

In this Issue:

GOVERNANCE AND CORRUPTION

PAROLE AND SENTENCING

PRISON CONDITIONS

OTHER

OTHER AFRICAN COUNTRIES

[Top of Page](#)

GOVERNANCE AND CORRUPTION

New National Commissioner for DCS: Cabinet has appointed a new National Commissioner of Correctional Services, Tom Monyane. Before Monyane's appointment, he was the Chief Executive of the Government Printers, Die Burger reported. The new commissioner replaces Xoliswa Sibeko, who was suspended in 2009 for alleged graft. Die Burger reported that Sibeko and the Gauteng Commissioner, Thozama Mqobi-Balfour, were accused of renting luxury houses in Pretoria while their official residences remained unoccupied. They were found not guilty after a disciplinary hearing, but Sibeko was placed on special leave because of a deteriorated relationship with the Minister of Correctional Services, Nosiviwe Mapisa-Nqakula. *Original report in Afrikaans.* Reported by Philda Essop, 5 May 2010, Die Burger, at <http://www.dieburger.com/Suid-Afrika/Nuus/Minister-stel-nuwe-DKDhoof-aan-20100505>

Prison officials could be charged for complicity: A report in The Mercury alleged that Nosiviwe Mapisa-Nqakula, Minister of Correctional Services, is pushing for charges against ten Durban Westville Prison officials who allegedly conspired in the February 2010 prison escapes at the Westville prison, where nine high-risk, awaiting-trial prisoners escaped. According to the report, the suspended officials are likely to face an internal disciplinary hearing and if found guilty, they could be charged for assisting in an escape and face imprisonment. The Minister made the statement during a report to Parliament's Portfolio Committee on Correctional Services. Mercury, 5 May 2010, at

<http://www.themercury.co.za/index.php?fSectionId=2875&fRequestedUrl=%2Findex.php%3FfArticleId%3D5457897> (Full subscription needed)

Prison official arrested for running a dagga business in prison: A Barberton prison warder has been arrested for allegedly running a dagga smuggling business in the prison, The Sowetan reported. The 38-year-old Patson Nyathi, who briefly appeared in the Barberton magistrate court on 12 May 2010, was granted bail of R500. Nyathi was arrested on 14 March 2010 after the police received a tip-off about the alleged dagga trade he was operating inside the prison. A spokesperson for the department confirmed that the warder has been suspended. Reported by Masoka Dube, 13 May 2010, Sowetan, at <http://www.sowetan.co.za/News/Article.aspx?id=1141482>

Dismissed prison warders reinstated: The Labour Court in Cape Town has ordered the reinstatement of five Pollmoor prison warders, including three Rastafarians, who were dismissed for refusing to shave off their dreadlocks. IOL news reported that the men were suspended in February 2007, and in July of the same year they were dismissed from their positions for allegedly refusing to obey the instructions of the former Pollsmoor's Area Commissioner, Mandla Mkhabela, to shave off their dreadlocks. Dreadlocks were, according to the commissioner, not in line with the department's dress code. The court found no evidence sufficient to support the dismissal. The court ordered the Department of Correctional Services to reinstate the warders and pay whatever benefits they may have lost. SAPA, 14 May 2010, IOL, at

http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=nw20100513221520441C103154

DCS faces R900m in damages: The Correctional Services Minister, Nosiviwe Mapisa-Nqakula, has expressed shock at an 'an outrageous' R900m damages suit against her department. A Cape Argus report said she refused to name the party whose claim was documented in its 2008/09 annual report as part of its R988m contingent liabilities. Mapisa-Nqakula said that the R900m claim was far above the claims paid out by the department in that year, which were between R15 000 and R60 000. She said the claim had not been taken 'beyond a letter of demand'. Cape Argus, 17 May 2010, at

<http://www.capeargus.co.za/index.php?fSectionId=3179&fRequestedUrl=%2Findex.php%3FfArticleId%3D5473075> (Subscription needed)

The Department of Justice investigates corruption at court: *Rapport* reported that the Department of Justice is investigating alleged corruption at the North Gauteng High Court involving senior court personnel and lawyers. The giving and receiving of bribe was exposed after it was alleged that lawyers bribed court personnel with liquor, free lunches, chocolates and cash to obtain earlier trial dates on the court's crammed roll. A senior court official, Yvonne Brink, has been accused of 'helping' an attorney get an earlier trial date. The *Rapport* report said that the Department of Justice has initiated investigations and if the allegations are found to be true, could lead to disciplinary proceedings, criminal charges and prosecution. *Original report in Afrikaans*. Reported by Herman Scholtz, 23 May 2010, *Rapport*, at <http://www.rapport.co.za/Suid-Afrika/Nuus/Herrie-oor-sjokolade->

PAROLE AND SENTENCING

10,000 police officers serving prison terms: A report in IOL said that more than 10 000 South African police officers are currently in prison. The statement was made by the National Commissioner General of police, Bheki Cele, during a funeral service of three police officers recently killed. However, the Commissioner did not disclose how many of the police officers have been sentenced and how many are awaiting trial. SAPA, 4 May 2010, IOL, at

http://www.iol.co.za/index.php?fsetid=1&click_id=15&art_id=nw20100504085422608C996575

