

In this Issue:

GOVERNANCE, FRAUD AND CORRUPTION

SEXUAL VIOLENCE IN PRISONS

SECURITY AND ESCAPES

PAROLE AND SENTENCING

PRISONERS' RIGHTS

OVERCROWDING

UNSENTENCED PRISONERS

OTHER

OTHER AFRICAN COUNTRIES

GOVERNANCE, FRAUD AND CORRUPTION

[Top of Page](#)

Prison officials investigated for tender fraud scandal: The Special Investigations Unit (SIU) reported to the Parliamentary Portfolio Committee on Correctional Services on multiple instances of tender fraud implicating high-level officials within the Department of Correctional Services. Some of the cases of fraud reach into tens of millions of Rand, with no delivery whatsoever made on the tender. Committee

Chairperson, Mr. Dennis Bloem, said the SIU report was so serious that Correctional Services Minister, Mr. Ngconde Balfour, and the Department would be called to urgently explain the situation.

Reported by Wyndham Hartley, 21 May 2008, Business Day at

<http://allafrica.com/stories/200805210509.html>

Political parties call for response after prisoners attempt escape, with the alleged assistance of staff:

Political parties demanded to know how four prisoners, who were handcuffed and in leg irons, managed to free themselves and make a second attempt at escape in less than a year. The Democratic Alliance, the Inkatha Freedom Party and the Independent Democrats demanded an investigation into the incident. The four were part of a gang of 10 that made headlines in August last year when video footage was aired showing the men in their prison clothes, walking through the prison's electronically operated doors and gates, and exchanging greetings with a warder in one of the corridors. Two of the men were shot to prevent their escape, one in the hand and the other in the foot. Spokespersons for all three political parties called for investigative and legal action. Reported by Sapa, 3 July 2008, IOL at

http://www.iol.co.za/index.php?set_id=1&click_id=3045&art_id=nw20080703202328191C559635

See also: <http://www.sowetan.co.za/News/Article.aspx?id=797672>

Prison staff can't find inmate: Prison staff could not find an inmate who was due to be taken to the Pietermaritzburg High Court on Friday to appeal against a car theft conviction and prison sentence. The Judge complained prison staff should not have waited until the court date to try to find the prisoner, as he and the acting judge had to read the nearly 300 pages of trial and appeal documents. Reported by Sapa, 4 July 2008, IOL at

http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=nw20080704155555645C987970

Prisoners' rights activist faces 10 years for aiding prisoner escape: Mr. Golden Miles Bhudu, a prisoners' rights activist, has been found guilty of helping an Israeli, imprisoned in South Africa, to escape from custody. Mr. Bhudu, who allegedly received a car as payment for aiding the escape, and his three co-accused each face 10 years in prison. Reported by Penwell Dlamini, 7 July 2008, Sowetan at

<http://www.sowetan.co.za/News/Article.aspx?id=797184>

Pan Africanist Congress suspected of taking bribes from prisoners to facilitate pardons: The Department of Justice plans to investigate allegations that the Pan Africanist Congress (PAC) was taking money from prisoners with the promise of facilitating their applications for presidential pardons. A source told The Mercury that PAC spokesperson Mudini Maivha had allegedly been visiting prisoners in Gauteng Province and demanding R10 000 to facilitate their applications. Maivha dismissed the allegations, saying the PAC would not respond to "faceless sources" making "unfounded allegations." Reported by Siyabonga Mkhwanazi, 11 July 2008, Sowetan at

http://www.iol.co.za/index.php?set_id=1&click_id=3045&art_id=vn20080711063737196C192330

High profile parolee allegedly breaks parole conditions: Mr. Tony Yengeni, former African National Congress Chief Whip and National Executive Committee member, who is currently under correctional supervision, was allegedly spotted at a party in Cape Town in the early hours of the morning. According to

the terms of his correctional supervision, he is not permitted to leave his house after 8pm on week nights. It is yet to be argued before the court whether he violated his parole conditions by driving drunk last November. Reported by Lindsay Dentlinger, 22 July 2008, IOL at http://www.iol.co.za/index.php?set_id=1&click_id=3045&art_id=vn20080722114426832C622770

State botched case against former Commissioner of Correctional Services: The National Prosecuting Authority (NPA) admitted that it botched the prosecution of former Commissioner of Correctional Services, Mr. Linda Mti, for drunk, negligent and reckless driving. Mr. Mti was acquitted of the charges on 12 June 2008 in Hillbrow despite the fact that his blood alcohol level was four times above the legal limit. The NPA launched an internal investigation into the conduct of the prosecutors involved and found that they ignored 'direct and clear instructions'. Both prosecutors received warnings. Reported by Herman Scholtz, Beeld, 29 July 2008, http://www.news24.com/Beeld/Suid-Afrika/0,,3-975_2366409,00.html

SEXUAL VIOLENCE IN PRISONS

[Top of Page](#)

