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**DA notes possible favouritism and differential treatment amongst prisoners:** The spokesperson of the Democratic Alliance (DA), James Selfe, said that the DA would raise with the Correctional Services Minister the party's concerns of alleged special treatment in prison for Sipiwe Hewana, former commander of the Goodwood police station. Hewana was found guilty of attempting to defeat the ends of justice in May 2010 following the arrest of former ANC chief whip for drunk driving and was sentenced to four years in prison. Reported by the NEWS24, 1 July 2010, at <http://www.news24.com/SouthAfrica/Politics/DA-Hewana-treated-differently-20100701>

**Sex scandal behind the suspension of prison officials** News24 reported that the Department of Correctional Services suspended two senior officials at Durban Westville prison after allegations of a policeman having sexual intercourse with female prisoners. According to the report, the DCS officials were suspended "to allow unfettered investigations into the alleged and unlawful sexual relations." Reported by News24, 7 July 2010, at <http://www.news24.com/SouthAfrica/News/Sex-scandal-rocks-prison-20100707>

**Prison official shot dead:** East Coast Radio reported that a C-Max prison official in Pretoria was shot dead at his home in Mamelodi on 21 July 2010. According to the report, the deceased had "testified in court regarding an attempted escape at C-Max prison in 2004", were two other officials were killed. The report also said that the National Commissioner of Correctional Services, Thomas Moyani, has reacted to the event by requesting all the officials working at C-Max, as well as other officials, to remain calm. Reported by Mia Lindeque, 22 July 2010, EastCoastRadio at <http://www.ecr.co.za/kagiso/content/en/east-coast-radio/east-coast-radio-news?oid=836529&sn=Detail&pid=5882&C-max-prison-official-shot-dead>

**Sexual relations with prisoner motivates warder's suspension:** IOL reported that the Department of Correctional Services suspended a female prison warder at Kokstad maximum security prison following allegations that the warder had had sexual intercourse with a prisoner in exchange for R 1000. The report also said that the department of Correctional Services is investigating the matter to establish whether other officials were also involved. Reported by IOL, 30 July 2010, at [http://www.iol.co.za/index.php?set\\_id=1&click\\_id=13&art\\_id=nw20100730145253490C610957](http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=nw20100730145253490C610957)

**Investigations over allegations of warder-prisoner relationship:** IOL reported that the Department of Correctional Services said investigations are under way to determine whether an alleged sexual incident between a prisoner and a senior female warder at a KwaZulu-Natal prison was a once-off incident or whether it was an ongoing phenomenon. The pair were apparently caught on CCTV. It was reported that the warder had opened the electric control gates to gain access to the prisoner's cell after she allegedly drugged an official operating the cameras. The camera operator subsequently fell asleep after consuming the drug, and when he woke up, he realised that the gate was open and that the warder was still inside the cell. He then locked the cell until the morning. A senior official at the prison was quoted as saying sexual relationships between warders and convicts were almost a daily occurrence, with convicts offering female warders up to R1 000 in exchange for sexual favours. The report quoted Correctional Services spokesperson, Phumlani Ximiya, who said his department "was seriously concerned about the allegation." Reported by Nondumiso Mbuyazi, 31 July 2010, IOL at [http://www.iol.co.za/index.php?set\\_id=1&click\\_id=13&art\\_id=vn20100731082324495C991696](http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=vn20100731082324495C991696)

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## AWAITING TRIAL

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**Congolese denied bail on grounds of flight risk:** IOL reported that a Congolese national's application for bail was denied for the third time on grounds of him being a 'flight risk'. According to the report Ludovic Mutombo was told that no new facts were presented to the court to warrant the granting of bail. The report also noted that the applicant had already been in prison for two and a half years. The report further notes that his advocate, Henry Cowley, is of the view that the court should have considered the fact that the case may continue for several more years while his client is in prison. Mutombo's family is seeking to appeal the decision at the Johannesburg High Court. Reported by Shain Germaner, 7 July 2010, IOL at [http://www.iol.co.za/index.php?set\\_id=1&click\\_id=15&art\\_id=nw20100707132756841C948203](http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=nw20100707132756841C948203)

**Authorities obstruct proper representation of suspects:** The Star reported that Kokstad (Ebongweni) prison authorities have been an obstacle to the legal representation of a number of unsentenced inmates recently transferred to the prison. On 30 April 2010 Judge Jan Combrink remanded Shikunwela Sithole and his co-accused to the Kokstad prison after the prosecution submitted that they would be likely to escape from Westville Prison, where there had been an escape in February 2010. According to the report the suspects have complained that since they have been placed in Kokstad they have had difficulties contacting their lawyer, Bongani Cele, because of the distance and because the officials had also refused them access their to lawyer on the grounds that they could only see him on week days. The report noted that Cele confirmed the prisoners' claims and further said that later when he was allowed to see his clients, they had leg irons and handcuffs on which made it difficult for a proper consultation. Reported by Baldwin Ndaba, 8 July 2010, at <http://www.security.co.za/fullStory.asp?NewsId=16510>

**Court grants bail to five suspected attackers:** The Mercury reported that bail was granted to five of the twelve men who were arrested for an attack at the Kennedy Road informal settlement in Sydenham, Durban. According to the report, the attack caused the death of two people. The report also notes that the five men, who had been in prison for 10 months, will join the other

seven who had previously been released on bail. Reported by the Mercury, 14 July 2010, at <http://www.themercury.co.za/index.php?fSectionId=2875&fRequestedUrl=%2Findex.php%3FfArticleId%3D5554391>

**Cases adjourned for forensic tests:** Rapport noted that thousands of cases are being repeatedly postponed to await the result of forensic tests. As this practice causes cases to take longer to be finalised the report noted in some cases that “the results are expected to cause a dramatic turn of events.” *Original report in Afrikaans.* Reported by Rapport, 17 July 2010, at <http://www.rapport.co.za/Suid-Afrika/Nuus/Duisende-sake-sloer-weens-agterstand-20100717>

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## PAROLE AND SENTENCING

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**10 year in prison for rhino smuggler:** The Kempton Park Regional Court sentenced Zhong Whong (29) to ten years imprisonment without the option of a fine for fraud and contravening the Biodiversity Act. Whong was arrested at the Oliver Tambo International Airport with 16.1kg of rhino horn. Magistrate Prince Manyathi said that over the past three to four years there has been an increase of Vietnamese smugglers. He added that ‘fines are clearly not a deterrent’. Reported by Wolfram Zwecker, 30 June 2010, Beeld at <http://www.beeld.com/Suid-Afrika/Nuus/Los-ons-renosters-20100630>