Prisoner claims his continuous imprisonment is unconstitutional: A convicted murderer is tackling the parole issue in the Constitutional Court, claiming the stipulation that prisoners serving life sentences may only be considered for parole after 20 years does not apply to him. A Beeld report said that Paul van Vuren was sentenced to death in 1992 for the murder of a 19-year old British tourist near Sun City. His death sentence was later commuted to life imprisonment. According to a Beeld report, Van Vuren argued that his imprisonment is unconstitutional as offenders given life sentences during that period qualified for parole after 15 years. *Original report in Afrikaans*. Reported by Philip de Bruin, 6 May 2010, Beeld, at <http://www.beeld.com/Suid-Afrika/Nuus/Moord-op-toeris-nes-n-gaping-vir-senter-hof-20100506>

Police station commissioner sentenced to 4 years: A report on IOL said that a former police commissioner has been sentenced to 4 years imprisonment by the Parow Regional Court. Siphiwo Hewana, was found guilty of attempting to defeat the ends of justice when he allegedly covered up a charge of drunk driving against ANC stalwart Tony Yengeni. He will have to serve at least eight months, or one sixth of the sentence, in prison before he will be eligible to be placed under correctional supervision. It is reported that his attorney, Greg Duncan, is expected to file an application for leave to appeal. Reported by Michelle Jones, 11 May 2010, IOL, at

http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=vn20100511043603383C872313

SCA dismisses Visser's application to appeal: The Supreme Court of Appeal (SCA) dismissed an application for leave to appeal by Cezanne Visser, also known as Advocate Babie, IOL reported. Visser was found guilty of 11 sex-related offences against minors including indecently assaulting two teenage girls and soliciting a teenager to commit indecent acts; indecently assaulting two women and benefiting from the indecent assault of a third; defrauding a children's home and possession and manufacturing of child pornography. According to the report Judge Chris Eksteen, refused to grant Visser leave to appeal based on his finding on the merits of the case. SAPA, 13 May 2010, IOL at

http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=iol1273760288154B610

Cezanne Visser reports for 7 year sentence: Cezanne Visser, also known as Advocate Babie, is reported to have handed herself over at the Pretoria High Court after the court found her guilty of sexual acts with minors. According to an IOL report, Visser had previously admitted to committing sexual acts with minors and removing them from a children's home under false pretences. Visser, who in mitigation of sentence, claimed that she was under the influence of her former co-accused, Dirk Prinsloo, who is currently serving a prison term in Belarus for armed robbery. Acting Judge Piet Van der Bijl, in delivering his judgement, told the accused that her name would now appear on the sexual offences register and she could not be employed to work with children. IOL, 17 May 2010, at

http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=iol1274085951526B610

Boeremag trio claim they're prisoners of war: A report in The Mercury said that the Boeremag trio have filed an application in the Pretoria High Court claiming that they are prisoners of war. According to the report, three brothers charged in the Boeremag trial have told the court that they had not been ordinary criminals who committed crimes for gain, but 'soldiers in a liberation struggle'. The state is to oppose it. They claim that they had not been part of a plot to overthrow the government, but to further the aims of the Boerevolk in their struggle for self-determination. They are calling upon Judge Eben Jordaan to afford them protection under the Geneva Conventions and Protocols. The brothers claimed that they held ranks in the 'war' and acknowledged that they had participated in several activities for which the state accused them. Mercury, 20 May 2010, at

<http://www.themercury.co.za/index.php?fSectionId=2875&fRequestedUrl=%2Findex.php%3FfArticleId%3D3942351> (Full subscription needed.)

PRISON CONDITIONS

[Top of Page](#)

AIDS Law Project expands prison health care: According to a report in Health-e, the Aids Law Project has been saving the lives of many prisoners infected with HIV for the past 17 years. This has been possible through securing cheaper medicines for prisoners, especially when the government was unable to provide the necessary medical assistance to prisoners, the paper noted. Reported by Kerry Cullinan, 7 May 2010, Health-e, at <http://www.health-e.org.za/news/article.php?uid=20032775>

Over 500 beds reserved for world cup offenders: The Department of Correctional Service in Nelspruit, Mpumalanga, has set aside 533 beds for offenders during the World Cup, The Sowetan reported. The area commissioner for correctional services in Barberton, Nelspruit and Lydenburg, Sonnyboy Mdawe, announced during a meeting that 553 beds had been reserved at the prison. "We have made available 505 beds for male offenders and 48 beds for female offenders at Nelspruit correctional services. "We have transferred more than 400 prisoners from the Nelspruit correctional centre to other facilities such as Bethal, Witbank and Barberton to make way for the offenders during the soccer games," Mdawe said. Reported by Riot Hlatshwayo, 10 May 2010, Sowetan, at <http://www.sowetan.co.za/News/Article.aspx?id=1140276>

Correctional Services is ready for World Cup offenders: Deputy Commissioner Tebogo Motseke of the Department of Correctional Services told MPs that they expect

'soccer-related crime' to be dealt with on a 24-hour basis, a Beeld report noted. The report stated that special arrangements have been put place for the criminal justice system to attend to World Cup related crimes. Motseke said 'Anybody who is involved in a soccer-related crime will be held in a cell at the stadium or at a police station. The Department has also made provision (for special incarceration spaces) in case there is flood of offenders in the host cities.' Foreigners who are accused of drug-related offences are excluded from the special '2010-related crimes' category. Special arrangements will also be in force between the Department of Correctional Services and the courts to minimise the transfer and transport of detainees, Beeld reported. *Original report in Afrikaans*. Reported by Philda Essop, 12 May 2010, Beeld, at <http://www.beeld.com/Suid-Afrika/Nuus/Spesiale-plek-in-tronke-gehou-vir-WB-2010-se-misdadigers-20100512>