Interview with former political prisoner Carl Niehaus: Former political prisoner Carl Niehaus speaks out on his horrific prison experience, politics in modern-day South Africa, relationships, family and health. Staff report, 28 June 2008, IOL at http://www.iol.co.za/index.php?set_id=1&click_id=124&art_id=vn20080628103524378C410353

Prisoner transfer request refused: The Department of Correctional Services denied Mr. J. Arthur Brown's request to be moved from Pollsmoor to Malmesbury Prison. Brown, who was allegedly sexually assaulted by fellow inmates in a vehicle on his way to Pollsmoor, cited health and safety reasons for his application, including "drug-resistant viral infections" and inconsistency in the administration of medication. Reported by Siyabonga Kalipa, 28 June 2008, IOL at http://www.iol.co.za/index.php?set_id=1&click_id=3045&art_id=vn20080628110809483C611822

Department of Correctional Services hold seminar on rape in prisons: The National Commissioner of Correctional Services, Mr. Vernie Peterson, who welcomed participants at a DCS-hosted Offender Rape Seminar, says the Department is currently reviewing and working on a policy dealing with offender rape in prison. Staff reporter, 30 June 2008, SABC News at http://www.sabcnews.co.za/south_africa/crime1justice/0,2172,172412,00.html

Young and non-violent inmates vulnerable to male rape: Experts and ex-prisoners say young, good-looking, homosexual, and non-violent offenders are most vulnerable to male rape in South Africa's

prisons. The issue of offender rape has been highlighted by two recent incidents. Former Fidentia boss J. Arthur Brown was allegedly raped in a vehicle transporting him from the Cape Town Magistrate's Court to Pollsmoor prison last month and an unsentenced 15-year old boy was reportedly raped by sentenced adults at Durban's Westville Prison. The boy's case has raised questions about sex slavery and corruption at the facility. Reported by Niren Tolsi, 3 July 2008, Mail & Guardian at

<http://www.mg.co.za/article/2008-07-03-raped-by-the-system>

DCS and SAPS each claim high profile prisoner raped in custody of the other: A police spokesperson says Mr. J. Arthur Brown was being transported in a Department of Correctional Services vehicle when he was raped, while a spokesperson for the Department of Correctional Services claims Mr. Brown was in police custody at the time. DCS and police representatives both say people who report sexual assaults in custody are entitled to medical and legal assistance from the state. But Mr. Brown's former attorney said Brown was never offered medical or psychological services and neither DCS nor SAPS have taken more than preliminary steps in investigating the case despite wide news coverage. Reported by Niren Tolsi, 3 July 2008, Mail & Guardian at <http://www.mg.co.za/article/2008-07-03-buckpassing-on-brown-rape>

Corruption blamed for gang rape of 15 year-old illegally detained in adult prison: The mother of a 15-year-old boy, who was allegedly raped by multiple adult male prisoners, said that for almost two weeks prison officials weren't able to locate her son. While investigations by the Departments of Justice, Correctional Services and the provincial Department of Social Development are under way to establish how the child ended up in an adult facility, a civil case for damages is also pending. Activist groups cite corruption and say youngsters in Westville prison can be sold for as little as R50 by warders. The boy has suffered severe psychological trauma. Reported by Niren Tolsi, 3 July 2008, Mail & Guardian at <http://www.mg.co.za/article/2008-07-03-siya-a-15yearold-prison-commodity>

The unmentionable crime against criminals: prisoner rape: A writer gives personal commentary on rape in prisons, following former MP and political prisoner Carl Niehaus' revelations that he was brutally gang raped when he was detained as a political prisoner. Commentary by Mlungisi Zondi, 5 July 2008, Business Day at <http://www.businessday.co.za/Articles/TarkArticle.aspx?ID=3258958>

Prisoner's attorney says his client not receiving medication at prison hospital: Mr. J. Arthur Brown's attorney, Joe Weeber, says his client is not receiving the necessary medication while at Pollsmoor Hospital. Weeber says the medical situation was hindering him from fulfilling his mandate as Brown's lawyer. Staff Report, 7 July 2008, News24.com at http://www.news24.com/News24/South_Africa/News/0,,2-7-1442_2353335,00.html

Police officer convicted of raping awaiting-trial detainee: Inspector Rajesh Ramesarpersadh of Charlestown police station in Volksrust, Mpumalanga was convicted of raping a 17-year old awaiting-trial female inmate detained in police custody. The victim was arrested for shoplifting. The court heard that after raping the female inmate, Inspector Ramesarpersadh threatened to kill her if she told anyone that

she had been raped. Reported by Bongani Mthethwa, 27 July 2007, The Times, at <http://www.thetimes.co.za/PrintEdition/Article.aspx?id=809218>

Prisoners allegedly raped everyday in overcrowded prison: A warder at Mthatha Medium Prison in the Eastern Cape reportedly told journalists that prisoners at the prison were at a very high risk of contracting HIV. He also said that that every day the prison authorities received many complaints from prisoners alleging that they had been raped. The warder added that many rape victims do not report for fear of being victimized. Mthatha Medium Prison was over 400% occupied with 300 prisoners allegedly staying in a cell meant to accommodate 15 inmates. Child offenders were also allegedly being detained with adults. Reported by Lubabalo Ngcukana, Thanduxolo Jika and Theo Jeptha, 31 July 2008, The Daily Dispatch at <http://www.dispatch.co.za/article.aspx?id=230763> see also http://www.iol.co.za/index.php?set_id=1&click_id=3045&art_id=iol1217488196534J432

