brian and Ravi Naidoo, who have been in prison for the past twenty years, took the Department of Correctional Services to court for failing to release them on parole. The report said that the men's contention was rooted in a Constitutional Court judgment of September 2010, of which the effect was that prisoners who were sentenced to life imprisonment before 1994 had to serve a minimum of 10 years and a maximum of 15 years before they could be considered for release on parole. The report further said that the two men had alleged that they had to be released on parole after serving 15 years in 2003 and that they were being held in prison unlawfully for the past seven years. Reported by Mercury, 6 November 2010, at <https://secure.newspaperdirect.com/epaper/accountingloginse.aspx?returnurl=%2fepaper%2fpageview.aspx%3fissue%3d6403201011080000000001001%26page%3d4%26articleid%3d18beb138-2a55-40d6-9448-4e16e0bb0842%26articlekey%3d1HOMU6B5GuY%252bPTKZRuHpCg%253d%253d%26previewmode%3d2&authreq=4c8aac1b-596d-4319-afb9-538d56b5652e>

**Human trafficking case - sentence delayed:** The Independent reported that the sentencing hearing of a possible first conviction for human trafficking in South Africa's legal history had been delayed. The report said that the sentencing hearing had been plagued with interpreter difficulties. It also said that Basheer Sayed and Somcharee Chuchumporn were convicted in March 2010 on 16 charges ranging from racketeering to sexual exploitation and money laundering. Reported by the Independent, 6 November 2010, at <http://independentonsaturday.newspaperdirect.com/epaper/viewer.aspx>

**Presidential pardons - victims may be ignored:** The Sowetan reported that victims risk not receiving information on the issue of presidential pardons to be given to offenders sentenced for offences such as murder, robbery and theft, which were politically motivated. The report said that the SA Coalition for Transitional Justice (SACT) argued that the Department of Justice did not set aside enough time for victims to speak out against those who are about to receive political pardons. It said that President Zuma is expected to pardon 149 people, but the victims, who have up to 4 December 2010 to object to the decision, have not been directly informed due to, among others, obstacles to reach them and the short period of time given to convey the information to them. Reported by Michael Nkalane, 12 November 2010, Sowetan at <http://www.sowetanlive.co.za/news/2010/11/12/furore-over-zuma-pardons-as-victims-are-sidelined>

**Policeman gets 12 years for murder:** IOL reported that a police constable from the Free State, Elliot Khaka, was found guilty of murder and sentenced to twelve years imprisonment. According to the report, the victim was shot twice in the chest and head before Khaka left the crime scene and later returned to shoot him again. Reported by IOL, 15 November 2010, at <http://www.iol.co.za/news/crime-courts/constable-sentenced-for-murder-1.810448>

**Former death row prisoners to apply for parole:** The Herald reported that former death row prisoners may soon walk free after the Constitutional Court ruled that they may apply for parole within 10 to 15 years of being sentenced. The report said that after the Constitutional Court held that prisoners who were on death row and whose sentences were converted to life imprisonment and backdated should be able to take advantage of Correctional Services policies that they become eligible for parole after 10 to 15 years. Citing Justice Bess Nkabinde-Mmono the report said that "parole has a restorative justice aim" and "it is aimed at the eventual rehabilitation and reconciliation processes of the offender." Reported by the Herald, 16 November 2010, at <http://www.epherald.co.za/article.aspx?id=626591>

**Former warder imprisoned for fraud:** News24 reported that the Bellville Specialised Commercial Crime Court sentenced a former prison warder to nine years imprisonment for fraud and contraventions of the Banks Act, as well as legislation pertaining to financial services. The report said that Carl Haggard pleaded guilty to 73 counts of fraud involving R11 222 900. It also said that Haggard, who had obtained a paraffin distribution license to distribute paraffin in townships and rural areas, admitted that the scam involved dishonesty, breaches of trust with the investors and careful planning. Reported by News24, 16 November 2010, at <http://www.news24.com/SouthAfrica/News/Former-prison-warder-jailed-for-fraud-20101116>

