



30 Days Dae Izinsuku

Project of the Community Law Centre

CSPRI "30 Days/Dae/Izinsuku" Dec. 2009 & Jan.2010

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PAROLE AND SENTENCING

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Zuma to pardon apartheid - era prisoner: According to an IOL report, President Jacob Zuma is considering granting presidential pardon to Eugene de Kock, a convicted apartheid-era hit squad member. According to the report, it is alleged that Zuma met De Kock during a secret visit to the Pretoria Central Prison in April 2009. SAPA, 4 December 2010, IOL, at

http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=nw20100104092924864C434217

Ananias Mathe gets 54 years: According to a Business Day report, the High Court in Johannesburg has sentenced notorious criminal, Ananias Mathe, to 54 years imprisonment. Mathe, who was convicted of 64 charges of rape, indecent assault, attempted murder, aggravated robbery and housebreaking, will only be eligible for parole after serving 43 years of his 54 years sentence. Business Day, 8 December 2009, Business Day at

<http://allafrica.com/stories/200912080650.html>

Shaik did not violate parole conditions: It is reported that medical parolee Schabir Shaik has denied he violated his parole conditions. An IOL report stated "In a written reply to a parliamentary question by the DA, Correctional Services Minister, Nosiviwe Mapisa-Nqakula, said Shaik was authorised to attend physiotherapy from 10.30am to 12.30pm on a Wednesday." The Minister of Correctional

Services said "Mr Shaik submitted a statement in this regard wherein he refuted the allegation," said Mapisa-Nqakula. SAPA, 10 December 2009, IOL, at

http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=nw20091210145235606C491864

Unjustified prison sentences: According to Caryl Verrier, of the Johannesburg Bar, who has been probing the conditions under which prisoners are held in prison has said that the conditions in South Africa's prisons makes the continued imposition of prison sentences unlawful and legally unjustifiable, Beeld reported. Caryl Verrier described prison conditions as cruel, inhumane and humiliating punishment, which is contrary to constitutional requirements. *Original report in Afrikaans*. Reported by Philip de Bruin, 12 December 2009, Beeld at

http://www.beeld.com/Content/Suid-Afrika/Nuus/1928/e78558fbe01449299f360742cff1b982/14-12-2009-11-35/%C3%A2%E2%82%AC%CB%9CMaak_al_die_tronke_se_deure_oop!%C3%A2%E2%82%AC%E2%84%A2

Schabir Shaik requests pardon: It is reported that the spokesperson for the presidency, Vincent Magwenya, said "The president is considering a number of applications and Shaik's is among them", adding that "[Shaik's] application is not enjoying any special consideration." According to the report, the president has no timeline to respond to applications for pardon. Magwenya said "The president is not obligated to keep to any specific timeline. The Constitution allows him to grant a pardon when he has considered all the facts before him." SAPA, 21 December 2009, IOL, at

http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=nw20091221130306995C210030

Review Shaik's parole conditions: The Minister of Correctional Services has refused to demand the review of Schabir Shaik's parole, IOL reported. The Minister was still waiting for a report from the Department of Correctional Services in KwaZulu-Natal to "test the veracity of the allegations published in the newspapers", alleging that Shaik has violated his parole conditions, Sonwabo Mbananga said. Mbananga added that, "There is no consideration at the moment by the minister to send the decision by the parole board for review". SAPA, 21 December 2009, IOL, at

http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=nw20091221152601518C973750

Formal warning for parolee: The Department of Correctional Services is reported to have given a formal warning to fraudster Schabir Shaik after he admitted to violating his parole conditions. According to an IOL report, his parole conditions have been tightened to prevent further violations. SAPA, 22 December 2009, IOL, at

http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=nw20091222132016233C429541

Parolee depressed: Convicted fraudster, Schabir Shaik, who is on medical parole is said to be depressed because he is reported to be cut off from his old friends, including being estranged from his wife Zulheikha and gets to see his son, Yasir, aged three, once a week: for two hours on Sunday, IOL reported. According to the report, Shaik's continuous public appearances, including on the Papwa Sewgolum golf course, has caused prison authorities to curtail his parole conditions and warned that he could go back to prison if he violated his conditions. Reported by Greg Arde, 27 December 2009, IOL, at

http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=vn20091226223310236C838808