SECURITY AND ESCAPES

[Top of Page](#)

Escaped prisoner and five others arrested for stealing DVDs at gunpoint: An escapee from Wellington Prison and five other men held up a truck driver at gunpoint, stealing 13 boxes of DVD's. Police responded and arrested the men, who were expected to appear before a magistrate within days of their arrest. Reported by Sapa, 1 July 2008, IOL at http://www.iol.co.za/index.php?set_id=1&click_id=3045&art_id=nw20080701092201364C934582

Six escapees on the run in Mpumalanga: Six awaiting trial detainees escaped from the Lydenburg prison in Mpumalanga. The six forced open the ceiling and gained access to the roof, the Department said. Officials warned the public that the escapees are considered to be dangerous. Reported by Sapa, 2 July 2008, IOL at http://www.iol.co.za/index.php?set_id=1&click_id=2939&art_id=nw20080702181547204C114961

Escaped prisoners on the loose: Six awaiting trial prisoners, accused of rape and robbery, escaped from prison after cutting through the roof of their cell. Investigations into how the prisoners procured the tools used in the escape are under way. Reported by Riot Hlatshwayo, 4 July 2008, Sowetan at <http://www.sowetan.co.za/News/Article.aspx?id=795786>

Girl's killers sentenced to life in prison, plus concurrent sentences: Three men found guilty of killing five-year-old Danielle Esterhuizen have been sentenced to life in prison. The three were also each sentenced to 18 years for attempting to kill an Esterhuizen family friend and to a further collective sentence of 15 years for attempting to kill the Esterhuizen family, including their two-year-old son. All the sentences will run concurrently with the life sentence. Danielle was hit by a bullet in the head during a family outing to Riebeeck Lake in 2006. Reported by Baldwin Ndaba, 2 July 2008, IOL at http://www.iol.co.za/index.php?set_id=1&click_id=3045&art_id=nw20080702153042567C290381

Child Justice Bill promoting non-custodial punishments tabled in Parliament: Advocacy groups welcomed the tabling of the Child Justice Bill in Parliament. The Bill raises the minimum age of criminal capacity from seven to ten years and allows magistrates to employ community-based programmes to assist children in conflict with the law. An aim of the bill is to promote public safety by developing children who will grow up to be law-abiding citizens. Reported by Namhla Tshisela, 10 July 2008, Sowetan at <http://www.sowetan.co.za/News/Article.aspx?id=798984>

Judge lambasts officials for delayed release of prisoners: A Pretoria High Court judge sharply criticised officials for releasing prisoners later than prescribed. Judge Ferdi Preller, who lambasted the Parole Board, is the second High Court judge to warn state officials that they could be held personally liable for the costs incurred by their laxity. The judge said it was a gross injustice, since a prisoner cannot be compensated for an extra six months in jail. Reported by Zelda Venter, 24 July 2008, IOL at http://www.iol.co.za/index.php?set_id=1&click_id=3045&art_id=vn20080724063455826C116767

Organised crime unit arrests result in combined 900 years of imprisonment: By investigating cases of murder, heists and drug deals, the organised crime unit has arrested more than 326 suspects in two years - and those convicted have been sentenced to a total of nearly 900 years behind bars. Reported by Caryn Dolley, 25 July 2008, IOL at http://www.iol.co.za/index.php?set_id=1&click_id=3045&art_id=vn20080725061124484C167400

Judge defends lenient sentence of 77-year old murderer: Durban High Court judge repeatedly cautioned against criticising his apparent leniency in not sending a 77-year-old man to prison after he was convicted of murdering his wife. The judge sentenced the accused to house arrest and correctional supervision for three years, including 16 hours of community service every month. A 15-year prison sentence was suspended for five years. Earlier this year, Ken Phillips pleaded guilty to stabbing his wife of 40 years to death. Reported by Tania Broughton, 28 July 2008, IOL at http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=vn20080728061329450C354637

Advocacy group petitions for release of HIV positive prisoner: The Justice for Prisoners and Detainees Trust has lodged an urgent application in the Durban High Court to have an awaiting trial prisoner who contracted HIV in prison, to be released on humanitarian grounds. The group said the 29-year-old man, who was in a critical condition, only receives one meal a day in the prison's hospital. Reported by Sapa, 4 July 2008, Sowetan at <http://www.sowetan.co.za/News/Article.aspx?id=796352>

HIV positive prisoner too weak to walk up stairs is released: An HIV-positive prisoner accused of murder that was too ill to walk up a flight of stairs, was released from prison on 7 July 2008 after an urgent application for him to be freed on humanitarian grounds. The awaiting trial prisoner said he has to take 15 tablets of strong medication a day but was only being given one meal a day. The prisoner's murder trial had been postponed until later this year. Staff report, 8 July 2008, IOL at http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=vn20080708055230711C172744