**Presidency misses deadline on pardons issues:** It was reported that the Presidency has missed the June 2010 deadline set for finalising issues on presidential pardons. According to the report President Zuma undertook to finalise issues pertaining to presidential pardon applications by a former apartheid-era policemen, Eugene de Kock, and many others who viewed themselves as political prisoners. The report suggests that the failure to meet the deadline may have been caused by the Department of Justice which had not delivered the required documentation to the President for his consideration. Reported by Jan-Jan Joubert, 3 July 2010, Rapport at <http://www.rapport.co.za/Suid-Afrika/Nuus/Presidensie-is-tjoepstil-oor-De-Kock-20100703>

**Former National Police Commissioner facing 15 years :** Former Police Commissioner, Jackie Selebi, convicted of corruption is facing a mandatory minimum sentence of 15 years in prison. According to the report it will only be known whether Selebi will appeal against his conviction and sentence when prosecutor Gerrie Nel and Selebi’s attorney, Jaap Cilliers, deliver their arguments in aggravation and mitigation of sentence on 14 July 2010. Reported by Kashiefa Ajam, 3 July 2010, at [http://www.iol.co.za/index.php?set\\_id=1&click\\_id=15&art\\_id=vn20100703080342207C275876](http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=vn20100703080342207C275876)

**Features of the soccer world cup courts to be incorporated:** Sport24 News reported that the government is planning to incorporate permanent features of the soccer world cup courts into the justice system. The report quoted the spokesperson of the justice ministry, Tlali Tlali, in a statement saying the “government will (...) explore a possibility of extracting those elements of success out of the model and use them in the criminal justice system as a permanent feature and not a seasonal one”. Amongst such success features, Tlali Tlali noted, the creativity attached to the deployment of existing resources, the good supervision in investigation and prosecution of cases and the high level of co-ordination amongst all personnel in the court system. He further noted that out of the 172 cases which had been processed to date, 104 resulted in convictions, 28 were withdrawn mainly due to insufficient evidence, seven resulted in acquittals and 33 are pending. Reported by Sport24 news, 6 July 2010, at <http://www.sport24.co.za/Soccer/WorldCup/NationalNews/SWC-courts-could-continue-20100706>

**Offender approaches the Constitutional Court seeking re-trial:** Die Burger reported that Donovan Moodley, who was sentenced five years ago for murder of Leigh Matthews, is to approach the Constitutional Court in a bid for re-trial. According to the report, Deputy Director of Public Prosecutions, Zaais van Zyl, said he had received official notice of the application and he would “work through the application and make the necessary objections as soon as it is submitted to the Constitutional Court.” *Original report in Afrikaans.* Reported by Philip Bruin, 7 July 2010, Die Burger at <http://www.dieburger.com/Suid-Afrika/Nuus/Moordenaar-doen-alles-om-n-herverhoor-te-kry-20100707>

**Three years for murder of brother:** The Citizen reported that the Vereeniging Regional Court sentenced two men, Reagan and Ronald McCarthy, to three years’ imprisonment for murdering their 32-year-old brother Elton in February 2010. According to the report Constable Edwin Ntsheo from the Ennerdale police said that after the murder the two men buried the corpse of their brother in the backyard of their family home. He also said that the court gave them the sentences after accepting evidence that the deceased was abusive to the family. Reported by The Citizen, 7 July 2010, at [http://www.citizen.co.za/index.php?option=com\\_content&view=article&id=82868&catid=25:local-news&Itemid=34](http://www.citizen.co.za/index.php?option=com_content&view=article&id=82868&catid=25:local-news&Itemid=34)

**Young offender starts to serve delayed sentence:** Beeld reported that a boy who was convicted when aged 15 years for his involvement in killing Cassandr  van Rooyen will start serving his sentence more than four months after it was handed down. He is now 18 years old. According to the report, it is unclear why Erasmus’ sentence had not been enforced earlier. *Original report in Afrikaans.* Reported by Amanda, 7 July 2010, Beeld at <http://www.beeld.com/Suid-Afrika/Nuus/Kerjaker-verby-Sy-straf-begin-uiteindelik-20100707>

**Five life terms for rapist:** The Witness reported that Njabulo Mbhele (20) has been convicted of raping a girl aged 12 three times, sexually assaulting her sister, and for raping their caregiver twice. Judge Anton van Zyl found that Mbhele poses a threat to society. According to the report, the court found that Mbhele had planned his crimes. It also noted Judge van Zyl’s statement that it was “particularly depraved behaviour by Mbhele to subject the victims to five hours of terror and then ask them if they thought he ought to kill them and relish in their pleas for their lives”. The report also said that Mbhele was “sentenced to 15 years’ imprisonment for house breaking and robbery, to life imprisonment for each of the 5 rapes and to 10 years imprisonment for the sexual assault”. Reported by the Witness, 8 July 2010, at [http://www.witness.co.za/index.php?showcontent&global\[\\_id\]=43694](http://www.witness.co.za/index.php?showcontent&global[_id]=43694)

**German soccer fan gets suspended sentence:** IOL reported that Port Elizabeth magistrate, Peter Campbell, gave a three months suspended sentence to a German soccer fan that had lost his temper with the cabin crew on an SA Express flight to Durban, after hearing that air traffic problems at their destination had forced the plane to turn back. According to the report, after realising that he would miss his team’s game against Spain, Jorg Mardos pushed and shoved cabin attendants Pier Hemy and Ziyanda Gaxela, he screamed and swore at them and refused repeated commands to return to his seat. Reported by the IOL, 10 July 2010, at [http://www.iol.co.za/index.php?set\\_id=1&click\\_id=15&art\\_id=nw20100710184034556C393500](http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=nw20100710184034556C393500)

**Prisoner release may follow problems in the Registrar’s office:** Rapport reported that about 440 inmates may be released because of problems affecting the office of the Registrar at the South Gauteng High Court. According to the report, offenders such as Mohlalafi Letsie who has served eight years of his life sentence for murder and robbery, hope to be released because the transcript of his trial is missing. The report also noted that Letsie and 28 other prisoners held at the

Johannesburg Medium B prison brought an application in 2009 requesting to be released should their records not be made available to them as they are intending to appeal their sentences.. The application is based on the fact that Judge John Hlophe from the Cape released a child rapist in 2005 because of lost court records. *Original report in Afrikaans*. Reported by Anna-Maria Lombard, 10 July 2010, at Rapport <http://www.rapport.co.za/Suid-Afrika/Nuus/440-kan-dalk-gou-vryheid-smaak-20100710>

**Asylum process shields convicted criminals:** An article published by Business Day suggests that the way South Africa implements its domestic and foreign policy on asylum is shielding convicted criminals. The article notes that a “mystery surrounds how Lt-Gen Kayumba Nyamwasa, who stands accused of gross human rights crimes for his part in the Rwandan genocide of 1994, was granted asylum in SA as a refugee.” There are also other examples listed in the report: “Zimbabwean businessman Billy Rautenbach, who has been evading the law for ten years on fraud and tax evasion charges, the alleged killer of strip club owner Lolly Jackson – who is yet to be arrested – is reported to be a Greek Cypriot who fraudulently obtained SA citizenship; Czech national Radovan Krejcir – who is now operating a business empire in SA – was sentenced to a jail term after being found guilty in absentia; and Vito Palazzolo, who has been living in SA for decades and has been convicted for criminal activities by an Italian court.” Reported by Loyiso Langeni, 13 July 2010, the Business Day at <http://www.businessday.co.za/articles/Content.aspx?id=114506>