Correctional Services create space in preparation for world cup: The Deputy Commissioner of prisons, Teboho Motseki, has told Parliament's Portfolio Committee on Correctional Services that prisoners could be moved to create space for an eventual overflow of world cup related offenders, USATODAY reported. The Department is alleged to have created holding cells near stadiums thus indicating its preparedness in dealing with criminals. More than 350 000 visitors are expected in the country USATODAY reported. USATODAY, 12 May 2010, at http://www.usatoday.com/sports/soccer/2010-05-12-3549139103_x.htm

Shortage of staff fuelling violence in prison: The Department of Correctional Services reported to Parliament's Portfolio Committee that a shortage of staff is contributing to continuous violence in prisons, The Times Live reported. Correctional Services Acting National Commissioner, Jenny Schreiner, told the Committee that addressing prison violence was an uphill task because of prisoners' history and state of mind which predisposes them to violence. Furthermore it was reported that staff shortages and the current shift system resulted in prisoners being locked up for 23 hours per day and this is a major cause of prison violence. According to the report, Correctional Services Deputy Commissioner, Teboho Motseki, this has resulted in a situation where "In most instances [?] staff have been involved in assaults, when you investigate you find that it had something to do with the gangs. So you have a situation where staff were directly involved in a conflict situation [with prisoners]". Reported by Nkululeki Ncana, 12 May 2010, The Time Live, at <http://www.timeslive.co.za/local/article447331.ece/Violence-in-prisons-out-of-control--admits-government>

Prison department yet to overcome sexual violence: The Department of Correctional Services has admitted its failure to crack down on sexual violence in prisons, iAfrica reported. The admission was made during a meeting with Parliament's Portfolio Committee on Correctional Services. iAfrica noted that it came as a surprise to parliamentarians that sexual violence has become a part of everyday life in prisons. It was reported that prisons in South Africa can accommodate around 115 000 prisoners, but currently hold 175 000. The Department's Teboho Motseki blamed the incidents partly on current staff shortages which make it virtually impossible for warders to prevent rapes. Reported by Regan Thaw, 13 May 2010, iAfrica, at <http://news.iafrica.com/sa/2412403.htm>

Prisoners were forced to eat human excrement: It was reported by The Cape Times that three prisoners at Boksburg Prison, who protested against poor nutrition and inhumane conditions of detention, were in turn forced to eat human excrement by three

warders. The Cape Times report noted that after an internal investigation that found overwhelming evidence against the three warders, two were acquitted while a third was given a warning. A leaked letter from the Inspecting Judge for Correctional Services, Judge Deon van Zyl, requested the Minister of Correctional Services, Nosiviwe Mapisa-Nqakula, to review the warders' case. In the letter, Van Zyl expresses his strong dissatisfaction with the punishment meted out. Cape Times, 26 May 2010, at <http://www.capetimes.co.za/index.php?fSectionId=3235&fRequestedUrl=%2Findex.php%3FfArticleId%3D5486215> (Subscription needed)

OTHER

[Top of Page](#)

Prison warden claims R8m in damages: A report in Beeld noted that the Minister of Safety and Security has acceded to the merits of a civil claim by a prison warden who was paralysed after being shot several times during a hostage situation at the Zonderwater prison near Cullinan. Dirk Thiart was in charge of the Medium A section of the prison where the incident took place and is claiming R8 million in damages. According to a Beeld report, when the prisoners fled in the vehicle with Thiart, the police opened fire on the vehicle in 'a reckless and totally unnecessary manner'. Thiart was shot nine times. *Original report in Afrikaans.* Reported by Jeanne-Mari Versluis, 12 May 2010, Beeld, at <http://www.beeld.com/Suid-Afrika/Nuus/Bewaarder-eis-n%C3%A1-skote-van-polisie-hom-verlam-20100512>

Prisoner apologises to victims: A serial killer, Siphon Mthandeni Dube, in a report by the Sowetan, has apologised to his victims for the crimes he committed against them. In 2004 Dube was arrested and sentenced to 10 life terms and 114 years imprisonment. Judge Seun Moshidi found him guilty of 31 crimes, including the murders of six children and a woman, 11 kidnappings, three rapes, six indecent assaults, one assault with intent to cause grievous bodily harm, one common assault, one robbery and one theft, Sowetan reported. According to the report, Dube said "Firstly, I want to apologise to the families of my victims and to everyone that I have hurt," and "I understand that I do not have a chance of being released, but I want to bring some healing to those I have hurt. I know people are still asking 'why was I a serial killer for nine years'." Reported by Katlego Moeng, 24 May 2010, Sowetan, at <http://www.sowetan.co.za/News/Article.aspx?id=1144805>

Prison chaplain attacked during prayer session: The chaplain at the Leeuwkop prison near Johannesburg has complained against alleged "Satanism" at the prison. According to a Sowetan report, Father Jordan Ngondo, a Roman Catholic priest, has been engaged in anti-satanic practices at the prison despite opposition from colleagues and bosses. Father Jordan Ngondo was reportedly attacked during one of his prayer sessions by an unknown person. "I heard footsteps and then a brick was thrown towards me and missed my forehead. The person who did that ran away. The situation has become volatile. I am receiving counselling and have to always check my back," said Ngondo. Department of Correctional Services spokesperson Simphiwe Kondleka said he had advised Ngondo to follow procedures to lay a complaint with the prison management. Reported by Getrude Makhafola, 31 May 2010, Sowetan, at <http://www.sowetan.co.za/News/Article.aspx?id=1147218>