**Sentence revised in favour of rapist:** The Herald reported that the Eastern Cape High Court was forced to slash 13 years off the 28 years sentence of a man who raped his former girlfriend's mother in a revenge attack. Citing judge Elna Revelas the report said that "it was of great concern that Andile Manyolo (52), who is clearly deserving of a longer prison sentence, should have had his sentence reduced by 13 years, because of an unnecessary oversight in the process of charging him." The report also said that the failure to warn the accused that he qualified for the maximum sentence constituted an irregularity serious enough to set aside the sentence previously given to the offender as if the legislation in question was not applicable. Reported by

Estelle Ellis, 18 November 2010, the Herald at <http://www.epherald.co.za/article.aspx?id=627629>

**Court sentences rapist to life:** Beeld reported that a man was sentenced to life imprisonment for raping a five-year old boy. The report said that John Smith was convicted in the Cullinan Regional Court for raping a five year old boy who had come to visit his father in a house where Smith was lodging. The report also said that after his conviction, Smith admitted that he had raped the young boy because he was vulnerable. *Original report in Afrikaans.* Reported by Hilda Fourie, Beeld at <http://www.beeld.com/Suid-Afrika/Nuus/Lewenslank-nadat-hy-seun-5-verkrag-20101124>

**Court extends Selebi's right to appeal:** The Times Live reported that the Former National Police Commissioner, Jackie Selebi, would appeal against his corruption conviction on two grounds after his application for leave to extend the ambit of the appeal was partially successful. The report said that following the decision of the SCA Selebi had been granted with the right to appeal the decision of the South Gauteng High Court which held that the State had proved that Selebi had provided drug trafficker Glenn Agliotti with benefits as a result of gratification received from Agliotti. Reported by Sally Evans, 17 November 2010, The Times Live at <http://www.timeslive.co.za/local/article766717.ece/Selebi-appeal-extended>

**DCS Minister to decide Derby-Lewis parole bid:** The Mercury reported that Sonwabo Mbananga, spokesperson of the Correctional Services Minister, Nosiviwe Mapisa-Nqakula, said that the minister is still deliberating on Clive Derby-Lewis's parole application. The report said that while the National Council on Correctional Services has submitted to the Minister its recommendations on Derby-Lewis's parole application, "the Minister is by law allowed to take a reasonable amount of time to apply her mind." It also said that after being released from hospital, Derby-Lewis is waiting in prison for the decision on his parole application. Reported by the Mercury, 28 November 2010, at <https://secure.newspaperdirect.com/epaper/accountingloginse.aspx?returnurl=%2fepaper%2fpageview.aspx%3fissue%3d6403201011300000000001001%26page%3d2%26articleid%3da72b29fc-f051-4073-879e-8054cb123749%26articlekey%3d0B15WYixtA9G4rQdQ%252bGP6A%253d%253d%26previewmode%3d2&authreq=4c8aac1b-596d-4319-afb9-538d56b5652e>

**Courts orders conversion of sentence:** The Western Cape High Court ordered the immediate release from prison of former Fidentia accountant Graham Maddock. Maddock, 55, has already served two of the seven years of his prison sentence, and qualified for the remaining five years to be converted into non-custodial correctional supervision. His remaining five years were reduced to 12 months house arrest, during which he will also have to do 16 hours a month community service. In April 2010, the Bellville Specialised Commercial Crime Court rejected an application launched by the Department of Correctional Services, for the conversion of the remaining five years into correctional supervision. Western Cape Deputy Judge- President Jeanette Traverso and Judge Elise Steyn ruled that Commercial Crime Court's approach had been wrong and that the Court should have considered a fresh sentence based on new facts as presented in the application, which included Maddock's exemplary behaviour in prison.