**Former policeman’s parole bid denied:** IOL reported that the High Court has denied a parole bid of former policeman, Jacobus van Gund. The report noted that van Gund had been convicted and sentenced to 18 years’ imprisonment in 2003 for murdering a burglary suspect and for trying to murder another suspect and attempting to defeat the ends of justice by threatening witnesses. It is also reported that the former Midrand police inspector forced handcuffed suspects to run away before firing several shots at them. According to the report it was not the first time van Gund had applied for parole. His application in September 2009 and in February 2010 had been denied. In the recent application the High Court Judge, B R Tokota, dismissed the bid saying that he could not find that the parole board’s decision had been unreasonable or biased. Reported by the IOL News, 14 July 2010, at [http://www.iol.co.za/index.php?set\\_id=1&click\\_id=15&art\\_id=nw20100714182454341C290220](http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=nw20100714182454341C290220)

**Selebi’s sentence hearing postponed:** The Mail & Guardian Online reported that the South Gauteng High Court has postponed the sentence hearing of former police chief Jackie Selebi to the first week of August 2010. According to the report, the court made the decision after Selebi’s advocate, Jaap Cilliers, told the court that his next witness for mitigation of sentence was not available until 2 August 2010. Importantly, however, the report noted that the court accepted an order by the Asset Forfeiture Unit to freeze R 230 000 (approx. USD 32 000) worth of Selebi’s assets following his conviction. Reported by the Mail & Guardian online, 14 July 2010, at <http://www.mg.co.za/article/2010-07-14-selebis-fate-hangs-in-the-balance>

**Prisoner released on parole promises to contribute positively:** IOL reported that Gareth Thomas who was sentenced to 20 years in prison for the murder of former Durban mayor, Mike Lipschitz, was released on parole after serving eight years of his sentence. According to the report, Thomas said he is a converted man and different from the person he was when sentenced. The report also noted that Thomas who now holds a degree in theology promises to contribute positively to change the lives of people in society. Reported by IOL, 15 July 2010, at [http://www.iol.co.za/index.php?fsetid=1&click\\_id=15&art\\_id=nw20100715161413275C107102](http://www.iol.co.za/index.php?fsetid=1&click_id=15&art_id=nw20100715161413275C107102)

**Hani killer to wait till August 2010 for parole decision:** The Cape Argus reported that a

Correctional Services spokesperson said that the Pretoria correctional supervision and parole board will not make its recommendation on Derby-Lewis' application this month. According to the report, the board earlier said it would make its recommendation to the National Council on Correctional Services within 30 days (due on 23 July 2010). Reported by the Cape Argus, 16 July 2010, at <http://www.capeargus.co.za/index.php?fSectionId=3179&fRequestedUrl=%2Findex.php%3FfArticleId%3D5556829>

**Policemen sentenced after 50 appearances in six years:** The Mercury reported that a policeman found guilty of culpable homicide has been sentenced to four years' imprisonment. According to the report, the judgment was handed down six years after the charges were brought against officer Kiran Kisson (42) who knocked down John Haynes and his wife Helen when driving a vehicle while he was drunk in April 2004. The report cited prosecutor Val Melis who said that the delays in the case were mostly caused by Kisson. She also noted that the "defence was responsible for 40% of the delays, and six warrants of arrest had to be issued for the accused." Reported by the Mercury, 20 July 2010, at <http://www.themercury.co.za/index.php?fSectionId=2875&fRequestedUrl=%2Findex.php%3FfArticleId%3D5551377>

**DA calls upon judge to review Shaik's parole:** IOL reported that the Democratic Alliance has formally requested the Inspecting Judge of Correctional Services to review the medical parole granted to fraudster Schabir Shaik, President Zuma's former financial advisor. The report said that DA spokesperson on Correctional Services, James Selfe, has formally asked Inspecting Judge of the Correctional Services, Deon van Zyl, to investigate whether Shaik should have qualified for medical parole. Reported by IOL, 26 July 2010, at [http://www.iol.co.za/index.php?set\\_id=1&click\\_id=15&art\\_id=vn20100726122153319C731353](http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=vn20100726122153319C731353)

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## PRISON CONDITIONS

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**Marchall Gesels dies in prison:** IOL reported that Marchall "Boytie" Gesels, self-confessed child killer, died before facing justice. According to the report, Gesels was accused of murdering Chelsea Jacobs in 2008 while she was in her way to a shop to buy a packet of sugar. Prison officials say the tuberculosis sufferer died of natural causes in Pollsmoor Prison a day after another high profile inmate, Abdul Rudolph, died. The report noted Gesels was due to face trial on 26 July 2010. Reported by Genevieve Serra, 26 July 2010, at [http://www.iol.co.za/index.php?set\\_id=1&click\\_id=15&art\\_id=iol128013283069D142](http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=iol128013283069D142)

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## SOUTH AFRICANS IMPRISONED ABROAD

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**South African farmer arrested for alleged illegal land occupation:** IOL News reported that a South African farmer was arrested in Zimbabwe for illegal occupation of Wolvedraai farm in Chipinge. According to the report, farmer Mike Odendaal was arrested by police despite him having a court order allowing him to stay and ordering the removal of invaders off his farm. The High Court order was granted to Odendaal on 26 June 2010. The report also noted that the arrest took place despite the existence of a Bilateral Investment Promotion and Protection Agreement signed between Zimbabwe and South Africa in 2009. Reported by Stanley Gama, 2 July 2010, IOL News at [http://www.iol.co.za/index.php?set\\_id=1&click\\_id=68&art\\_id=vn20100702044736816C568726](http://www.iol.co.za/index.php?set_id=1&click_id=68&art_id=vn20100702044736816C568726)

**US authorities detain South African fugitive:** The Herald reported that United States (US) authorities had arrested a South African fugitive, Guy Hill, for allegedly stealing boat parts and trying to sell them on eBay. According to the report, Hill left South Africa after his parents brought a host of criminal charges against him. He was wanted by the Southern Cape police for failing to appear in court. The report notes that "Hill told his wife he was going to the US to sell his yacht to

raise funds for his defence against 49 charges of uttering, fraud and theft from his mother's construction company". The arrest warrant was issued after he failed to return in time for his court date in South Africa. Meanwhile, Hill is in the US awaiting trial as he has not been able to raise USD 190.000 (ZAR 1.47 million) for bail. Reported by Neil Oelofse, 13 July 2010, The Herald at <http://www.theherald.co.za/article.aspx?id=581305>