ALGERIA

Journalist sentenced to 6 months for slander: The court of First Instance of Mostaganem has sentenced the General Director of a local newspaper, Reflexion, to six months in prison for defamation. According to the report, the freedom of expression group, WGFENA has expressed its disappointment with the decision of the court with regards to the imprisonment of Mr. Belhamideche Belkacem. Belkacem was sued for defamation by the President of the People's Congress of Ain Boudinar in the area of Mostaganem, following the publication of an article in which the editor of Daily Reflexion criticised corrupt practices of government officials. *Original report in French.* Reported by L. Ammar, 14 May 2010, Rflexion, at <http://www.lequotidienalgerie.org/2010/05/18/six-mois-de-prison-ferme-pour-le-journaliste-belhamideche-belkacem-pour-avoir-denonce-la-corruption/>

512 prisoners succeeded in end of term exam: A total of 512 prisoners passed their final exams at different levels in the department of re-education and reintegration of El Harrach prison, l'Expression reports. The National Office for Distance Education and Training organised exams for 14,075 prisoners at 102 penitentiary institutions throughout the country. The Director General of the prison administration, Mr. Mourad Felioune, welcomed such initiatives within the framework of the policy on global reform in the Ministry of Justice. In comparison to last year, there has been an increase of 4000 persons from penitentiary institutions who enrolled for education at different levels. *Original report in French.* Reported by Smail Dadi, 20 May 2010, l'Expression, at <http://www.lexpressiondz.com/>

ANGOLA

Church contributes to prisoners' reformation: The Agência Angola Press reported that the Seventh Day Adventist Church has baptized 40 prisoners in Lobito prison, Benguela province of Angola. Manuel Alexandre, an elder of the church, said that the initiative "aims to contribute towards a change of attitude of the young [prisoners]" According to the report, since the Government recognised the role of the church in the transformation of prisoner, significant progress has been made in the prisons department in reforming prisoners. *Original report in Portuguese.* Agência Angolana Press, 20 May 2010, at http://www.portalangop.co.ao/motix/pt_pt/noticias/sociedade/2010/4/20/Igreja-Adventista-baptiza-reclusos-penitenciaria-Lobito,160de5ec-5524-4a39-a51a-74897a4440b2.html

CAMEROON

Death of journalist in prison sparks uproar: A report in Angola Press stated that police and journalists have clashed after the death of Cameroon Express editor, Bibi Ngota, at the Kondengui central prison in Yaounde. Some of the protesters carried banners with slogans such as "We are all Biby [sic] Ngota" and "Free all the journalists still in prison". His family members have rejected the government's claim that he died of an HIV-related infection. According to the report, an adviser to the Cameroonian

Journalists' Union (SNJC), said Mr Ngota was not given any medical attention during his stay in prison. The New York-based Committee to Protect Journalists (CPJ), has called on the government to take responsibility for Ngota's death. Angola Press, 4 May 2010, at http://www.portalangop.co.ao/motix/en_us/noticias/africa/2010/4/18/Cameroon-police-clash-with-journalists-Yaounde,5e78d2d1-e63e-41ca-a50c-3264cbf5503c.html See also http://www.portalangop.co.ao/motix/en_us/noticias/africa/2010/4/18/Cameroon-police-clash-with-journalists-Yaounde,05b16b1c-3e98-4c5a-97a2-8c0967d8b2bf.html

Press freedom advocates criticised G report on death: Press freedom advocates have challenged a report by the Cameroonian government alleging that "Germain Cyrille Ngota Ngota died in prison because he was weakened by HIV." The Government's spokesperson, Issa Tchirma, said "The medical examination carried out while he was in prison showed that he was HIV positive". Press freedom advocates are reported to have received the government's report with shock. They said "We are quite shocked by the statements of the information minister, because the government announced that there would be an investigation about his death and the circumstances under which he was arrested. But at the same time the minister of communication came out and made this announcement, even before the investigation was concluded." According to the report, the government is said to have made the announcement before the investigation into the prisoner's death. Voanews, 4 May 2010, at <http://www1.voanews.com/english/news/africa/Cameroon-Investigation-into-Journalists-Death-is-Challenged-92778184.html>

Presidential decree commute and remit prison terms: The President of the Republic of Cameroon on the occasion of Cameroons' 50th anniversary signed a decree commuting death sentences to life imprisonment and life sentences to 20 years imprisonment, CRTV reported. According to the report, persons already sentenced to life whose sentences had not yet been commuted, were as from the date of the decree commuted to 20 years' imprisonment. However, the report said that several other criminal offences such as capital murder, aggravated theft, misappropriation of public funds etc, were excluded from the provisions of the decree. Reported by Pamela Bidjocka, 21 May 2010, CRTV, at http://www.crtv.cm/cont/nouvelles/nouvelles_sola_fr.php?idField=6949&table=nouvelles&sub=national

CONGO, DEMOCRATIC REPUBLIC OF

11 militia members sentenced to death: Angolan Press reported that a court in the Democratic Republic of the Congo (DRC) has sentenced 11 militia members to death for their alleged involvement in the death of two UN staff members. The attack took place in April 2009, when local militias overwhelmed UN and government troops and briefly seized the airport. Of the 36 remanded, 4 were acquitted 11 sentenced to death while the rest are to serve prison terms. Angola Press, 19 May 2010, at http://www.portalangop.co.ao/motix/en_us/noticias/africa/2010/4/20/Congo-rebels-get-death-sentences-for-Mbandaka-attack,1d397493-501b-4ddf-a198-1354f45bbbb9.html