Reported by SAPA, 26 November 2010, <http://www.iol.co.za/business/companies/former-fidentia-accountant-to-be-released-1.878037>

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## PRISONERS' RIGHTS

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**SA fails on its UNCAT reporting obligations:** [News.za.msn.com](http://News.za.msn.com) reported that the Civil Society Prison Reform Initiative (CSPRI) of the Community Law Centre, University of the Western Cape said that South Africa is failing to live up to its international obligations to report on torture and ill-treatment in prisons across the country. According to the report, Mr. Lukas Muntingh, CSPRI project co-ordinator, said that South Africa ratified the United Nations Convention Against Torture (UNCAT) in 1998 and it submitted the initial report with a delay of five years, in June 2005. The report also said that South Africa has not criminalised torture and CSPRI is concerned with South Africa's tardy response and lack of commitment to comply with its international obligations. Reported by News.za.msn, 1 November 2010, at

<http://news.za.msn.com/article.aspx?cp-documentid=155141813>

**Inspectorate Judge slams DCS over prisons death:** Saturday Star reported that the Inspecting Judge of Correctional Services, Judge Deon van Zyl, slammed the Department of Correctional Services for the manner in which it dealt with deaths occurring in South African prisons. The report said that at least 30 prisoners had used drug overdoses or hanged themselves to commit suicide in 2009, but little or no action was taken against warders who looked after them. It also said that the 2009/10 annual report of the Judicial Inspectorate of Correctional Services had detailed for the first time the number of prisoners who died in South African prisons, noting that many natural deaths recorded could have been unnatural. Reported by Saturday Star, 16 November 2010, at

<https://secure.newspaperdirect.com/epaper/accountingloginse.aspx?returnurl=%2fepaper%2fpageview.aspx%3fissue%3d6988201011130000000001001%26page%3d5%26articleid%3d5c07baf2-ddcc-4bcb-9e17-21bb96696dd3%26articlekey%3d8tPNgaD6UUpuFxpKWbGnNw%253d%253d%26previewmode%3d2&authreq=b7b249a1-045f-4dde-86e2-811581b9d2ee>

**CSPRI concerned over prison deaths without prosecutions:** It was reported that the Civil Society Prison Reform Initiative (CSPRI), a project of the Community Law Centre of the University of the Western Cape, raised concerns over what it described as "worrying trends" in investigations into 55 unnatural deaths in prisons in 2009. The report said that it was a major concern that "not one Correctional Services official had been prosecuted in any of the unnatural death cases" which occurred in South African prisons despite disciplinary inquiries which found them guilty of offences such as gross negligence and excessive use of force. Reported by News24, 18 November 2010, at

<http://www.news24.com/SouthAfrica/News/Worrying-trends-in-prison-deaths-20101118>

**Parliament told about SA's high imprisonment rate:** News24 reported that SA has a high percentage of citizens in prison in the world. The report said that the Director of the Judicial

Inspectorate of Prisons, Gideon Morris, told Parliament that South Africa has the highest imprisonment rate in Africa and one of the highest in the world, with about 3.5 out of 1000 citizens being in prison. However, the report said that overcrowding in prisons had reduced from 170% to 139%. Reported by News24, 17 November 2010, at <http://www.news24.com/SouthAfrica/Politics/SA-has-highest-ratio-in-prisons-20101117>

**DCS to develop plan over depressing report:** It was reported that the Department of Correctional Services has developed a plan to address the issues raised in a report which highlights problems in department. Following the report of the Judicial Inspectorate of Correctional Services, which detailed serious inefficiencies and failures of the DCS to act against negligent officials, the Ministry said that it has developed a response plan which will be presented to the National Commissioner. Reported by News24, 19 November 2010, at <http://www.news24.com/SouthAfrica/News/Prisons-to-act-on-depressing-report-20101119>