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## OTHER

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**Lesotho requests extradition of suspects:** The IOL reported that the Lesotho authorities have requested the South African authorities to extradite a group of alleged offenders who reportedly shot at and stormed Lesotho Prime Minister Pakalith Mosisili's house in Maseru on 22 April 2009. According to the report, following the incident the police who had been investigating the case attempted to stop a minibus, thought to have been hijacked by the gunmen, and were surprised when the occupants of the vehicle opened fire and started running in the direction of the Caledon River; the border between South Africa and Lesotho. Reported by the IOL, 14 July 2010, at [http://www.iol.co.za/index.php?set\\_id=1&click\\_id=15&art\\_id=nw20100714184820631C739185](http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=nw20100714184820631C739185)

**Suspected mercenary left ID card on river bank:** It was reported that one of the men suspected to be involved in the assassination attempt on Lesotho Prime Minister Pakalith Mosisili left his identity card in the pockets of his camouflage uniform on the Lesotho side of the Caledon River before fleeing to SA. Although the men deny their involvement in the assassination attempt, the report noted that the commander of Lesotho elite and specialist forces, Colonel RJ Mokaloba, testified that they found the identity card of Abel Nhatsave on the banks of the river after a fight between the mercenaries and his soldiers. The case which is expected to continue in the Bloemfontein Regional Court relates to an application to extradite seven men to Lesotho. *Original report in Afrikaans*. Reported by Mike van Rooyen, 14 July 2010, the Volksblad at <http://www.volksblad.com/Suid-Afrika/Nuus/ID-in-uniform-gekry-na-geveg-hoor-hof-20100714>

**Calls for release of the 'Cuban Five':** The Witness reported that former ANC political prisoners have launched a campaign for the release of the Cuban Five. According to the report, the Cuban Five are political prisoners who are being held in the US. The report also noted that the campaigners are seeking support from the rest of the world to press the US to release these prisoners. Reported by Witness, 28 July 2010, at [http://www.witness.co.za/index.php?showcontent&global\[\\_id\]=44766](http://www.witness.co.za/index.php?showcontent&global[_id]=44766)

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## OTHER AFRICAN COUNTRIES

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### ALGERIA

**Human rights groups invited to visit prisons:** It was reported that the Algerian authorities are ready to open its prisons to international inspections to counter allegations of abuse of inmates. Quoting the head of a government-backed human rights body, the report stated that international campaigners have criticised human rights in Algeria's prisons, alledging unfair detention and poor prison conditions. The report noted that at a presentation in El Harrach prison, where inmates were awarded high school diplomas, Farouk Ksentini, chairman of the National Consultative Commission for Promotion and Protection of Human Rights, said "they should come and see how much prison conditions have improved in Algeria." Reported by Lamine Chikhi, 14 July 2010, at <http://af.reuters.com/article/topNews/idAFJOE66D0L220100714?sp=true>

**Court indicts ex-Guantanamo detainee:** The Jurist reported that an Algerian court has indicted Aziz Abdul Naji, former Guantanamo Bay detainee. Although the charges Naji is facing have not been revealed, the report said that he has been placed under judicial supervision and is required to appear at the local police station every week. Reported by Dwyer Arce, 27 July 2010, The Jurist at <http://jurist.org/paperchase/2010/07/algeria-court-indicts-ex-guantanamo-detainee.php>

## ANGOLA

**Human rights activist stands trial:** IOL reported that an Angolan human rights activist is to stand trial in the week of 29 July 2010 in connection with the separatist group FLEC's attack on the Togo soccer team in January 2010. According to the report, the arrest of lawyer Francisco Luemba and others, including priest Raul Tati, economist Belchior Tati and engineer Barnaber Paca Peso, was widely seen as a sign that "Angolan authorities were cracking down on its critics." Reported by IOL, 12 July 2010, at [http://www.iol.co.za/index.php?set\\_id=1&click\\_id=68&art\\_id=nw20100712125536546C368283](http://www.iol.co.za/index.php?set_id=1&click_id=68&art_id=nw20100712125536546C368283)

**Overcrowding of prison caused by lack of magistrates:** Angop quoted the Angolan Secretary of State for Human Rights, António Bento Bembe, saying that "the excess of prisoners in the Kwanza Sul penitentiary is a result of the reduced number of judicial magistrates in the central province of Angola." According to the report, Bembe made this statement after learning that the Sumbe prison in Kwanza Sul holds 1200 inmates, but was built for 300 inmates. The report also notes that according to Bembe the solution to this problem requires the nomination of more judges as there are only four judges in the region. Reported by the Angop, 13 July 2010, at [http://www.portalangop.co.ao/motix/en\\_us/noticias/politica/2010/6/28/Prison-overpopulation-due-shortage-magistrates,29068873-e4a5-494a-b999-7ae9aea1fda7.html](http://www.portalangop.co.ao/motix/en_us/noticias/politica/2010/6/28/Prison-overpopulation-due-shortage-magistrates,29068873-e4a5-494a-b999-7ae9aea1fda7.html)

## DEMOCRATIC REPUBLIC OF CONGO

**Prison break-out causes death of three inmates:** It was reported that inmates at Matadi prison broke out from the prison on 1 July 2010. The break-out occurred at a time that the DRC was preparing to celebrate its 50<sup>th</sup> anniversary of independence from Belgian rule. According to the report, some inmates expected to be released before the 50<sup>th</sup> anniversary. A prison official said that "thirty-one prisoners escaped, fifteen were recaptured and others are still on the run". The prison officer also said that three prisoners were shot and killed by the police, while another is seriously injured. Reported by the IOL News, 2 July 2010, at [http://www.iol.co.za/index.php?set\\_id=1&click\\_id=68&art\\_id=nw20100701221750416C327060](http://www.iol.co.za/index.php?set_id=1&click_id=68&art_id=nw20100701221750416C327060)

**An unusual conviction:** IRIN News reported on the conviction of Eleka Amungu for raping a 15-year-old in the DRC. According to the report, rape is very common, placing women at a most difficult position in the light of armed conflicts where rebels have used rape against women as a powerful weapon. Eleka Amungu testified that before committing the offence he knew it was illegal, but he knew that others had done it before and they got away with it without any sort of punishment. Eleka is now serving his sentence in a prison where other inmates have been convicted with rape including a soldier who said that "if they hadn't arrested me I wouldn't know it was a crime". Reported by the IRIN, 7 July 2010, at <http://www.irinnews.org/Report.aspx?ReportId=89494>

## GAMBIA

**Men sentenced to death for plotting coup:** It was reported that eight men, including a former



army chief, were sentenced to death for allegedly plotting a coup. According to the report, Judge Emmanuel Amadi said the men were guilty but had 30 days to apply for leave to appeal. Further, the report notes that it was not the first time that coups had been plotted against President Yahya Jammeh since he seized power in 1994. Reported by BBC News, 15 July 2010, at <http://www.bbc.co.uk/news/world-africa-10650294>