EGYPT

Lawyers push for more reforms to improve prison conditions: A group of Egyptian lawyers, mostly members of the Muslim Brotherhood, are pushing for prison reforms. According to a report in The Nation, it is reported that over the past 10 years, conditions in Egypt's notorious prisons have been steadily improving, said Abdel Moneim Abdel

Maqsood, a lawyer for the Muslim Brotherhood, an Islamist political organisation. The Nation reported that most prisoners now sleep in beds as opposed to on floor mats. They have access to television and are no longer subject to the routine beatings and torture that former inmates say once defined life behind bars. However, there is need for more reform as conditions at the Burg al Arab prison, which has 15,000 inmates outside Alexandria, Egypt's second-largest city, where abuse and neglect continue unabated. Reported by Matt Bradly, 8 May 2010, The Nation, at <http://www.thenational.ae/apps/pbcs.dll/article?AID=/20100509/FOREIGN/705089881/1135/editorials>

ERITREA

Africa's biggest prison for journalists: Eritrea has been described as Africa's biggest prison for the media, according to a report by Reuters. In a country where press freedom is regarded as incompatible with the culture of Eritreans, it is alleged that about 30 journalist are currently held in some of Eritrean 314 prison camps and detention centres. Reporters Without Borders (RSF) reported that a small ultra-nationalist clique centred on [Eritrean President] Afeworki, have of recent transformed the country into a vast open prison, Africa's biggest prison for the media, an allegation which government has vehemently denied. Reuters, 3 May 2010, at <http://www.reuters.com/article/idUSTRE6422OR20100503>

Political prisoners reportedly died in prison: A report on IOL said that six former Eritrean government officials and a number of journalists are alleged to have died in prison after a decade of their imprisonment. According to the report, the six were sent to the remote Embatkala and Eraeiro prisons, where temperatures sometimes rise to about 50 degrees Celsius. A former prison guard told journalists that one of the prisoners "Ogbe tried to commit suicide but failed before he succumbed to asthma six months later in 2002. Mahmoud died from a neck infection in 2003," adding that one of the journalists had committed suicide, while the rest all died of illness. SAPA-APF, 7 May 2010, IOL, at http://www.iol.co.za/index.php?set_id=1&click_id=68&art_id=nw20100506223310975C374265

Journalist freed for two days while imprisoned for over nine years: A report in Africa Daily said that Dawit Isaak, an Eritrean journalist who is currently imprisoned, was released for medical reasons but later rearrested while on his way to the hospital. According to the report, information concerning his health leaked out when a former guard at the prison escaped to Ethiopia. Isaak was arrested for an allegedly dissenting report against the Eritrean President Isaias Afeworki. According to the report several other political prisoners are languishing in the notorious maximum security Eiraeiro prison. Reported by Lee Mwiti, 19 May 2010, African Review, at <http://www.africareview.com/Special%20Reports/Journalist%20in%20Eritrean%20nightmare/-/825444/921400/-/view/printVersion/-/femyro/-/index.html>

GUINEA

Guinean prison guards call off strike: APA reported that a group of more than 1200 Guinean prison officers were threatening to stage a strike from 14 May to demand the payment of ten years' arrears of wages. In a strike notice to the Minister of Justice of Guinea, the prison guards reminded the government of promises since September 2009 to recruit them into the civil service; a promise which is yet to be fulfilled. On 14 May in the afternoon, the Guinean Prison Guards Association called off the strike after

negotiations with Prime Minister Jean-Marie Dore who reportedly committed to meet their demands, APA noted. A member of the Guinean Prison Guards Association told APA they believed the Prime Minister who met with them at the Conakry prison. Reported by MDB, 14 May 2010, APA, at <http://www.afriqueavenir.org/en/2010/05/11/guinean-prison-guards-demand-payment-of-10-years%E2%80%99-overdue-wages/> see also <http://www.afriqueavenir.org/en/2010/05/14/guinean-pm-talks-to-prison-guards-to-call-off-strike/>

MALAWI

Gay couple facing a 14-year prison term: A Malawian gay couple could be facing a 14-year sentence plus hard labour for homosexuality, CNN reported. Steven Monjeza, 26, and Tiwonge Chimbalanga, 20, allegedly conducted a traditional engagement ceremony in Chirimba, near Blantyre, in December 2009. They were immediately arrested and imprisoned at the Chichiru Prison in Blantyre without bail. According to a CNN report, despite world wide criticism of the imprisonment by gay activists and International Human Rights Watch, the government of Malawi has maintained that they are merely implementing the law. Reported by David Mckenzie, 17 May 2010, CNN, at <http://edition.cnn.com/2010/WORLD/africa/05/17/malawi.gay.couple/> see also <http://www.aolnews.com/world/article/steven-monjeza-and-tiwonge-chimbalanga-gay-malawi-couple-arrested/19481411>

Gay couple sentenced to 14-years in prison: A gay couple in Malawi has been sentenced to an effective 14 years' imprisonment with hard labour, The Grio reported. The couple was charged with unnatural acts under Malawi's anti-homosexuality legislation. According to The Grio report, Magistrate Nyakwawa Usiwa Usiwa said "We are sitting here to represent the Malawi society which I do not believe is ready at this point in time to see its sons getting married to other sons or conducting engagement ceremonies." The Grio, 20 May 2010, at <http://www.thegrio.com/news/gay-couple-sentenced-to-maximum-14-years-in-malawi.php>