DCS lacks money to put HIV+ prisoners on treatment: Ms. Subashini Moodley, a Chief Deputy Commissioner of the Department of Correctional Services (DCS), reportedly said that the DCS does not have enough money to put the increasing number of HIV-positive prisoners on medication. Mr. Gideon Morris of the Judicial Inspectorate of Prisons said that the number of prisoners dying from HIV-related illnesses had declined because of the availability of ARV treatment in prisons. Reported by Reuters, 29 July 2008, at <http://africa.reuters.com/top/news/usnBAN956722.html>

Awaiting-trial prisoner's body exhumed: The remains of Lindiwe Malinga who died under unclear circumstances while awaiting-trial at Westville Prison on charges of assault was exhumed at the Krantzklouf Cemetery in KwaDabeka. The Pinetown magistrate court granted permission to the relatives of the deceased prisoner to exhume the body who, with the help of a prisoners' rights organisation, Justice for Prisoners and Detainees Trust, will investigate the circumstances under which Ms. Malinga lost her life. The prison authorities claim that Ms. Malinga died after falling in the bathroom were refuted by her parents who said that her body showed several injuries at the time of the burial. Reported by Mpume Madlala, 31 July 2008, IOL, at http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=vn20080731105306716C997361

Newspaper releases depressing picture and special report on prison conditions in Eastern Cape: The Daily Dispatch released a special report on prison conditions at Mthatha prison. The report deals with overcrowding sexual violence, the lack of health care and concerns about security and escapes. The report is accompanied by a photograph which shows the severely overcrowded conditions under which unsentenced prisoners at kept. See the following link for the full report. 31 July 2008 <http://www.dispatch.co.za/specialreports/default.aspx>

OVERCROWDING

[Top of Page](#)

Awaiting-trial prisoners account for prison overcrowding - at over 300% in some facilities:

Large numbers of awaiting-trial prisoners appear to be the reason for South Africa's grossly overcrowded prisons, some filled at more than 300% of capacity. In a written reply to a parliamentary question, the Minister of Correctional Services, Mr. Ngconde Balfour, said 173 prisons were overcrowded. On average, the national occupation rate is over 140%. Mr. Balfour also said the average time an awaiting-trial prisoners spent inside was 170 days. In 2007/08, an awaiting-trial prisoner costs the Department R168,68 per day. Reported by Sapa, 9 July 2008, IOL at

http://www.iol.co.za/index.php?set_id=1&click_id=3045&art_id=nw20080709135848474C109463

See also:

http://www.iol.co.za/index.php?set_id=1&click_id=3045&art_id=vn20080709060156115C366559

UNSENTENCED PRISONERS

[Top of Page](#)

Investigating officer opposes awaiting-trial prisoners' bail applications: Four members of the so-called "five-minute gang" continued bail applications in the Pietermaritzburg Magistrate's Court. The investigating officer said that while the gang members were out on bail for housebreaking and theft in Hillcrest, they committed similar crimes in Pietermaritzburg. Staff report, 18 July 2008, News24.com at http://www.news24.com/News24/South_Africa/News/0,,2-7-1442_2359995,00.html

Man pleads guilty after awaiting trial in prison for a decade: A man who defrauded elderly women has been sentenced to nine years' imprisonment, suspended for five years. Johan Myburgh, who spent ten and a half years in prison awaiting trial, pleaded guilty to seven charges of fraud. He had previously maintained his innocence. Reported by Hanti Otto, 23 July 2008, IOL at http://www.iol.co.za/index.php?art_id=vn20080723060928273C426022

Members of prison gangs among accused of murder: The state alleges that two of four men accused of killing a Grahamstown man by dropping concrete blocks on his head are members of the 26 and 28 prison gangs. Reported by Sapa, 24 July 2008, IOL at

http://www.iol.co.za/index.php?set_id=1&click_id=3045&art_id=nw20080724151833706C224208

C-Max escapee's trial postponed: The trial of Annanias Mathe, the only man to have escaped from Pretoria's C-Max prison, has been postponed until October. Reported by Sapa, 28 July 2008, IOL at http://www.iol.co.za/index.php?set_id=1&click_id=3045&art_id=nw20080728123009266C328907

OTHER

[Top of Page](#)

Ex-prisoner to sue publisher for breach of privacy: A former prisoner turned motivational speaker, Jacob Makgwaba, plans to sue the Education Department and publisher Maskew Miller Longman for breach of privacy after his life story was published in a school textbook without his consent. Makgwaba had served a 10-year sentence for armed robbery. The publishers obtained the rights to publish the Makgwaba interview from the Sunday Times, where his story had originally appeared. Reported by Mbali Kubheka, 28 June 2008, IOL at http://www.iol.co.za/index.php?set_id=1&click_id=105&art_id=vn20080628103104459C250314