## **GHANA**

**Authorities keep holding prisoner after promises to transfer to country of origin:** The Wales News reported that the Ghanaian authorities are still holding UK citizen, Alan Hodgson, in prison after he had been told he would be returned to his country of origin. The report states that Hodgson was sentenced to 20-years' imprisonment with hard labour for his involvement in the largest cocaine haul in West Africa. It adds that, Hodgson was told he had won his right to be transferred back to a UK prison in March 2010. However, he is still incarcerated in Ghana at the Nsawam prison with unclear details as to when he will be effectively returned to the UK. Reported by Daniel Fisher, 5 July 2010, Wales News at <http://www.walesonline.co.uk/news/wales-news/2010/07/05/welshman-s-african-jail-hell-drags-on-months-after-promise-of-release-91466-26785120/>

**Prison service to intensify security at strategic points:** The heads of the Ghanaian prison services agreed to intensify security at strategic points in the country's prisons. The initiative to tighten prison security follows a recent break-out of prisoners at the Sekondi prison in May 2010. ASP Courage Atsem, Chief Public Relations Officer of the Ghanaian Prison Service, said that "before then, a technical team from headquarters will visit all prisons and assess the state of all physical structures and submit a report for appropriate action". He noted that the wooden gates at prisons would be substituted for heavy metal gates. He also added that "prison officers on duty will now be equipped with riot control equipment to prepare them for any eventuality. In order to meet the needs of prisoners and to ensure appropriate rehabilitation programmes, Mr. Atsem said "diagnostic centres would also be set up to help screen the inmates of all prisons". Reported by Peace FM on-line, 2 July 2010, at <http://news.peacefonline.com/social/201007/53805.php>

## **GUINEA- BISSAU**

**Waiting for a first prison:** BBC News reported that the existing prison facility in Guinea-Bissau grapples with serious security problems and general poor conditions. According to the report Guinea-Bissau's only detention facility is an old colonial house in the centre of the capital Bissau. The facility was not built as a prison, but desperation to lock away criminals turned it into a detention centre in 1999. The report noted that the building has no electricity, no running water and no beds. The report quotes Mr. Augusto Nhangá, the police commandant at Bissau, saying "If I am not here people will leave. There is no security here." The report also noted some attempts to improve the system, including the rehabilitation of two purpose-built prisons by the UNODC and the justice ministry. The report said it "will be the biggest and most visible achievement under the UN peace building fund for Guinea-Bissau." Reported by Rose Skelton, the BBC News at <http://www.bbc.co.uk/news/world-africa-10611635>

## **LIBERIA**

**New UN-built prison:** The UN News Centre reported that Liberia has benefited from a new UN-built maximum security prison, where it is also expected that peacekeepers will teach vocational skills to young people. According to the report, the newly built prison facility was handed over to Liberian President, Ellen Johnson-Sirleaf, by the Deputy Special Representative for

the Rule of Law at the UN Mission in Liberia, Henrietta Mensa-Bonsu. Reported by UN News Centre, 28 July 2010, at <http://www.un.org/apps/news/story.asp?NewsID=35462&Cr=Liberia&Cr1>

## **LIBYA**

**Amnesty International appeals for investigation of mass prison killings:** After releasing a controversial report exposing ill treatment of inmates in Libya, Amnesty International has called upon the Libyan authorities to investigate thoroughly the killings of an estimated 1200 inmates at Abu Salim Prison, Tripoli, on 29 June 1996. The report noted that since 2008 the families of the victims have repeatedly called upon the authorities to reveal the truth behind the killing of their relatives. Malcon Smart, Amnesty International Director for the Middle East and North Africa, said that “rather than trying to silence the families of the victims and keep the truth about the Abu Salim killings a state secret, the Libyan government must end the years of uncertainty and pain, conduct a thorough independent investigation and bring those responsible to account”. Reported by Bikya Masr, 1 July 2010, at <http://bikyamasr.com/wordpress/?p=14210>

**Tripoli extradites Niger nationals:** News24 reported that Libyan authorities repatriated more than 100 Niger nationals to their home country. Another 150 prisoners are also to be repatriated . The report noted the transfer of prisoners is in line with a judicial agreement signed between the two countries. Reported by News24, 6 July 2010, at <http://www.news24.com/Africa/News/Libya-extradites-Niger-prisoners-20100705>

## **KENYA**

**Court decision on appeal turns out to be heavier:** AllAfrica reported that an appeal by Shahasi Said Hamisi against a 20-year prison sentence turned for the worse when the court replaced the sentence with a sentence of life imprisonment and a fine of Sh 1 million (USD 12 500). According to the report, Hamisi was initially sentenced for her involvement in transporting drugs and for trying to bribe policemen who had arrested her with the drugs in 2008. Reported by Daniel Nyassy, 2 July 2010, at <http://allafrica.com/stories/201007020859.html>

**Court orders compensation for ex-prisoners:** BBC News reported that 21 former political prisoners were awarded approximately USD 500 000 to be shared amongst them as compensation for torture they suffered in the 1980s. According to the report, the former prisoners were illegally detained and tortured during President Daniel Arap Moi’s regime, which ended with his retirement in 2002. The report also noted that their lawyer welcomed the decision and said that it had been a ‘landmark ruling’. Reported by Peter Greste, 21 July 2010, BBC News at <http://www.bbc.co.uk/news/world-africa-10721384>

**PM opposes appeal against order to pay damages to ex-prisoners:** The Daily Nation reported that the Kenyan Prime Minister, Raila Odinga, has opposed plans by Attorney-General, Amos Wako, to appeal against a court’s order awarding ex-prisoners compensation. According to the report, the Kenyan Prime Minister said “the decision by Attorney-General was personal, as it had not been discussed within the government circle”. Reported by Oliver Mathenge and George Munene, 26 July 2010, at <http://allafrica.com/stories/201007261496.html>

**Man sentenced to 14-years for having sex with a donkey:** News24 reported that a court in Kenya has sentenced a man to 14-years in prison for having sex with a donkey. According to the report, Stephen Kipkemoi Rono pleaded guilty before a court in the southern town of Narok. The report said that the man “pleaded for leniency” after he explained to the court that he had been living alone since his wife left him to marry another man. Reported by News24, 28 July 2010, at

<http://www.news24.com/Africa/News/Kenyan-gets-14yrs-for-bestiality-20100728>

## **MALAWI**

**HIV in prisons impact on general population:** A study carried out by the Volunteers Services Overseas (VSO) revealed that HIV in prisons is impacting on the general population of Malawi. VSO officer, Caleb Muchungu, said that “the high incidences are as the result of forced sex to which young offenders are the most victims”. Reported by Afrique en ligne, 25 July 2010, at <http://www.afriquejet.com/news/africa-news/malawi:-hiv-in-prison-impacts-on-general-population---study-2010072553374.html>

