

AFRICA PRETRIAL JUSTICE MONITOR



Africa Pretrial Justice Monitor

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Committee against Torture 50th Session: The 50th session of the Committee against Torture took place from 6 – 31 May 2013 in Geneva. The examined states included Kenya and Mauritania. Copies of these reports are available for download at <http://www2.ohchr.org/english/bodies/cat/cats50.htm>

Report on police corruption: Human Rights Watch (HRW) has released a report entitled “No Money, No Justice.” The report describes the multiple criminal activities undertaken by corrupt police officials. The HRW report is available at <http://www.hrw.org/reports/2013/08/22/no-money-no-justice-0>

Article on tuberculosis and HIV in Zambian prisons: The open access journal, PLOS ONE, features an article entitled “The High Burden of Tuberculosis (TB) and Human Immunodeficiency Virus (HIV) in a Large Zambian Prison: A Public Health Alert.” The article describes the findings based on the establishment of a TB and HIV screening programme in Zambian prisons. The article is available at <http://www.plosone.org/article/info%3Adoi%2F10.1371%2Fjournal.pone.0067338>

New publications on South African law enforcement: The Civil Society Prison Reform Initiative has released two research reports concerning law enforcement in South Africa. The first is entitled “Understanding impunity in the South African law enforcement agencies,” and the second, “Race, gender and socio-economic status in law enforcement in South Africa – are there worrying signs?” Both reports are available at <http://cspri.org.za/>

Country Reports

ETHIOPIA

Journalists harassed and detained: The Guardian published a feature article on the treatment of journalists by the Ethiopian government. It notes the ‘heavy hand’ the government uses to quell any form of dissent on the part of the media, in particular, its use of anti-terror legislation. The report features the details of a particular case wherein a journalist was sentenced to 18 years imprisonment for having written an article about the Arab Spring and “suggesting something similar could happen in his own country.” Reported by Ian Birrell, 4 August 2013, at <http://www.theguardian.com/media/2013/aug/04/africa-media-press-freedom>

THE GAMBIA

Critical report on prison: allAfrica.com reported that President Jammeh was ‘shocked upon reading a report on the State Central Prison Mile 2.’ The report allegedly describes extremely harsh conditions, poor sanitation as well as notes the fact that there are remand detainees that have been detained for lengthy periods of time awaiting trial. Reported by allAfrica.com, 5 August 2013, at <http://allafrica.com/stories/201308051602.html>

MALAWI

Improving pretrial justice: The Maravi Post reported that the University of Malawi, in collaboration with a number of South African organisations, was in the process of delivering specialised training to 100 justice officials, including magistrates and prosecutors. The training programme is aimed at addressing the gap between legislative provisions intended to curb issues like overcrowding and lengthy pretrial detention, and practice. Reported by the Maravi Post, 27 August 2013, at <http://maravipost.com/scope/law-and-order/4426-improving-pre-trial-justice-in-malawi.html>

SOUTH AFRICA

Latest figures on overcrowding: eNCA reported that as of August 2013 there are just over 156 000 inmates in

correctional centres in South Africa, more than a quarter of whom are remand detainees. The Minister of Correctional Services reportedly stated that the Department was committed to reducing the level of overcrowding by at least two per cent per annum in order to comply with the constitutional requirement to detain inmates under humane conditions. Reported by eNCA, 27 August 2013, at <http://www.enca.com/south-africa/prison-inmate-figure-tops-156000>

Harassment of activist: allAfrica.com reported that an activist that has been trying to hold the police accountable in Khayelitsha appears to be a victim of police harassment. The activist, Ms Peters, has been repeatedly arrested on charges which, a magistrate stated, were 'highly improbably.' The report states that Ms Peters was released on bail, but that she will be back in court during October 2013. Reported by Mary-Anne Gontsana, 30 August 2013, at <http://allafrica.com/stories/201308291087.html>

TANZANIA

Provision of legal aid: IPP Media reported that indigent citizens would be able to access legal assistance once a proposed bill comes into force. The Ministry of Justice and Constitutional Affairs reportedly intends to 'enact a law' that will entitle the country's poor to access legal aid in criminal and civil cases free of charge. The report notes that the proposed statute will provide for the establishment of a regulating body that will set standards for the provision of legal aid. Reported by Aloyce Mpandana, 1 August 2013, at <http://www.ippmedia.com/frontend/index.php?l=57581>

Detainees protest: allAfrica.com reported that more than 300 inmates staged a protest by refusing to disembark from the bus transporting them from the prison to court. The inmates reportedly protested against the unnecessary prolonging of their trials and accused the Regional Police Commander of fabricating the charges against them. Reported by Marc Nkwame, 8 August 2013, at <http://allafrica.com/stories/201308080301.html>

TUNISIA

Allegations of torture: allAfrica.com reported that Human Rights Watch have called on Tunisian authorities to open a prompt and thorough investigation into allegations of ill-treatment at Mornaguia prison. The allegations were reportedly made by two suspects who are being detained under the country's counter-terrorism legislation. Although the allegations were made in mid-August 2013, an investigation has not yet been initiated. Reported by allAfrica.com, 29 August 2013, at <http://allafrica.com/stories/201308290730.html>

UGANDA

Prison overcrowding: The Daily Monitor reported that Uganda is ninth among the top ten countries with most overcrowded prisons in the world. The report notes that the country's overcrowding is partly due to the inefficient criminal justice system, as almost 90 per cent of inmates are awaiting trial. Reported by Ephraim Kasozi, 8 August 2013, at <http://www.monitor.co.ug/News/National/Ugandan+jails+most+crowded+in+East+Africa+++new+report/-/688334/1940590/-/43i27xz/-/index.html>

Overcrowding on the increase: allAfrica.com reported that the prison population in northern Uganda has increased dramatically over the last two years. The report notes that the existing prison capacity for northern Uganda is 2 407 but the current population is currently at 6664. The report states that the reasons for the increase include the unnecessary extension of cases, common land disputes, domestic violence and assault. Reported by Patrick Okino, 30 August 2013, at <http://allafrica.com/stories/201308310181.html>

ZAMBIA

Journalist released from custody: allAfrica.com reported that a freelance journalist who was charged and detained in connection with his suspected links with the *Zambian Watchdog*, an online publication that is openly critical of the current government, was released after the Media Institute of Southern Africa (MISA) condemned his detention. The journalist was reportedly chained to his bed during his detention. Reported by allAfrica.com, 5 August 2013, at <http://allafrica.com/stories/201308080580.html>

ZIMBABWE

Activist dies in detention: allAfrica.com reported that an opposition party activist died in detention following a two-year period of detention awaiting trial. The detainee, who died as a result of a "short illness", had reportedly requested to be transferred to a private hospital for better treatment. This request had reportedly been denied. Reported by Tererai Karimakwenda, 12 August 2013, at <http://allafrica.com/stories/201308122683.html>

Global Campaign for Pretrial Justice

On any given day, an estimated three million people around the world are behind bars awaiting trial. Many will spend months and even years in detention - without being tried or found guilty - languishing under worse conditions than people convicted of crimes and sentenced to prison. To address the over-reliance on pretrial detention and promote greater

access to legal assistance, the Global Campaign for Pretrial Justice is working to gather empirical evidence to document the scale and gravity of the problem; pilot innovative practices and methodologies, to identify effective, low-cost solutions; and build a forum for sharing knowledge among practitioners, researchers and policymakers. For more information on the Global Campaign for Pretrial Justice, please visit http://www.soros.org/initiatives/justice/focus/criminal_justice/projects/globalcampaign

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