Gay couple separated in prison: Malawi's prison service has separated a gay couple sentenced to 14 years imprisonment, by placing them in separate prisons. Nyasa Times reported that the prisoners were previously in Chichiri prison, where Tiwonge remained. However, it is reported that "Steven has been transferred [?] to Zomba Prison, separating him from his partner, Tiwonge". Although held in separate cells in Chichiri, they were able to see each other briefly from time to time. This recent development has been described by human rights campaigners as a cruel, malicious and vindictive attempt to cause the couple psychological distress, Nyasa Times noted. Nyasa Times, 26 May 2010, at <http://www.nyasatimes.com/national/no-honeymoon-in-jail-gay-couple-split.html>

President pardons gay couple sentenced to 14-years: The President of Malawi is reported to have pardoned and ordered the release of a gay couple sentenced to 14 years imprisonment. Denver Post noted that the president insisted that homosexuality was still illegal in his country. President Bingu wa Mutharika is reported to have made the announcement on humanitarian grounds during a conference with the UN Secretary General, Ban Ki-Moon, in Lilongwe. Denver Post, 30 May 2010, at http://www.denverpost.com/world/ci_15191197

A million prisoners in Africa: A report on Africa TV Premiers said that a video documentary that will be broadcast in July 2010 on various TV broadcasting stations in

America depicts the disturbing prison conditions in three African countries; Benin, Kenya and Malawi. The documentary entitled "Freedom Inside the Walls" notes that there are over a million prisoners in Africa. Clement Afforo, founder of the African TV Network, said "The programme highlights the challenges poor people encounter while trying to get justice under their legal systems". Reported by Clement Afforo, 23 May 2010, Africa TV Network Premiers, at <http://lifestyletom.com/path/rao10925686709ros/roin59012127538>

MOROCCO

Overcrowding, abuse, and corruption in prison: A BBC report noted that there are about 80 000 prisoners detained in facilities built for less than half the size of the current prison population in Morocco. According to the report, one of the main causes of overcrowding is the over population of some prisons while others are reported to be half-empty. BBC noted that 44 prisons are currently overcrowded. The report notes evidence of inhumane conditions in prisons including the incidence of young children, aged 12 years, sharing cells with adults and regularly falling victim to sexual abuse including rape. This despite legislation prohibiting detention in a prison of a person younger than 16 years. Family members are forced to pay bribes to access imprisoned relatives in order to provide them with food. Reported by David Bamford, 8 May 2010, BBC, at <http://news.bbc.co.uk/2/hi/africa/1318740.stm>

MOZAMBIQUE

More than 30% are awaiting trial prisoners: The Mozambique Attorney General's 2009 annual report indicates that more than 5 000 of an estimated 14 000 prisoners held in Mozambique's prisons, are awaiting trial. As reported by Club of Mozambique this equates to 34% of the country's prison population. The figure is said to have reduced slightly in comparison with the 44% reported in 2008. The situation is cause for concern as awaiting trial prisoners sometimes spend a longer time before trial than the maximum sentence they can receive for the offence they are charged with. *Original report in Portuguese.* Club of Mozambique, 7 May 2010, Club of Mozambique, Lda, at <http://www.clubofmozambique.com/pt/sectionnews.php?secao=mocambique&id=15942&tipo=one> .

NIGER

Tourist's driver imprisoned for complicity: An Algerian man reported to have been the driver of a kidnapped French tourist has been imprisoned in Niamey, Niger authorities have said. A report on IOL said that Ouaghi Abidine, was originally thought to have been taken hostage alongside French national Michel Germaneau before being released four days later in Mali and returned to Algeria by camel riders who found him in the desert. The Niger court has charged Abidine with conspiracy in the kidnapping of the 78 year-old French tourist. Reuters, 16 May 2010, IOL, at http://www.iol.co.za/index.php?set_id=1&click_id=68&art_id=nw20100516180552191C710460

NIGERIA

Nigerian constitution upholds death penalty: The abolition of the death penalty is reportedly gaining ground in most parts of the world, including the African continent. A report in The Vanguard said that, at its inception in 1948, when the UN General Assembly

adopted the Universal Declaration of Human Rights, the first international human rights instrument to proclaim that "everyone has the right to life", only seven countries had at that time abolished the death penalty. According to the report, at present, 111 countries have *de facto* or *de jure* abolished the death penalty. Nigeria, however, is among those that are yet to abolish the death penalty. Despite the provision of Section 33 of the Nigerian Constitution which guarantees the right to life, it concluded with a death sentence option for serious crimes. The Vanguard reported that the inhumane prison conditions and the death penalty are contributing reasons for the more than seven prison breaks last year. Opinion by Dupe Atoki 6 May 2010, Vanguard, at <http://www.vanguardngr.com/2010/05/06/death-penalty-a-dying-fashion/>

Government to decongest prisons with executions: A Vanguard report said that Nigeria's governors have agreed to consider commencing with the execution of death row prisoners as a last resort to decongest prisons across the country. The International Human Rights Commission has appealed to the governors to stay the execution of what it called "poor innocent Nigerians" who are at the mercy of a porous justice system with an unskilled police service in criminal investigations. The report further noted that prison congestion is caused by too many awaiting trial prisoners in a system where bail and the cost of appeals are too high for prisoners to pay and there is no option for parole in the justice system. Reported by Peace Faith, 6 May 2010, Vanguard, at <http://www.vanguardngr.com/2010/05/06/governors-approval-for-execution-of-death-row-inmates-in-nigeria/>