Karate instruction gains momentum in prisons: Several Karate instructors went to Medium C prison in Cullinan, Pretoria, for a session to determine inmate's karate levels. A spokesperson for Karate South Africa, said they expected over 80 prisoners to participate and that karate was "growing in leaps and bounds at many correctional centres facilities throughout the country." Reported Ramatsiyi Moholola, 4 July 2008, Sowetan at <http://www.sowetan.co.za/Sport/Article.aspx?id=795938>

Fears of a strike rise over pay deal delay: Prosecutors and legal aid attorneys are threatening to strike, citing Justice Minister Brigitte Mabandla's failure to honour their occupational-specific dispensation agreement which has been on the table for a year. The Public Servants' Association is also preparing to take legal action against Mabandla for failing to implement the new pay scale deal on July 1. Reported by Gareth Wilson, 15 July 2008, The Herald at http://www.eherald.co.za/herald/2008/07/14/news/n15_14072008.htm

No bail for police commissioner's son charged with hijacking: Mr. Lwazi Yanga Mzito, the 18-year old son of Western Cape Provincial Police Commissioner Mzwandile Petros implicated in a hijacking in Khayelitsha early in July, has been denied bail and remanded to Pollsmoor prison. Commissioner Petros told reporters he had specifically requested that his son not be given special treatment. Reported by Tanya Farber, 18 July 2008, IOL at http://www.iol.co.za/index.php?set_id=1&click_id=3045&art_id=vn20080718114152949C235367

OTHER AFRICAN COUNTRIES

[Top of Page](#)

Benin

Prison conditions allegedly harsh: Amnesty International reported that prison conditions in Cotonou and Abomey prisons were severely overcrowded. Amnesty International also said some prisons hold as many as six times the number of inmates they were originally designed to accommodate. Amnesty International Report 2008, July 2008, at <http://thereport.amnesty.org/eng/regions/africa/benin>

Burundi

Twelve prisoners escape: Twelve prisoners were on the run in Burundi after a prison escape involving 20 prisoners in the country's largest prison, police said. Eight were recaptured after police fired warning shots over their heads. Bujumbura's main prison has some 2 500 inmates crammed into a building designed for only 800 prisoners, according to the Burundi Association for the Protection of Detained People and Human Rights. Staff report, 18 July 2008, News24.com at http://www.news24.com/News24/South_Africa/News/0,,2-7-1442_2359995,00.html

Cameroon

Guards killed 16 prisoners: At least 16 prisoners in Cameroon were shot dead and three seriously injured by prison guards during an escape attempt. The prisoners were reportedly armed with automatic weapons and opened fire at the guards who returned fire. This was the third attempt in recent times. The New Bell prison, where the incident occurred, is at 400% above capacity. Human rights organisations said the persistent torture of inmates, poor sanitary conditions and violence have made matters worse in the prison. Staff report, 30 June 2008, Afrol News at <http://www.afrol.com/articles/29611> .

Kenya

Kenyan High Court says an accused must raise objections within a reasonable time when arraignment is unconstitutionally delayed:

A Kenyan High Court has declined to stop a murder prosecution where the accused complained that his constitutional rights were violated after being held in custody for over seven months before his first

arraignment in court. The High Court held that the defendant, the prosecution and the court all have a duty to raise the issue when the defendant's rights have been violated as a result of unconstitutional delays, but an accused must raise preliminary objections within a reasonable time, or else courts would be faced with potential abuses if a defendant chooses to object just as the court is delivering its final judgment. Reported by Esther Onchana, 1 July 2008, Daily Nation Online at

http://www.nationmedia.com/dailynation/nmgcontententry.asp?category_id=39&newsid=126785

Child prisoners held after crackdown on militias released; many were tortured: Kenyan authorities have released many of the children imprisoned in a crackdown against a brutal militia in the western part of the country. A few remained in custody at another detention centre, said an unnamed employee, fearful of reprisals. An investigation by Associated Press documented dozens of detained children who exhibited scars caused when government soldiers tortured them using pliers, barbed wire and clubs. Wounded children were held in overcrowded cells and in complete darkness. The government and military previously denied any knowledge of torture or imprisonment of children. The children were charged with "promoting warlike activities," but a local official said none of them was likely to face trial since no one had made sworn statements against them with the police. Reported by the Associated Press 4 July 2008, at <http://www.pr-inside.com/kenya-releases-many-children-held-in-r685795.htm>

See also:

http://www.easimail.co.za/Home/link.asp?id=10927&hash=a81556?_r=1&ref=world&oref=slogin and

<http://www.easimail.co.za/Home/link.asp?id=10923&hash=bd89fb>

Hundreds of cell phones found in prisons: Hundreds of cell phones and SIM cards were found in Kamiti Maximum Prison and others at Naivisha Prison. The cell phones were allegedly being used by the prisoners and the warders in a syndicate in which they lied to members of the public and extorted money from them. The prison authorities said that arrangements were underway to install a device that would disable cell phone communications within the prison vicinity. Reported by Fred Mukinda 15 July 2008, The Nation, at <http://allafrica.com/stories/200807150145.html>