**Minister fumes over judge's report:** Sunday Independent reported that Correctional Services Minister, Nosiviwe Mapisa-Nqakula, lashed out at her Department's oversight body after she learnt that the contents of the Inspecting Judge's report tabled in Parliament in November 2010 was published in the independent media. The report was tabled by the Minister. Reportedly, the Minister showed deep concern and disappointment that the contents of the oversight Judge's report had been published in the media before the Inspecting Judge, Deon van Zyl, had briefed her on its content. However, contrary to Minister Mapisa-Nqakula's position, Judge van Zyl said that for three weeks he had tried and not succeeded in attempts to meet the Minister about the report. Reported by Sunday independent, 21 November 2010, at <http://www.highbeam.com/doc/1G1-242540573.html>

**MP's give Limpopo prison authorities 24 hrs to fix prison:** The Mercury reported that Parliament's Portfolio Committee on Correctional Services gave the Limpopo prison authorities 24 hours to come up with solutions for unsentenced females who were being held under dire conditions in Thohoyandou prison in Limpopo. The report said that MP's were angered when they learned, through the annual report of the Judicial Inspectorate for Correctional Services, that the females were being held like animals in the sweltering heat of a 'converted' storeroom and sometimes had to strip naked to survive the unbearable heat. The report said that Mr. Vincent Smith, the chairperson of the Correctional Services Portfolio Committee, told the Department to report back on how it would remedy the situation within 24 hours. Reported by the Mercury, 25 November 2010, at <http://www.iol.co.za/news/crime-courts/detained-women-forced-to-strip-1.876500>

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## SOUTH AFRICANS IMPRISONED ABROAD

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**Beetge throws stones at Minister's wife:** It was reported that Tessa Beetge blamed Sheryl Cwele, wife of State Security Minister, for her imprisonment in Brazil. According to the report, Ms. Beetge, who was imprisoned in Brazil in 2008 in connection with drug trafficking, told the media that the State Security Minister's wife is responsible for the problems she was facing. The report said that Ms Beetge's said that she was innocent and had been betrayed into the drug business by the Minister's wife. Reported by IOL, 3 November 2010, at

<http://www.iol.co.za/news/crime-courts/beetge-cwele-should-face-the-music-1.708109>

another report said Beetge's press statement may undermine States case. See <http://www.timeslive.co.za/local/article743495.ece/Prison-interview-bad-for-states-case>

## OTHER AFRICAN COUNTRIES

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### ALGERIA

**Christians face imprisonment for establishing unauthorised church:** The Accra Mail reported that the Algerian authorities asked a court to sentence four men to one year in prison each for opening a place of worship without obtaining the required authorisation. The report said that in terms of a law enacted in 2006 those seeking to open places of worship must seek approval for the place of worship and the preacher. The four men are accused of opening a Protestant church at Larbaa, a town located at the east of the capital Algiers, without permission from the authorities. Reported by the Accra Mail, 30 November 2010, at [http://accra-mail.com/index.php?option=com\\_content&view=article&id=28639%3Aalgerian-christians-face-jail-for-opening-church&catid=70%3Aafrica&Itemid=219](http://accra-mail.com/index.php?option=com_content&view=article&id=28639%3Aalgerian-christians-face-jail-for-opening-church&catid=70%3Aafrica&Itemid=219)

### ANGOLA

**Activist freed after serving seven months:** News24 reported that the Angolan authorities have freed an activist who was held in Cabinda for seven months in connection with an attack launched on the bus carrying the Togo football team at the Africa Cup of Nations. The report said that Antonio Paca Panzo was imprisoned in April 2010 when in possession of a T-shirt showing the faces of four people who had been imprisoned in January 2010 for the attack on the Togo football team. Reported by News24, 25 November 2010, at <http://m.news24.com/news24/Africa/News/Cabinda-activist-freed-in-Angola-20101125> See also

[http://www.greenfieldreporter.com/view/story/14b214eeb9e8425d83186e2d0d33d31a/AF--Angola-Activist\\_Released/](http://www.greenfieldreporter.com/view/story/14b214eeb9e8425d83186e2d0d33d31a/AF--Angola-Activist_Released/)