Couple too ill to go to prison: Judge Jan Combrink is reported to have sentenced a family to prison for murder, IOL reported. Dewnath Ramkissoo, 50, was sentenced to life imprisonment, his 45-year-old wife to 18 years, and their 27-year-old son to 15 years. They were convicted of killing a family relative. The report said that the three offenders were, however, too ill to hand themselves to prison authorities. The Ramkissoo family lawyer Veronica Singh, said "Dewnath has diabetes, hypertension and severe chest pains which is suggestive of angina, according to their doctor. He also has reflux symptoms. Nirmala is hypertensive and has cramping chest pains and strong dyspeptic symptoms". Reported by Juggie Naran, 27 December 2009, IOL, at

http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=vn20091226223622446C399794

Imprisonment without trial: The imprisonment of a Moldovan exotic dancer, who was imprisoned for two weeks at Pollsmoor prison without trial for debt to her employers, is reported to have brought a dramatic change to the South African legal system, IOL reported. Western Cape Judge President, John Hlophe, is reported to have declared the law which imprisoned suspects without trial null and void. Reported by Karen Breytenbach, 7 January 2010, IOL at

http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=nw20100107182614145C937928

Parolee had permission to stay in luxury retreat: The Department of Correctional Services has said that medical parolee Schabir Shaik had permission from his parole officer to recuperate at a luxury retreat after his release from prison, IOL reported. "He did get permission from his correctional services officer at that time," said Sonwabo Mbananga,

in response to a Mail & Guardian report that Shaik spent three nights at the Thanda Private Game Reserve in KwaZulu-Natal in June 2009. SAPA, 8 January 2010, IOL at http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=nw20100108143426394C532504

Shaik does not deserve presidential pardon: According to a report in Richmark Sentinel, Democratic Alliance MP James Selfe was quoted as saying that "Neither De Kock nor Shaik deserve a presidential pardon". The report says that Shaik claims to have a right to presidential pardon when he reportedly said "Why should I ask for a pardon at all? If three people were part of a so-called plot to elicit money out of the French, why are the French free, why is the president free, and why is Shaik still a prisoner?" Richmark Sentinel , 4 January 2010, at http://www.therichmarksentinel.com/rs_headlines.asp?recid=3619

Zuma denies Shaik applied for pardon: According to an IOL report President Jacob Zuma is alleged to have denied that parolee Schabir Shaik applied for a presidential pardon. The report quoted Zuma saying that "If there was an application before me, you should ask the question. Why should I respond if I do not have the application before me?" Shaik has, however, remained optimistic with regards to his application. and said "If that's what [Zuma] said, he probably meant that he is dealing with 300 applications, and he has not personally seen mine yet," IOL reported. Reported by Tania Broughton, 13 January 2010, IOL , at http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=vn20100112042707259C897854

DA wants to tighten rules for presidential pardons: The Democratic Alliance is reported to be "astonished" regarding the inconsistency in the President's statements on the pardoning of Schabir Shaik and Eugene De Kock. Spokesman for the DA on Correctional Services, James Selfe, said "It has become increasingly clear that the President is considering granting presidential pardons in violation of the non-binding guidelines prescribed by the Ministry of Justice in 2004," adding that "Parliament needs to ensure executive accountability in the granting of presidential pardons". IOL said that the DA is expected to unveil a private member's bill which is intended to force the President to adhere to a prescribed set of requirements in granting presidential pardons. Reported by Carien Du Plessis, 13 January 2010, IOL at http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=vn20100113042921528C170903

Shaik never met medical parole requirements: It is reported that Schabir Shaik never met the requirements for medical parole. A report in the Mail & Guardian said that an erroneous claim from doctors of the Correctional Services Department stating that the he was in a "terminal" state of health contributed largely in convincing the parole board to grant Shaik parole. According the Mail & Guardian report, it is alleged that Dr Ngenisile Mbanjwa, never examined the parolee. Mail & Guardian, 15 January 2010, at <http://www.mg.co.za/article/2010-01-15-shaiks-medical-miracle>

The DA and Shaik's controversial parole: The Democratic Alliance (DA) is reported to have brought the circumstances under which Schabir Shaik was granted medical parole under scrutiny. According to News24, the DA's James Selfe, said "That such a recommendation could be acted upon is nothing less than a farce, given that the legislated purpose of medical parole is to allow a terminally ill prisoner to die a conciliatory death - not to help them to recover [something that terminally ill patients, by definition, cannot do]". He was reacting to a Mail & Guardian report that said Shaik was not terminally ill. SAPA, 15 January 2010, News24, at http://www.news24.com/Content/SouthAfrica/News/1059/b168768b22ef4a46b5a077d9d838667e/15-01-2010-08-07/DA_continues_Shaik_campaign See also http://www.news24.com/Content/SouthAfrica/News/1059/28b59060d73142d7bffcada53a6a6b89/15-01-2010-09-29/Shaiks_medical_reports_uncovered