Report documents problems in Prisons Department: A report released by a government appointed committee to investigate various issues in the Prisons Department established that the department faced many problems and needed an overhaul. The report showed that 80% of the prison warders did not have housing, prison warders had to bribe for promotions, female warders alleged that they were being sexually harassed, and that corruption was rife. The report recommended the prosecution of senior prison officials who were implicated in corruption. Reported on 17 July 2008, The Nairobi Chronicle at <http://nairobiChronicle.wordpress.com/2008/07/17/damning-report-on-kenyas-prisons/>

Prisons department dismisses report on conditions: Prisons Commandant Gilbert Omondi said that the findings of the committee that was established to investigate the conditions in Kenyan prisons were inaccurate. The report suggested that the prisons were overcrowded and that prisoners and warders in some prisons had died due to poor health. The report recommended the overhaul of the prisons department. Mr. Omondi said that Kenyan prison authorities had been praised by the United Nations for their good work and were recommended for training prison warders from other countries. Reported by

Beuttah Omanga and Harold Ayodo, 25 July 2008, The Standard, at <http://www.eastandard.net/InsidePage.php?id=1143990919&cid=4>

Democratic Republic of Congo

International Court orders the release of detainee accused of war crimes: Judges of the International Criminal Court (ICC) ordered the release of Congolese warlord Mr. Thomas Lubanga for prosecutorial misconduct, just as his trial was about to begin. He will have to stay in the court's prison in The Hague while the appeal is considered. In a related incident, Mr. Jean-Pierre Bemba, a Congolese senator and former militia leader accused of war crimes appeared before the ICC in The Hague, facing accusation of war crimes and crimes against humanity in a 2002-2003 campaign by his forces. The prosecution is expected to focus on sexual violence, charging that Bemba's fighters gang-raped women of all ages, infecting many of them with HIV. Bemba is a former vice president and important opposition figure. Reported by Marlise Simons, 5 July 2008, The New York Times at <http://www.nytimes.com/2008/07/05/world/africa/05hague.html>
See also: <http://politics.nationmedia.com/inner.asp?sid=2100>

No one to lodge appeals for abandoned children in Congolese prisons: Dozens of children are reportedly languishing in adult prisons in the Democratic Republic of Congo's north eastern Ituri district, despite a legal prohibition, according to a UN official. A judge said cases involving children are often postponed when they are due in court and no one turns up during the hearing. Some parents hide in fear of extortion or even arrest if they step forward, leaving no one to lodge an appeal on behalf of the abandoned children after a sentence has been passed. The situation has allegedly led to the abuse of the children, including depriving them of food and rape. Staff reporter, 14 July 2008, allAfrica.com at <http://allafrica.com/stories/200807141309.html>

Prisoners starve to death in Congo: At least 26 prisoners have allegedly died of starvation in a Congolese prison since the beginning of 2008. A United Nations spokesperson said four prisoners died during the night of July 13 "as a result of severe malnutrition". At least 10 have died since June, and 26 since the beginning of 2008. Many of the prisoners who died were awaiting trial and had not yet been convicted of a crime. Reported by Sapa-Associate Press, 23 July 2008, IOL at http://www.iol.co.za/index.php?set_id=1&click_id=136&art_id=vn20080723060106135C462949
See also:
<http://www.afrol.com/articles/29926>
http://ap.google.com/article/ALeqM5imWJE9xXajf7YHbHi1m_QsVRWmBQD922VLDGO
http://news.xinhuanet.com/english/2008-07/22/content_8744716.htm
<http://allafrica.com/stories/200807211430.html>

Ghana

English teens convicted of drug smuggling released from Ghanaian prison: Two British teenage

girls were released from a Ghanaian prison after serving nine months for attempting to smuggle cocaine out of the West African country. The release ends a year-long ordeal for the two students, who were arrested in July 2007 at the Accra airport with about 6 kilograms of cocaine in their computer cases. They were both 16 at the time. The girls were convicted in November of possession and trafficking of narcotic drugs and sentenced to nine months imprisonment. Officials have said the two were recruited in London by drug traffickers who promised them an all-expenses-paid vacation in Ghana in return for serving as drug couriers. Reported by Sapa-Associated Press, 17 July 2008, IOL at http://www.iol.co.za/index.php?set_id=1&click_id=86&art_id=nw20080717125534267C456443

Mozambique

Prison conditions improve in Mozambique, says human rights group: The Mozambican Human Rights League (LDH) said living conditions for Mozambican prisoners have improved this year, despite continued overcrowding and poor diet. Between January and April, the LDH did not come across a single case in which prisoners had been tortured, compared with a total of 161 cases registered in 2007. The number of people illegally detained seems to be dropping and LDH also noted an improvement in pre-trial detention time. Reported by Agencia de Informacao de Mocambique, 9 July 2008, [allafrica.com](http://allafrica.com/stories/200807090759.html) at <http://allafrica.com/stories/200807090759.html>