### CENTRAL AFRICAN REPUBLIC

**AIDS sensitisation in Bangui prison:** Radio Ndéké Luka reported that an AIDS sensitisation session was held in the Ngarangba prison in Bangui. The report said that the event was organised jointly by UNAIDS and the National Committee for the fight against AIDS. It also said that the event took place on 2 November 2010 and it was attended by prison directors, prison warders and prisoners. *Original report in French.* Reported by Radio Ndéké Luka, 2 November 2010, at <http://centrafrique-presse.over-blog.com/article-pour-des-prisons-sans-sida-en-rca-60178313.html>

### DEMOCRATIC REPUBLIC OF CONGO

**Police officers sentenced for rape:** IOL reported that a DRC Military Court sentenced nine policemen for up to 20 years imprisonment for raping 12 women on a farm in central Kasai-Occidental province. The report said that the policemen had been instructed to guard the farm



in 2009 following a land dispute, but had subsequently raped 12 women. It also said that the only officer who appeared in court received a ten year sentence while the remaining eight officers received 20 years of imprisonment each *in absentia* and warrants for their arrest were issued. Reported by IOL, 9 November 2010, at <http://www.iol.co.za/news/africa/congo-policemen-sentenced-for-rape-1.731471>

**Nearly 200 prisoners escape:** BBC News reported that nearly 200 prisoners had escaped from the Gemena prison in Congo DRC. The report said that the escape occurred when a hearing was taking place to try to reduce the number of awaiting trial prisoners. The report also said that prisoners began throwing stones as the court sat through the second of 60 cases scheduled for hearing on 16 November 2010. It further said that lawyer Francis Wombali said that "it looked like a crowd walking out of a church or a stadium. " Reported by BBC News, 18 November 2010, at <http://www.bbc.co.uk/news/world-africa-11790985>

**Prisoners call for better conditions:** Radio Okapi reported that prisoners in the Central prison in Osio complained about the lack of food and lack of assistance, as well as, some cases of deaths in custody. The report said that the complaints were raised during a visit by a delegation comprising of officials of MONUSCO (*Mission de l'Organisation des Nations Unies pour la stabilisation en République démocratique du Congo*) and local authorities. It said that famine and poor health conditions resulted in prisoners not being able to perform work they are tasked with. *Original report in French.* Reported by Radio Okapi, 14 November 2010, at <http://radiookapi.net/actualite/2010/11/14/kisangani-prison-dosio-sos-des-detenus-sur-les-conditions-de-vie-difficiles/>

## EGYPT

**AI calls for investigation into deaths and torture:** BBC News reported that Amnesty International has called for an investigation into claims that a young man was tortured to death in a police station in Egypt. The report said that the call for an investigation followed the discovery in early November 2010 of the disfigured body of Ahmed Shaaban in a canal after he and a friend had been arrested in Alexandria. It also said that the rights group has called on the authorities to guarantee the safety of Ahmed Farrag Labib, Shaaban's friend, who is still being held in police custody. Reported by BBC News, 16 November 2010, at <http://www.bbc.co.uk/news/world-middle-east-11764969>

**Rights group concerned about torture allegations:** Amnesty International (AI), a human rights group, called upon the Egyptian authorities to investigate allegations that a blogger released after four years in prison was beaten and ill-treated while in prison. The report said that Kareem Amer was released after serving four years in prison for criticizing President Hosni Mubarak, Egypt's al-Azhar religious authorities and Islam, in a blog. The report said that it is alleged that the Amer was beaten severely and abused by State Security Investigation officials before his release. Reported by Amnesty International, 18 November 2010, at <http://www.amnesty.org/en/news-and-updates/egypt-must-investigate-torture-allegations-released-blogger-2010-11-18> See also <http://allafrica.com/stories/201011120637.html>