## **MOZAMBIQUE**

**Prisons to produce food:** Macauhub reported that in the long run prisons will stop depending on a budget from the State. The report said that the current prison population (approximately 14 000 inmates) accounted for an expenditure of about USD 15 million. It also noted that SNAPRI (Prison Services) expects to yield an estimated harvest of 3000 tons of food. The prison management board expects to increase the production area in the future to include a further 1000 hectares of land in the Provinces of Nampula and Manica, where inmates are expected to undertake agri-livestock activities. Other activities aimed to making prisons more self-sufficient include carpentry and joinery, as well as cashew-nut production. Reported by Macauhub, 2 July 2010, at <http://www.mcauhub.com.mo/en/news.php?ID=9704>

**Outdated laws cause prison overcrowding:** AllAfrica News reported that overcrowding in Mozambique prisons are caused by outdated laws applied in the country’s prison system. Citing Abdul Carimo, head of the Law Reform Unit (UTREL) in Mozambique, the report said the penal code was last revised in 1986 and it needs rewriting. The report also noted that “prison sentences are imposed for minor offences.” Reported by All Africa, 29 July 2010, at <http://allafrica.com/stories/201007290939.html>

## **MOROCCO**

**King grants full and partial pardons to prisoners:** The Bernama reported that 980 prisoners were granted full and partial pardons by King Mohammed VI on the celebration of Throne Day on 30 July 2010. According to the report, five prisoners were pardoned from the remainder of their prison term, while 599 others had their sentences reduced. Others saw their imprisonment terms and fines annulled. The report also said that royal pardon is a customary practice in Morocco. Reported by the Bernama, 30 July 2010, at <http://www.bernama.com/bernama/v5/newsworld.php?id=517700>

## **NAMIBIA**

**Human rights training manual for prison officers:** The New Era reported that the Office of the Ombudsman has launched a training manual on human rights for Correctional Services officials. The report noted that 877 correctional officers at 13 prisons have benefited of training workshops. It also noted that the training manual is a user-friendly resource that aims to build on human rights standards, principles and approaches to professional practice. Reported by the New Era, 20 July 2010, at <http://www.newera.com.na/article.php?articleid=12061>

## **NIGERIA**

**Former boss of law enforcement agency appeals against conviction:** The Vanguard reported that

the former chairperson of the Nigerian National Drug Law Enforcement Agency, Bello La Fiaji, and his assistant, Usman Amali, have appealed against a decision of a lower court which found them guilty of conspiracy and abuse of office. The two men were convicted in June 2010 for their involvement in allegedly stealing Euros 164 000 from a drug dealer. The report noted that the two have challenged the decision of the lower court on the grounds that the court had not considered the evidence brought by their defence counsel and that the sentence was excessive for the evidence brought by the prosecution. Reported by Innocent Anaba, 6 July 2010, The Vanguard at <http://www.vanguardngr.com/2010/07/06/ex-ndlea-boss-appeals-conviction/>

**Partnership to help decongest prisons:** It is reported that the Minister of State for the Interior, Mr. Humphrey Abbah said that “the ministry will partner the judiciary, police and other stakeholders in facilitating the quick dispensation of justice, as part of measures to fast-track the decongestion of prisons. According to the report, the minister described the high number of inmates awaiting trial, saying that a situation where 995 detainees out of a total of 1238 inmates in the cells were awaiting trial was unacceptable. The minister also noted that “the issue of overcrowding in prisons has been a recurring decimal.” The report notes that the minister promised to take appropriate measures to facilitate the release of prisoners, including those who remained in prison awaiting trial for longer than the sentence they can receive. Reported by the Punch, 7 July 2010 at <http://www.punchng.com/Articl.aspx?theartic=Art201007075122878>

**Decongestion programmes for prisons are questioned:** ThisDay Online reported that Nigerian prison decongestion programmes are being questioned. According to the report, Nigeria’s total prison population is 46 000, of which 30000 are awaiting trial and more than 800 are on death row. The report also noted that analysts have suggested that the reasons for prison congestion are the reckless disregard of the provisions of the constitution and the indiscretion of judges and magistrates handling cases. Reported by Devidson Iriekpen, 19 July 2010, at <http://www.thisdayonline.com/nview.php?id=178653>

**Lawyers implicate the judiciary for congestion of prisons:** Next reported that Nigerian lawyers have blamed the judiciary for the overcrowding in prisons. The report said that over 80 per cent of people in Nigerian prisons are awaiting trial. According to the report, this information was revealed by Norrison Quakers, a legal practitioner, during the Lagos International Law Summit organised by the Nigerian Bar Association and the Open Society Justice Initiative. Reported by Adeola Adeyemo, 23 July 2010, at <http://234next.com/csp/cms/sites/Next/ArtsandCulture/x2/XFactor/Features/5597579-147/story.csp>

## **RWANDA**

**ICTR sentences 75 year-old to 25 years’ imprisonment:** News24 reported that the International Criminal Tribunal for Rwanda (ICTR), based in Arusha, has sentenced Yusuf Munyakazi to 25 years’ imprisonment for his involvement in the killing of approximately 5000 Tutsi during the 1994-Rwandan genocide. The report, citing ICTR Judge Florence Rita Array, said that Munyakazi was convicted for his involvement in the killing of Tutsis who had sought refuge at two churches in Cyanguru prefecture, South-West Rwanda. According to the report “Munyakazi becomes the oldest person ever to be sentenced by the ICTR”. Reported by the NEWS24, 1 July 2010, at <http://www.news24.com/Africa/News/Rwandan-gets-25-yrs-for-genocide-20100701>

**Pastor arrested and transferred to Arusha:** IOL reported that a pastor, Jean-Bosco Uwinkindi, a Rwandan genocide suspect, who was arrested in Uganda, has been transferred to the United Nations tribunal in Arusha. Citing Roland Amoussouga, spokesperson of the International Criminal

Tribunal for Rwanda, the report said “he will appear before a judge very shortly.” Reported by IOL, 5 July 2010, at [http://www.iol.co.za/index.php?set\\_id=1&click\\_id=68&art\\_id=nw20100704222625628C156225](http://www.iol.co.za/index.php?set_id=1&click_id=68&art_id=nw20100704222625628C156225)

**Journalist arrested for comparing Kagame to Hitler:** News24 reported that Rwandan journalist, Saidati Mukakibibi, was arrested on charges of defamation, inciting public disorder and ethnic divisionism. According to the report, which quoted police spokesperson Eric Kayiranga, the journalist “wrote articles through the paper comparing President Kagame to Hitler.” The police spokesperson also said that behind the President’s picture the journalist had placed insignia of the Nazis, causing public disorder, divisionism and spreading rumours that can cause insecurity. Reported by the News24, 13 July 2010, at <http://www.news24.com/Africa/News/Journo-held-for-likening-Kagame-to-Hitler-20100713>