Ethiopia

Ethiopian immigrants in the U.S. anxious over fate of family back home: Ali Abdifatah is desperate to discover the fate of his brother, who was abducted by armed men in July. Since then, his brother hasn't been seen or heard from. Ali Abdifatah lives in Minnesota, in an enclave of Ethiopian immigrants in the northern United States. Members of the community, who are concerned about family back home, are using the internet and phone calls to try to monitor the whereabouts of loved ones in the Ogaden region of Ethiopia, where large-scale atrocities are occurring. Others like Abdifatah have family members who have been "disappeared." Reported by Douglas McGill , 8 July 2008, TC Daily Planet at <http://www.tcdailyplanet.net/article/2008/07/08/ethiopia-boils-minnesotas-ethiopians-feel-heat.html>

Zimbabwe

Opposition leader's guards allegedly imprisoned without food or water: Mr. Morgan Tsvangirai's two South African bodyguards were reportedly arrested in Harare and detained at the Central Police Station and later at a prison. The two were allegedly interrogated for 14 hours, deprived of food and water for two days, and slept in passageways with floors covered in excrement. They were taken to court barefoot and in leg irons, where they were forced to pay R15,000 for the services of the prosecutor and magistrate, and were then transferred to Newlands Prison, where they were subjected to abuse from prisoners and staff. The two are back in South Africa and receiving trauma counselling and medical treatment. Reported by Justine Gerardy, 28 June 2008, at IOL at

http://www.iol.co.za/index.php?click_id=68&set_id=1&art_id=vn20080628103255693C477822

Female human rights activists enter sixth week of detention:

Two female activists in Zimbabwe entered their sixth week in detention, sleeping on concrete floors in the harsh cold. Lawyers are seeking bail for Jenni Williams and Magodonga Mahlangu, both from the human rights group Women and Men of Zimbabwe Arise (WOZA). The two are charged with disturbing the peace and publishing statements prejudicial to the state. Williams, a 46-year-old mother of three, has been living in safe houses for the last few years while her family had to flee to the United Kingdom. She has been arrested over 30 times and beaten many times, according to WOZA. Mahlangu, 35, a former sports administrator from Matalabeland in the south, has been arrested more than 25 times. Reported by Celean Jacobson, 2 July 2008, The Citizen at <http://www.citizen.co.za/index/article.aspx?pDesc=70208,1,22>
See also: http://ap.google.com/article/ALeqM5i4kT7pJInuzY_vpKdTACcQYIPcvQD91MI38GO

Two Zimbabwean female activists freed on bail: Two Zimbabwean female activists, Jenni Williams and Magodonga Mahlangu, were freed on bail after nearly six weeks in prison. The two were arrested in Harare after holding a peaceful protest and were charged with disturbing the peace and publishing statements prejudicial to the State. One of the women was honoured last year by US Secretary of State Condoleezza Rice with an International Women of Courage Award. Reported by Sapa, 3 July 2008, Sowetan at <http://www.sowetan.co.za/News/Article.aspx?id=795676>

Prison officer uses secret camera to show Zimbabwe election fraud: A Zimbabwean prison officer used a hidden camera given to him by a British newspaper to film how he and his colleagues were forced to vote for President Robert Mugabe in the recently concluded and widely criticised presidential run-off election. The Guardian posted the film on its website. The officer, Shepherd Yuda, and his family have fled Zimbabwe. The film, which lasts about 10 minutes, shows a senior official identified as a member of Mugabe's party handing out postal ballots to Yuda and other prison officials and watching as they mark them. It is clear that they feel they had no choice but to vote for Mugabe. Staff report, 7 July 2008, Business Day at

<http://www.businessday.co.za/articles/article.aspx?ID=BD4A797373>

See also <http://www.buzzle.com/articles/207291.html>

Equatorial Guinea

British Mercenary Simon Mann sentenced to 34 years imprisonment in Equatorial Guinea: The British mercenary, Simon Mann, was sentenced to 34 years in prison for plotting to overthrow the government of Equatorial Guinea. Mr. Mann was also ordered to pay a fine and compensation to the Equatorial Guinea state totalling around \$24 million. Another defendant in the trial, Mohamed Salaam, a Lebanese businessman, was sentenced to 18 years, while four Equatorial Guinean nationals were given terms of six years each. Another was sentenced to one year's imprisonment and another was acquitted. Reported by David Pallister and James Sturcke, 7 July 2008, Guardian UK at

<http://www.guardian.co.uk/world/2008/jul/07/equatorialguinea>

Southern Sudan

Student group aids women prisoners in Southern Sudan: A student group called Pads for Prisoners is organizing a project to make reusable menstrual sanitary pads for female prisoners in Southern Sudan. Many women prisoners have only a cloth to use. In some cases they are tied to a tree until their cycle is over or treated in other dehumanizing ways. The student activists are looking for support to complete the 600 pads they plan to send to a Women's Prison in Juba, Sudan. The group is asking for donations of cash, materials or volunteers to make the pads. Those interested in making a donation or participating in Pads for Prisoners can e-mail Mellissa.Marlatt@student.ucfv.ca. Reported by Vikki Hopes, 5 July 2008, Abbotsford News at <http://www.bclocalnews.com/lifestyles/23256884.html>