Judge says keeping parolees in prison is illegal: According to a report in the Cape Times, a judge has ruled that a Correctional Services policy keeping prisoners in prison after they had qualified for parole is illegal. He slammed officials for ignoring the law, prisoners' rights and the court's authority, The Cape Times reported. It is alleged that prison officials are now scrambling to stop the release on parole of a man imprisoned for 20 years for an apparently racist murder after the Department forgot to oppose his legal action. The report says Pieter Hendrik Groenewald (48) was imprisoned in March 2003 for 20 years for two murders and one attempted murder, after a 1990 roadside altercation with three black men near Mamelodi, Pretoria. He was eligible for parole in September last year but was refused and told to apply again in a year. In November 2009, the North Gauteng High Court ordered his release on parole within 30 days. The Cape Times, 18 January 2010, at <http://www.capetimes.co.za/index.php?fSectionId=3235&fRequestedUrl=%2Findex.php%3FfArticleId%3D5316263>

(subscription needed)

Zuma promised pardoning De Kock: According a Beeld report, it is alleged that President Zuma promised the release of Eugene de Kock during their meeting last year. The report quotes an unnamed government source saying this would be completed by the end of January 2010. Former spy and friend of De Kock, Kevin Woods, and his religious mentor, Philip Kruger, both confirmed Zuma had made this clear. "We are convinced it will be within days," Woods said. It is alleged that Zuma said "The war is over. People must stop living in the past." The Vlakplaas commander is serving two life sentences and more than 200 years imprisonment for murder and other crimes. *Original report in Afrikaans.* Reported by Pieter du Toit, 22 January 2010, Beeld, at http://www.beeld.com/Content/Suid-Afrika/Nuus/1928/77f03a505e4b4da7be0f34f7a34327cc/22-01-2010-12-53/De_Kock_%E2%80%98oor_2_weke_vry%E2%80%99

DA urges that De Kock stays in prison: According to Business Report the Democratic Alliance (DA) is pressing hard to prevent the release of apartheid-era killer Eugene de Kock from prison. The DA's James Selfe said "It is unfathomable that such an individual could even be considered for a pardon" adding that "De Kock committed horrendous crimes and should be punished for them. He has served just 13 years of two life sentences - justice has not been served." IOL, 22 January 2010, at <http://www.busrep.co.za/index.php?fSectionId=552&fArticleId=5322879>

De Kock's pardon opposed: A report in The Citizen has criticised the recent talk on the possibility of releasing Eugene De Kock. The Young Communist League has described the move saying: "Savages like Eugene de Kock and Janusz Walus were instrumental in the murders and brutal killings of our people and revolutionaries like Comrade Chris Hani (former SA Communist Party general secretary)." A report in The Star also said that Winnie Madikizela-Mandela will fiercely resist any attempt to release Eugene de Kock. She said "I cannot imagine anyone talking release of people like that," adding that "It pains me so much to even talk about that. When you talk about De Kock, you talk about (Janusz) Walus to me...and I cannot believe that we can even begin talking about De Kock's early release. I just can't." Reported by Fiona Forde, 25 January 2010, The Star at http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=vn20100125043438666C545527

The law is not retrospective: The chairperson of the National Council on Correctional Services, Judge Desai, is reported to have said that a review of parole requirements would not affect prisoners who are already on medical parole. A report in Times Live quoted Desai saying that "These rules do not envisage being retrospective in nature," adding that, "If a person is released on medical parole, in terms of these proposals he can he be reconsidered if he gets better. His parole could be reviewed." Thus it is alleged that parolee Schabir Shaik, may not be bound by any new provisions if the current parole conditions are amended. SAPA, 26 January 2010, The Times Live at <http://www.timeslive.co.za/news/article278177.ece> see also http://www.iol.co.za/index.phpset_id=1&click_id=13&art_id=nw20100126141408769C630603

Medical parole under review: The Department of Correctional Services has been considering the possibility of reviewing the current parole conditions. According to an IOL report, the debate is based on whether seriously ill prisoners who recover from their illnesses should be forced to return to prison or not, and whether mentally ill prisoners should be included in this category. According to IOL report, it was said that the National Council for Correctional Services chairperson, Judge Siraj Desai, who is leading the review of medical parole provisions, told journalists during a round-table discussion that there are still gaps in the law that needed to be tightened. IOL, 27 January 2010, at http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=vn20100127041821345C490557&page_number=2