## GHANA

**Authorities worry about prison congestion:** The Ghanaian Broadcasting Corporation reported that the Ghanaian Prison Services had been worried about congestion in prison facilities for sentenced prisoners. The report said that the Acting Director General of Ghana Prisons Services, Michael Bansah, said that "there are 104 condemned prisoners currently on death row" and the "condemned cell which is supposed to contain twenty prisoners is now congested." It further said there were concerns about the conditions of health and security in prisons. Reported by Ghanaian Broadcasting Corporation, 24 November 2010, at <http://gbcghana.com/index.php?id=1.175097>

## GUINEA BISSAU

**Bids for fair trials and investigations for deaths in custody:** A report by Human Rights Watch (HRW) said that the rights organisation has called upon the Guinean authorities to ensure fair trials for the approximately 125 men and boys arrested during violence after the results of the run-off presidential election were announced. The report said that the rights organisation also called upon the authorities to investigate the circumstance in which the death of a Guinean-American national occurred in the country's' prison. It also said that HRW senior researcher for West Africa, Corinne Dufka, said that the authorities "must ensure lawful treatment of detainees, and investigate these disturbing reports of abuses and arbitrary detentions by the security forces." Reported by Human Rights Watch, November 24 2010, at <http://www.hrw.org/en/news/2010/11/24/guinea-ensure-fair-trials-post-election-violence> HRW press release was published in French at <http://www.guineeinformation.com/article-guinee-les-autorites-doivent-garantir-aux-detenus-des-proces-equitables-lies-aux-violences-postelectorales-61677571.html>

**First promotion of prison staff:** AFP reported that 78 officials including prison waders, directors of prisons and of remand centres trained in Portugal, were promoted into higher positions in Guinea-Bissau. The report said that the training, which included capacity building in areas of prison management, detention techniques and respect for human rights had been conducted by Portuguese instructors. It also said that it was the first project of its kind since the country gained independence in 1974. *Original report in French*, Reported by AFP, 10 November 2010, at <http://www.africa1.com/spip.php?article4979>

## LIBYA

**Journalists linked to president's son imprisoned:** News24 reported that ten journalists associated with Saif al-Islam Gaddafi, the son of Libyan President Muammar Gaddafi, were imprisoned in an apparent sign of a power struggle in the elite. The report said that the journalists were employees of a news agency controlled by the son of the Libyan leader. It also said that Saif al-Islam Gaddafi, a possible successor to his father, had been locked in conflict with a conservative guard and has been openly critical about the government. The report further said that another media source also related to the President's son had been suspended after it published an article criticizing the government. Reported by News24, 7 November 2010,

at <http://www.news24.com/Africa/News/Gaddafi-sons-journos-detained-20101107>

**Reforms needed - UN details problems in Libyan prisons:** [mb.com.ph](http://mb.com.ph) reported that the UN Human Rights Council, which met on 9 November 2010 in Libya for the Universal Periodic Review (UPR) process, raised serious concerns about the situation in Libyan prisons. The report said that the UN compiled a report for the UPR which included serious concerns over arbitrary imprisonment, forced disappearance, torture, and prison conditions which do not meet international standards. The report also said that the UPR session included details of mistreatment and frequent forced deportation of refugees from Libya. Reported by Yasmin El-Rifae, 12 November 2010, [mb.com.ph](http://mb.com.ph) at <http://www.mb.com.ph/articles/287262/refugees-libya> another report said Libya rejects much need changes. See Human Rights Watch at <http://www.hrw.org/en/news/2010/11/17/libya-carry-out-un-calls-reform>

## MOROCCO

**King pardons 184 prisoners:** Ahlul Bayt News Agency reported that Morocco's King, Mohammed VI, pardoned 184 prisoners on the occasion of Eid-al-Adha. The report said that, among others, 20 people were granted pardons of their prison sentences, six prisoners were pardoned from their imprisonment terms while the fines were maintained, and one prisoner was granted pardon of his imprisonment term and the fines against him were annulled. Reported by Ahlul Bayt News Agency, 18 November 2010, at <http://abna.ir/data.asp?lang=3&id=213593>