**Officials complete training in prison management:** AllAfrica reported that the directors and other senior managers of 14 prisons have completed training in prison management, prison systems and correctional strategies. According to the report, the four-day training programme focussed, amongst others, on international human rights and problem identification and analysis of options for improving prisoners’ welfare. Reported by Ivan R Mugisha, 30 July 2010, at <http://allafrica.com/stories/201007300091.html>

## SENEGAL

**Teacher gets one year for beating students:** It was reported that a teacher at a Koranic school in the Grand-Yoff area on the outskirts of the capital Dakar, was sentenced to one year imprisonment for beating and injuring severely two of his students, respectively aged nine and twelve years. The report noted that the sentence was lower than the three years in prison which was requested by the prosecutor. According to the report, the decision of the court was handed down after Human Rights Watch exposed concerns about many such students who claimed that “they lived in conditions akin to slavery”. The source also noted that the evidence brought to the court revealed that the two boys were incapacitated for 21 days after the beatings. The same report also noted that in 2008 a teacher was sentenced to three years in prison for mistreating an eight year-old. Reported by IOL, 29 June 2010, at [http://www.iol.co.za/index.php?set\\_id=1&click\\_id=68&art\\_id=nw20100629202508936C454840](http://www.iol.co.za/index.php?set_id=1&click_id=68&art_id=nw20100629202508936C454840)

## SEYCHELLES

**Court sentences Somali pirates:** BBC News reported that eleven Somali pirates have been sentenced to ten years in prison in the Seychelles for attempting to seize a coastguard boat in December 2009. The report also noted that other 29 Somali men are awaiting trial for suspected piracy in the Seychelles. Reported by BBC News, 26 July 2010, at <http://www.bbc.co.uk/news/world-africa-10763605>

## SUDAN

**UNAMID donates temporary shelter to alleviate overcrowded prison:** AllAfrica reported that the UNAMID (African Union/UN Hybrid operation in Darfur) and the UNHCR (Office of the United Nations High Commissioner for Refugees) have provided equipment for temporary shelters to help ease the overcrowding in Kheir Khanaga Women’s Prison in El Fasher, North Darfur. The report noted that there are 90 female inmates housed in the facility, some of whom are accompanied by their children. According to the report, UNAMID seeks to work with other UN partner agencies and with the “North Darfur Prison Authority on helping to improve services, rehabilitate facilities, train

corrections officers and provide child-friendly spaces.” Reported by All Africa News, 13 July 2010, at <http://allafrica.com/stories/201007131062.html>

## SWAZILAND

**Prisoners benefit from HIV testing and counselling:** It was reported that Swaziland authorities aim to undertake HIV testing and counselling at all prisons in the country. Quoting a staff nurse at the Matsapha Central Prison, Ann Motsa, the report noted that despite the initiative the main challenge the authorities are currently facing is getting inmates accepting to go to the testing and counselling facility. “We have trained dozens of peer educators who go out and talk to their fellow inmates”, Motsa said about the efforts to convince inmates to undertake testing and counselling. Reported by James Hall, 30 June 2010, the Observer at <http://www.observer.org.sz/index.php?news=14382>

**Children sharing cells with adult inmates:** It was reported that children are being kept in prison cells with adult offenders in Swaziland. According to the report, the matter was raised in a High Court bail application when a judge found that children awaiting trial were being kept in the same cells as adult offenders at Pigg’s Peak prison. Judge Thomas Masuku said “it is not right for children to be kept in custody” and “why should children be kept with adults?” In reaction to the statement by the judge, a spokesperson of Correctional Services said that they knew this had happened, but said that there was a shortage of space. The report noted a statement by an official of Save the Children, Elizabeth Kgololo, who said that the risk of this practice is that “children are vulnerable to being molested and abused by adult criminals.” Reported by the SOS Childrens’ Village, 15 July 2010, at <http://www.soschildrensvillages.org.uk/charity-news/children-sharing-prison-cells-with-adults-in-swaziland>

## TANZANIA

**Court sentences man to death by hanging:** News24 reported that a court in Tanzania has sentenced a man to death by hanging for the murder of an albino girl in 2008. According to the report, the murder was associated to the ritual killings of albinos in Tanzania, which is believed to bring luck. The report said that some witnesses testified that “the accused chopped off the child’s legs and drank her blood.” Reported by Nwes24, 27 July 2020, at <http://www.news24.com/Africa/News/Tanzanian-to-hang-for-killing-albino-20100727>

## TUNISIA

**Alleged terrorists sentenced to between two and twelve years:** It was reported that a Tunisian court has convicted eight people on terrorism-related charges and sentenced them to prison terms ranging from two to twelve years. Citing a defence lawyer, Samir Ben Amor, the report noted that the eight “accused were convicted of ‘belonging to a terror group’ and ‘inciting terrorist acts’.” The report also noted that two were convicted *in absentia*, while the others alleged that they had been tortured to extract confessions. Reported by IOL, 10 July 2010, at [http://www.iol.co.za/index.php?set\\_id=1&click\\_id=68&art\\_id=nw20100710203814462C451047](http://www.iol.co.za/index.php?set_id=1&click_id=68&art_id=nw20100710203814462C451047)

## UGANDA

**A total of 9 600 rebels get amnesty:** AllAfrica reported that a total of 9 600 ex-rebels who instigated the civil strife in the West Nile region have received amnesty from the Ugandan government. According to the report, another 2 600 ex-rebels have been added to previous 7 000 ex-rebels who had been given government amnesty. Reported by Frank Mugabi, 3 July 2010, All

Africa at <http://allafrica.com/stories/201007050261.html>

**Journalist denied trial, pressured to apply for amnesty:** According to News24, a Ugandan journalist, Patrick Otim, has been detained for more than a year while facing treason charges and is being denied the right to appear in court. The report also noted that his lawyer, Ladislaus Rwakafuuzi, said that Otim was arrested in 2009 and accused of conspiring to overthrow the government with 13 others. It also adds that according to his lawyer, Otim and his fellow accused are political prisoners and should therefore be given priority so that the courts are not seen to be used by politicians. He expressed that Otim and the others are being pressured to apply for amnesty, a controversial provision in Ugandan law that gives blanket immunity to all rebels provided that they fully confess to the offences they have committed. Reported by the News24, 6 July 2010, at <http://www.news24.com/Africa/News/Ugandan-journalist-denied-trial-20100706>

## ZAMBIA

**Journalist calls for overturn of editor's conviction on appeal:** IOL reported that 23 journalists known worldwide for their efforts to maintain freedom of press have requested the Zambian authorities to reverse on appeal the conviction of the editor of the Zambian Daily, Fred M'membe. According to the report M'membe was sentenced in June 2010 to four months in prison with hard labour for publishing an article which criticised a case against a colleague who was tried for publishing photo of a woman giving birth. Reported by the IOL, 9 July 2010, at [http://www.iol.co.za/index.php?set\\_id=1&click\\_id=68&art\\_id=nw20100709163018308C736513](http://www.iol.co.za/index.php?set_id=1&click_id=68&art_id=nw20100709163018308C736513)