Government embarks on prison reform projects: The Minister of the Interior, Emmanuel Iheanacho, has told Next reporters that Nigerian prisons have facilities for 44,000 prisoners but currently accommodate 46,000, with over 30,000 prisoners being unsentenced. The Minister was speaking to reporters at the Oweri, Imo state prison during a surprise visit to the penal institution. According to the report Iheanacho said "The Nigerian Prison Service will need a substantial amount of funding to improve on prison facilities across the country". Iheanacho added that "[They] are making plans to fast-track action on the programme of physical expansion of the prison capacity nationwide. An accelerated programme which is aimed at the completion of all pending construction works in all our prisons has been initiated." Reported by Alex Emeje, 10 May 2010, Next, at http://234next.com/csp/cms/sites/Next/News/5566368-147/prison_reforms_in_progress_says_interior.csp

Reformed prisoners pardoned: The Jigawa State Governor, Sule Lamido, has pardoned four prisoners for exhibiting good behaviour while serving prison terms. According to a Vanguard report, the only female among the four was pardoned because she was already in her 60s and was unable to pay a fine of N7,000 (\$46.00). The prisoners were serving prison terms ranging from one to six years. Vanguard reported that Malama Amina Adamou was serving one-year prison term, with an option of a fine of N7,000 while the others, Ifanyi Chukwu, Nasiru Shu'aibu and Musbahu Kyauta, had been imprisoned for various crimes. Reported by Tina Akannam, 13 May 2010, Vanguard, at <http://www.vanguardngr.com/2010/05/13/lamido-pardons-four-prisoners-in-jigawa/>

Lagos court sentences American woman to 24-years in prison: The Federal High Court in Lagos has sentenced an American woman, Sharon Denis Thorpe, to 24-years imprisonment with hard labour for an alleged forging and counterfeiting 200 foreign bank cheques valued at about N6 million (\$39 801), Vanguard reported. Thorpe, a 27-year old, pleaded guilty to 13 charges of forgery and counterfeiting. She was sentenced to two

years imprisonment on each of the counts. She was sentenced alongside a Nigerian, Musediku Kehinde, Vanguard reported. Reported by Innocent Anaba, 19 May 2010, Vanguard, at <http://www.vanguardngr.com/2010/05/19/american-woman-jailed-24-years-for-forgery/>

Court revokes bail: A Federal court in Abuja has revoked a six months bail term granted to Chief Kenny Martins, Chairman of Police Equipment Foundation (PEF), and sent him back to prison. According to the report, Chief Martin is standing trial for an alleged breach of a loan agreement worth \$97,5 million. Justice Adamu Bello, revoked his bail after endorsing a request by one of his two sureties, Adedubaje Dele Jacobs, to back out from the bail bond he entered into with the high court to secure Martin's release from prison. Reported by Ise-Oluwa Ige, 20 May 2010, Vanguard, at <http://www.vanguardngr.com/2010/05/20/97-5m-fraud-court-revokes-kenny-martins-bail%E2%80%A6sends-him-to-kuje-prisons/>

820 death row prisoners sue Governors: According to a Vanguard report, 820 prisoners currently on death row are suing prison authorities, including 36 State Governors before the Federal High Court in Lagos to stay the decision to execute them. The governors had unanimously agreed that prisoners on death row be executed as measure to decongest prisons. Some of the prisoners are alleged to have cases in court challenging their conviction and sentences. The death row prisoners, through their counsel, Mr. Chino Obiagwu, who is also the National Coordinator of Legal Defence and Assistance Project, LEDAP, are asking the court for leave to sue in representative capacity for themselves and on behalf of all prisoners on death row in Nigerian prisons. Reported by Innocent Anaba, 24 May 2010, at <http://www.vanguardngr.com/2010/05/24/820-prisoners-on-death-row-sue-govs-prisons-boss/>

RWANDA

Newspaper editor imprisoned: A report on IOL said that the former newspaper editor of a Rwandan newspaper, Kamarampaka, was sentenced to life imprisonment for inciting the genocide that left close to 800 000 people dead. Bernard Hategekimana, known as Mukingo, had published certain articles shortly before the mass killings began that "clearly incited Hutus to kill Tutsis". He was sentenced by the local *Gacaca* court, IOL reported. SAPA, 11 May 2010, IOL at http://www.iol.co.za/index.php?set_id=1&click_id=68&art_id=nw20100510222720441C340450

Genocide victim dissatisfied with sentences: A report on IRIN said that survivors of the Rwandan genocide have expressed disappointed with *Gacaca* courts in sentencing and releasing perpetrators, granting punishment that does not correspond to the nature of the crime committed. Theodore Simburuda, chairman of the genocide survivor organization, Ibuka, told IRIN that "The punishment should be [close] to the pain those [offenders] inflicted," on their victims. Under Rwandan law, certain categories of genocide prisoners to serve part of their prison term in prison with the remainder as community service, in a bid to decongest the prisons and foster reconciliation, IRIN reported. IRIN, 24 May 2010, at <http://www.irinnews.org/Report.aspx?ReportId=84954>

SENEGAL

Senegal improves prison conditions: The Senegalese prison system is making efforts to improve the conditions in prisons. According to a VOA News report, the Director of

Camp Penal Maximum Security prison, Saliou Fall, said government is trying to improve prison conditions by providing meals, health care, and workshops to help reintegrate prisoners back into society. Prisoners now sleep under mosquito nets and receive rice and fish for lunch. Four nurses and one psychologist are on site while other facilities such as a chapel, library and classroom where prisoners can learn Arabic and French, are also in place. However, overcrowding is a threat to the current developments in prisons across Senegal. Reported by Amanda Fortier, 27 May 2010, Voanews, at <http://www1.voanews.com/english/news/africa/Senegals-Penitentiary-System-Tries-to-Improve-Prison-Conditions-95007709.html>