## NIGERIA

**Questions asked about voting rights for prisoners:** It was reported that as the 2011 elections approach, many questions have arisen around voting rights for prisoners. The report said that while some have advocated that prisoners must be afforded voting rights, others have argued that "people who have been sent to prison are rightly condemned to civic death not only to protect society, but also to symbolise society's disgust at their acts." Reported by daily independent, 7 November 2010, at <http://www.independentngonline.com/DailyIndependent/Article.aspx?id=20482>

**ACHPR notes problems in Nigerian prisons:** Vanguard reported that, among other important matters, the 48<sup>th</sup> Session of the African Commission on Human and People's (ACHPR) held in Banjul noted some serious concerns about the situation in Nigerian prisons. The report said that among others, the ACHPR heard concerns about incidents of torture, lengthy detention of prisoners, security concerns, prison conditions and extra-judicial killings. Reported by Innocent Anaba, 25 November 2010, Vanguard at <http://www.vanguardngr.com/2010/11/human-rights-record-achpr-ngos-tackle-nigeria/>

## RWANDA

**Opposition leader denied bail:** The Jurist reported that the Rwandan High Court denied bail to opposition leader, Victoire Ingabire Umuhoya, who is being accused of forming a terrorist organisation. The report said that Judge Johnstone Busingyi argued that the decision was

motivated by the fact that Ingabire had posed a threat to state security. It also said that Ingabire will remain in prison for the duration of her trial. Reported by John Paul Putney, 12 November 2010, Jurist at <http://jurist.org/paperchase/2010/11/rwanda-high-court-orders-opposition-leader-to-remain-jailed-for-duration-of-trial.php>

**Prisoners to construct houses for the needy:** All Africa.com reported that prisoners at the Miyoye Prison were set to construct houses and more than 42 toilets for vulnerable persons in Nyankenke and Miyoye areas of the Gicumbi District. The report said that the initiative was linked to part of the activities to mark the celebration of the Prisons Week. It also said that Prisons Week is meant to rehabilitate prisoners, foster unity and reconciliation as well as to contribute to the development of the country. Reported by Ambrose Gahene and Jean Bucyensenge, All Africa.com at <http://allafrica.com/stories/201011250834.html>

## SENEGAL

**Government and UN sign agreement to imprison ICTR convicts:** News24 reported that the Senegalese authorities and the UN signed an agreement on accommodating prisoners sentenced by the International Criminal Tribunal for Rwanda (ICTR). The report said that in terms of the agreement Senegal has become the eighth country willing to take prisoners sentenced by the ICTR to serve their prison terms in prisons that meet specific UN standards. The report also said that Justice Minister, Cheikh Tidiane, signed the agreement on behalf of Senegal. Reported by News24, 23 November 2010, at <http://www.news24.com/Africa/News/Senegal-will-accept-Rwanda-convicts-20101123>

## SUDAN

**Improving conditions in Southern Sudan prisons:** ACTED reported that it had launched a project envisaging the construction of two new latrine blocks and hand-washing facilities, including a separate water line and new water points in the female section of the central prison of Wau town in Western Bahr el Ghazal, Sudan. It also said that prior to the launching of the project there were insufficient latrines and water points which were not separate for female inmates. Reported by ACTED, 11 November 2010, at <http://www.acted.org/en/improving-water-and-sanitation-facilities-prisons-south-sudan>

## UGANDA

**Kenyan bomb suspects challenge arrest:** All Africa.com reported that eight Kenyan nationals charged with the World Cup bombing in Kampala are suing the Attorney-General, arguing that they were illegally imprisoned. The report said that the suspects applied for the judicial review of the circumstances under which they were imprisoned and extradited to Uganda. In respect of their imprisonment, the report further said that the suspects alleged that the due process of law was breached. Reported by All Africa.com, 12 November 2010, at <http://allafrica.com/stories/201011150221.html>