## ZIMBABWE

**Amnesty International demands release of human rights activist:** The Times reported that Amnesty International has called for the release of Farai Maguwu who is said to have leaked a military document highlighting continued violence at the Chiadwa diamond field to an official monitor of the Kimberly Process Certification Scheme. According to the report, Amnesty International has alleged that Maguwu is a "prisoner of conscience who was being persecuted for carrying out his lawful work of monitoring and documenting alleged human rights violations at Chiadwa". Amnesty International Director for Africa, Erwin van der Borgt, requested the Harare authorities to release Maguwu immediately and unconditionally. The source also noted that "Maguwu has been in police custody for over a month". Reported by Jan Raath, 6 July 2010, the Times Live at <http://www.timeslive.co.za/africa/article536768.ece/Amnesty-demands-release-of-Zimbabwe-diamond-field-rights-activist>

**Judge releases human rights activist on bail:** Following sustained pressure by civil society organisations the Zimbabwean authorities have released human rights activist Farai Maguwu on bail. News24 reported that Farai Maguwu had been detained for more than five weeks on charges of passing false information on diamond-mining violations to the international diamond control body. His release followed Judge Mawadze Gurainesus' denial of the prosecutor's allegations that he could interfere with witnesses being called for police investigations. Reported by News24, 12 July 2010, at <http://www.news24.com/Africa/Zimbabwe/Zim-diamond-activist-freed-on-bail-20100712>

**Senior prison officers abuse government funds:** The Zimbabwean reported that senior officials in the Zimbabwe Prison Services are abusing government funds allocated to the prison services. According to the report, these officials are fond of hiring expensive luxurious cars costing the government a daily fee of approximately USD 150 for each vehicle. The report further notes that

they engaged in such practices after complaining that the Mazda Eagle vehicles which they had been using are now unsuitable for their status. Meanwhile, junior officials are left to use their own resources to attend to inmates receiving treatment at Harare hospitals. The shortage of vehicles had forced them to work between 12 to 18 hours each day. Reported by the Zimbabwean, 6 July 2010, at [http://www.thezimbabwean.co.uk/index.php?option=com\\_content&view=article&id=32407:zps-bosses-abuses-funds&catid=72:thursday-issue](http://www.thezimbabwean.co.uk/index.php?option=com_content&view=article&id=32407:zps-bosses-abuses-funds&catid=72:thursday-issue)

**Pakistan men arrested and denied bail:** The Mercury reported that two men from Pakistan who had been arrested at the Beit Bridge border, were denied bail at the Magistrate Court in Harare. According to the report, when the men were arrested they were in possession of illegal documents and they had falsified their identity. Reported by Mercury, 7 July 2010, at <http://www.themercury.co.za/index.php?fSectionId=2867&fSearch=1&fQuery=pakistani+pair+remanded>

**Maguwu faces new charges:** AllAfrica News reported that the diamond researcher and human rights activist, Farai Maguwu, who was released on bail from Harare prison in mid-July 2010, is facing new charges. According to the report, this time Maguwu is charged with possessing a stolen vehicle. After being arrested, Maguwu was released on the same day to the custody of his lawyer, Tinoziva Bere, who said that the “police had no evidence to suggest that the car was stolen.” Reported by Alex Bell, 28 July 2010, at <http://allafrica.com/stories/201007281131.html>

**Prisoners facing death risk due to hunger and HIV:** The Zimbabwe Independent reported that hunger and disease continue to affect Zimbabwean prisoners, threatening thousands of prisoners. Prisoners told the newly-appointed Justice Deputy Minister, Obert Gutu, how grave their conditions were despite several promises by the coalition government to improve the situation. The report said many prisoners’ are only “skin and bone” due to malnutrition and others, who are living with HIV, have no access to antiretroviral drugs and supplementary diet recommended by doctors. Reported by the Zimbabwean Independent, 29 July 2010, at <http://www.theindependent.co.zw/local/27459-zimbabwe-prisons-a-death-trap-.html>

**Children in prisons are a human rights issue:** The Standard reported that the question of children living with their parents in prisons is a human rights issue. According to the report Deputy Justice Minister, had visited prisons in late July 2010. The report said it was most sad for the Minister to see children living with their parents in prison facilities. The report also noted that there are debates around the issue but no consensus had been achieved as yet. Reported by the Standard, 31 July 2010, at <http://www.thestandard.co.zw/opinion/25863-comment-children-in-cells-is-a-human-rights-issue.html>

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## OTHER

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**Declaration of commitment for HIV and AIDS prevention:** It was reported that the United Nations Office on Drugs and Crimes (UNODC) is currently making efforts to address pressing HIV and AIDS issues affecting prisons in most African countries. According to the report published on the UNODC website, 27 African countries have adopted a declaration of commitment to HIV and AIDS prevention, care, treatment and support in prisons. The document is a result of a network partnership spearheaded by the UNODC seeking to help members to address the broader correctional and prison reform challenge in Africa and to support the work of both correctional



services and national AIDS council across the continent. Reported on 22 July 2010, UNODC at <http://www.unodc.org/unodc/en/frontpage/2010/July/partnership-to-promote-management-of-hiv-in-prisons-in-africa.html>

**UN concerned about AIDS in prison:** Manfred Nowak, UN top investigator on torture and punishment has warned that overcrowded prisons are breeding grounds for AIDS. Nowak also said prisoners are held in inhumane conditions in which the HIV virus is spread through the use of non-sterile drug injection equipment, sexual contacts, tattooing and sharing of razors. Bearing the gravity of the situation, Nowak said governments should inform prisoners of the risk of HIV infection and offer free HIV testing and counselling. Reported 23 July 2010, at [http://news.yahoo.com/s/ap/20100723/ap\\_on\\_re\\_eu/eu\\_austria\\_aids\\_conference](http://news.yahoo.com/s/ap/20100723/ap_on_re_eu/eu_austria_aids_conference)

**HIV and TB in Southern African prisons:** Human Rights Watch reported that HIV and tuberculosis infections are alarming in prisons in Southern African countries. The report further highlights that the prisons in these countries are facing a crisis due to overcrowding and poor health conditions. Reported by Joseph Amon, 23 July 2010, at <http://www.hrw.org/en/news/2010/07/23/hiv-and-tb-prison-crisis-southern-africa>

**ICC suspends release of DR Congo's Lubanga:** BBC News reported that the ICC has suspended its decision to release DRC Congo's Thomas Lubanga. According to the report, the suspension followed prosecutors' appeal against the court's decision to release Lubanga after his trial was suspended in mid-July 2010. The report also noted that Lubanga has not pleaded guilty to charges of recruiting child soldiers in eastern Congo between 2002 and 2003. Reported by BBC News, 23 July 2010, at <http://www.bbc.co.uk/news/world-africa-10746248>

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