Tanzania

International Criminal Tribunal for Rwanda gives prisoners conjugal rights: The International Criminal Tribunal for Rwanda (ICTR) says the decision to allow prisoners to have sexual relations was made to uphold basic human rights. Reportedly there has been excitement and increased visits to the UN detention facilities by spouses of the suspects and prisoners. The move accorded similar rights to ICTR prisoners as those enjoyed at the International Criminal Tribunal for Yugoslavia in The Hague, since its inception more than 15 years ago. Reported by Jamhuri Mwavyombo, 3 July 2008, BBC News at <http://news.bbc.co.uk/2/hi/africa/7488320.stm>

Uganda

Highest Court hears death penalty appeal: Lawyers representing over 400 prisoners on death row argued before the Supreme Court that the death penalty was a cruel, inhuman and degrading punishment. However, the government submitted that the death penalty should be retained as the mandatory sentence for murder. Reported by Paulo Amoru and Rodney Muhumuza, 3 July 2008, The Monitor at http://www.monitor.co.ug/artman/publish/news/Court_to_hear_death_penalty_appeal_67620.shtml

Court orders the release of awaiting-trial detainees: The Magistrate's Court ordered the immediate and unconditional release of three awaiting-trial politicians who had been detained in contravention of the Constitution. The Court ordered that the trio's detention for more than 48 hours before they were brought before a court was a violation of their constitutional right. Reported by Hussein Bogere and Lydia Mukisa, 24 July 2008, The Monitor, at http://www.monitor.co.ug/artman/publish/news/Judge_orders_govt_to_free_Mengo_trio_68716.shtml

Thousands of prisoners face starvation: Members of Parliament were concerned that the government had not allocated enough funding to the Ministry of Internal Affairs to feed and clothe prisoners. This

prompted one of the members, Mr. Theodore Ssekikubo to say that if the government did not allocate enough money to Ministry of Internal Affairs to fund prisons-related work, many prisoners in the country would starve to death. Reported by Yasiin Mugerwa, 29 July 2008, The Monitor, at http://www.monitor.co.ug/artman/publish/news/34_000_prisoners_face_starvation_68975.shtml see also <http://www.alertnet.org/thenews/newsdesk/IRIN/ca46cfda5d0ac50d9a9bccb6345d0251.htm>

Nigeria

African Commission Commissioner says torture is rampant in prisons: Speaking at a national conference attended by police and prisons officials, Commissioner Dupe Atoki of the African Commission on Human and Peoples' reportedly said that torture was common in many Nigerian prisons and police cells. Commissioner Atoki urged the government of Nigeria to implement the Robben Island Guidelines in order to stamp out torture in prisons. Reported by Inalegwu Shaibu, 19 July 2008, Vanguard, at http://www.vanguardngr.com/index.php?option=com_content&task=view&id=12598&Itemid=0

MPs reject the death penalty abolition Bill: The majority of Nigeria's Members of Parliament rejected a Bill that had been tabled to abolish the death penalty. Those supporting the Bill argued that the death penalty was useless in Nigeria because it had failed to reduce the crime rate. However, those in support of the death penalty argued that with the high crime rate in the country, the death penalty was still important as a deterrent. Human rights organisations were disappointed by the rejection of Bill. Reported by Toye Olori, 22 July 2008, IPS, at <http://www.ipsnews.net/africa/nota.asp?idnews=43275>

Rights NGOs say prison conditions are deplorable: Mr. Oluwatoyin Badejogbin, the Country Director of the Nigeria-based human rights organization, Constitutional Rights Project, said that the conditions under which many prisoners are being detained in Nigeria are deplorable. Mr. Badejogbin also added that many awaiting-trial prisoners in Nigeria were in prison because they could not afford bail. He said that his organisation was developing sentencing guidelines that would encourage the judiciary to impose non-custodial sentences on petty offenders. Reported by Jude Igbanoi, 28 July 2008, This Day, at <http://www.thisdayonline.com/nview.php?id=118159>

Namibia

Study of Namibian prisoners' and sexual violence reveals perpetrators grew up with abuse: A study of 1000 Namibian prisoners who are perpetrators of sexual violence against women and children revealed that they were raised in abusive homes. Many of the inmates said they sought acceptance and approval from gang members by perpetrating violent crimes; the more violent the crime, the higher the praise they received. Researchers say perpetrators are seeking to fulfill psychological needs, but also attribute sexual violence to factors such as alcohol abuse, culture, religion, drugs, financial problems and refusal of sex by women as reasons motivating sexual violence against women and girls in Namibia. The research was commissioned by the Women's Action for Development in partnership with the University of Namibia and the Ministry of Safety and Security. Reported by Petronella Sibeene, 21 July 2008,

allAfrica.com at <http://allafrica.com/stories/200807211019.html>

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