## ZAMBIA

**Chinese nationals granted bail:** It was reported that a court in Zambia granted bail to two

Chinese nationals accused of attempting to murder of staff that had protested over their pay and working conditions. The report said that the men had allegedly shot and wounded eleven miners who were engaged in the protests. It also said that both men had been arrested on 17 October 2010. Reported by News24, 2 November 2010, at

<http://www.news24.com/Africa/News/Zambia-grants-Chinese-managers-bail-20101102>

## ZIMBABWE

**Court releases man due to police failure:** IOL reported that a Zimbabwean court had ordered the release of one of the six executive directors of two companies undertaking diamond research in the country. The report said that the men, charged with fraud, had been imprisoned in early November 2010 on suspicion of fraudulently obtaining a license to mine gems. It also said that High Court Magistrate, Mishrod Guvamombe, referred the case to the Supreme Court, but had ordered that one of the accused, Lovemore Kurotwi, be released because the police had failed to bring him to court within four days of his arrest. Reported by News24, 11 November 2010, at <http://www.iol.co.za/news/africa/diamond-case-referred-to-higher-court-1.746127>

**Former Minister faces imprisonment:** All Africa.com reported that the Zimbabwean former Deputy Minister of Information, Bright Matonga, faced imprisonment for refusing to return farming equipment allegedly seized from a white commercial farmer in Chegutu. The report said that a warrant of arrest was issued by Chegutu Court in August 2010, but it has not been executed by the court messenger. The report also said that Matonga claimed that the case was dismissed a while ago, but his lawyer argued that it is being considered on appeal at the High Court. Reported by All Africa.com, 12 November 2010, at

<http://allafrica.com/stories/201011150825.html>

**Independent paper journalist imprisoned:** The Times Live reported that the Zimbabwean authorities have imprisoned a 27 year-old journalist of an independent newspaper on charges of defamation of the country's police chief. The report said that Nqobani Ndlovu's last article in The Standard said "Police Commissioner-General Augustine Chihuri promoted a large group of Mugabe loyalists to senior positions in order to direct political operations in favour of the President ahead of the 2011 elections." It also said that it had been the third police action against Zimbabwe's embattled independent press in just over a week. Reported by Jan Raath, 17 November 2010, The Times Live at

<http://www.timeslive.co.za/africa/article768847.ece/Reporter-detained-for-defaming-Zimbabwe-police-chief> another report said Zimbabwe editor released on bail. See the New Age at [http://www.thenewage.co.za/4634-1019-53-Zim\\_editor\\_released\\_on\\_bail](http://www.thenewage.co.za/4634-1019-53-Zim_editor_released_on_bail)

**Man imprisoned with intestines hanging out:** Reuters reported that the Zimbabwean authorities imprisoned a man with his intestines hanging out after he was shot by police when he was trying to steal a motor cycle. The accused appeared in court for a bail application this

week, hobbling in pain and holding his protruding intestines in a plastic bag. The report said that during the hearing on his bail application the man told the court that he had not received medical assistance since he was imprisoned in September 2010. It further said that a shocked judge ordered prison authorities to immediately take the man to hospital. Reported by Reuters, 24 November 2010, at <http://af.reuters.com/article/topNews/idAFJJOE6AN08920101124>

## OTHER

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**Placing prisons on international agenda:** It was reported that the United Nations organised the largest ever conference with a focus on prisons as part of rule of law stabilisation. The report said that the conference was held in Belgium on 27 October 2010. The report also said that the conference was attended by more than 500 participants from 80 countries. Among others, the aim of the conference was to describe the work and the lessons learned in corrections work, highlight areas of needed support, share lessons learned and develop recommendations on how to increase the support that United Nations peacekeeping operations are able to provide to host countries. Reported by deLeGate, 1 November 2010, at

<http://www.un.int/wcm/content/lang/en/pid/22506>

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