SOMALIA

Somali pirate faces 34 years prison term: A 15-year old boy may face up to 34 years in prison for piracy, DNAinfos reported. Abdiwali Abdiqadir Muse, whose age was disputed in court, admitted to seizing the Maersk Alabama, a U.S. vessel carrying humanitarian supplies off the coast of Somalia, and capturing its captain, Richard Phillips, according court documents. He pleaded guilty and said "What we did was wrong" . . . "I am very, very sorry about what we did. All of this was about the problems in Somalia." He faces a maximum sentence of up to 34 years. Reported by Olivia Scheck, 19 May 2010, DNAinfos, at <http://www.dnainfo.com/20100519/manhattan/prison-ahoy-somali-pirate-pleads-guilty-kidnapping-conspiracy-charges-manhattan-court>

SUDAN

Teenager commits suicide in prison: An inquest has been opened at Chelmsford Prison in England following the death of a Sudanese teenager who reportedly hanged himself on 25 December 2007 in his prison cell. Hagar Idris' ordeal is reported to be one of a series of suicides at Chelmsford prison where four prisoners were found hanged in their cells over a three-month period, something that is sure to come under scrutiny during the inquest, Total Essex reported. According to the report, the court was told that the day before he died, Idris was informed that he would be held in prison and then deported to Sudan, where he feared he would be killed. It was reported that Idris demonstrated self-harming tendencies, but that he was offered no personal support from Chelmsford Prison or by Essex Social Services. This is Total Essex, 27 May 2010, at <http://www.thisistotalessex.co.uk/news/Hanged-youth-deported/article-2217889-detail/article.html>

ZAMBIA

Zambia prisons 275% full: Human Rights Watch conducted research between September 2009 and February 2010 in Zambian prisons and found that severe overcrowding, to the extent that prisoners are unable to sleep at night, is a widespread problem. According to a report in The Post, Prisons Care and Counselling Association (PRISCCA), the AIDS and Rights Alliance for Southern Africa (ARASA) and Human Rights Watch interviewed 246 prisoners, eight former prisoners, 30 prison officers and conducted facility tours at six prisons throughout the central corridor of Zambia. It is reported that Zambian prisons are 275% full. Reported by Masuzyo Chkwe, 3 May 2010, The Post, at http://www.postzambia.com/post-read_article.php?articleId=8762

Over 300 prisoners pardoned: President Rupiah Banda of Zambia has pardoned 350 prisoners, including Darius Mukuka, who was convicted of defamation against the

president and sentenced to 18 months imprisonment, Lusaka Times reported. The prisoners were released as part of Zambia's commemoration of Africa Freedom Day which was celebrated on 25 May 2010. Lusaka Times, 25 May 2010, at <http://www.lusakatimes.com/?p=26397FirefoxHTML\Shell\Open\Command>

ZIMBABWE

Torture in Zimbabwe to go before SA court: According to a Cape Argus report, torture and human rights abuses in Zimbabwe as contained in a torture report will come under the spotlight when the Southern African Litigation Centre (SALC) and the Zimbabwean Exiles Forum approach the North Gauteng High Court in a bid to compel South African authorities to investigate and prosecute the perpetrators. The report said applicants asking for an order to set aside the refusal by the National Director of Public Prosecutions, the head of the Priority Crimes Unit and the Police Commissioner to investigate these abuses 'by certain named perpetrators in Zimbabwe'. According to the report, the applicants want this to be done under the Rome Statute of the International Criminal Court (ICC) to which South Africa is a signatory. This law came into force in 2002 and allows the ICC jurisdiction over crimes committed after July 2002. Cape Argus, 3 May 2010, at <http://www.capeargus.co.za/index.php?fSectionId=3179&fRequestedUrl=%2Findex.php%3FfArticleId%3D5454170> (Subscription needed)

Prison Service bans food handouts: Prisons Officer-In-Charge, Assistant Commissioner Pambai, has reacted sharply to a recent attempted prison escape, by banning food handouts to prisoners at the Chikurubi Maximum Prison. Zimeye reported that, the incident has resulted in over 1800 prisoners, who depended on relatives for food and other basic needs, being affected. There are fears that the ban may lead to another food crisis as in previous years that left at least 721 prisoners dead as a consequence of food shortages in 2008 and 2009, Zimeye report noted. Reported by Gerald Chateta, 8 May 2010, Zimeye, at <https://mail.google.com/mail/?hl=en&shva=1#inbox/128a429054b5b826>

Prison Service financial crisis worsens prison conditions: A report in The Guardian said that the financial crisis in Zimbabwe's Prison Service has left prisoners starving, while others have to look for alternative means to attend court sessions. Some prisoners are now being forced to rely on their victims to transport them from prison to court and back. According to the report, conditions in Zimbabwe's prisons are likened to Nazi concentration camps. Unfortunately, Zimbabwe's prisons are not the exception but the norm in the majority of Africa countries, where 900,000 prisoners languish in often dire conditions. In states where poverty is already rampant, prisoner welfare appears to be at the bottom of the list of priorities. Reported by David Smith, 9 May 2010, The Guardian, at <http://www.guardian.co.uk/world/2010/may/09/zimbabwe-prisoners-poverty-starving-sick>

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