SA medical parole system problematic: According to an editorial in Business Day, more than 60 percent of prisoners granted parole on medical grounds who were therefore supposedly terminally ill, are still living either with their illness or have completely recovered. The editorial says the Minister of Correctional Services was disingenuous when she said that there is "absolutely no clarity" on how medical parole should be defined. The editorial said "'terminal' means there is no hope of recovery, and 'final stages' means death is imminent." Business Day, 29 January 2010, at <http://www.businessday.co.za/articles/Content.aspx?id=92229>

SOUTH AFRICANS ABROAD

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Statistics on South Africans in foreign prisons: According to a report on IOL, statistics show that as on 8 November 2009, about 1065 South Africans were serving prison terms in foreign prisons. The Minister of International Relations and Co-operation, Maite Nkoana-Mashabane, released the information in response to questions from the Democratic Alliance during a parliamentary session. According to the report, 691 of them are in prison for drug related offences, among which 362 females and 329 males. SAPA, 10 December 2009, IOL, at

http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=nw20091210143359763C750169

South Africans in foreign prisons: More than 1 000 South Africans are reported to be "languishing in appalling conditions" in prisons in foreign countries, 65 percent of them imprisoned for drug-related offences, IOL reported. According to a Chief Directorate for Consular Services report, 91 percent of women and 51 percent of men imprisoned abroad are serving drug-related sentences, with most them in Brazil, United Kingdom, Botswana, Peru, and Pakistan. Reported by Michelle Jones, 30 December 2009, IOL, at

http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=vn20091230043407124C536305

Human rights take priority in extradition of prisoners: The extradition of persons to serve prison terms in a country where the crime was not committed are subject to the rules set out in international law. An IOL report said that Dirk Prinsloo can apply to serve a part or the whole of his sentence in South Africa. The head of the Belarusian Interpol and head of the Ministry of Interior's International Co-operation department, Lieutenant-Colonel Mikhail Starikovich, said "The General Prosecutor's office can also do unannounced inspections in South Africa to check if the prison conditions are according to international law," to safeguard the rights of the prisoner. It is reported that "Prinsloo wrote from prison to the Pretoria News in December 2009 that he would oppose his extradition, on the grounds that the South African trial against him was "unlawful", Starikovich said. IOL, 25 January 2009, Pretoria News, at

http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=vn20100125043536941C496637

GOVERNANCE AND CORRUPTION

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POPCRU opposes privatisation of prisons: The Police and Prisons Civil Rights Union (Popcru) is reported to have raised strong objections to a government plan to privatise prisons, IOL reported. According to a statement by the union, privatisation of prisons will compromise the labour rights of their members. IOL reported that government was planning to start the construction of new prisons. SAPA, 7 December 2009, IOL, at

http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=nw20091207142733211C927176

Lavish spending at DCS: A report in IOL said that the Deputy Correctional Services Minister, Hlengiwe Mkhize, has splashed out on a Porsche Cayenne that cost nearly R760 000 while her boss, Minister Nosiviwe Mapisa-Nqakula, has splurged on a Lexus LS 460 that cost more than R960 000 including VAT. It is alleged that the Department has spent R6.4m on hotel accommodation, travel and restaurant expenses, between April and November 2009, nearly R1m more than was spent in the year 2008/2009. Reported by Siyabonga Mkhwanazi, 11 December 2009, IOL at

http://www.iol.co.za/index.php?set_id=1&click_id=6&art_id=vn20091211043031813C469019

Prison boss cleared of wrong-doing: The National Commissioner for Correctional Services, Xoliswa Sibeko, is reported to have been cleared of charges brought against her, including the rental of private property at state expense and travel abroad with her husband at state cost, News24 reported. A disciplinary hearing cleared Commissioner Sibeko of wrong-doing, the department said. However, the Minister of Correctional Services, Nosiviwe Mapisa-Nqakula, is reported to have extended Sibeko's special leave whilst she is studying the judgment and considering her options.

News24, 15 December 2009, at

http://www.news24.com/Content/SouthAfrica/Politics/1057/93aef4da57084fab9e359b810b8170bf/15-12-2009-09-26/Prisons_boss_cleared

Government cancels R3.9bn transport deal: A report by The Sowetan stated that the Eastern Cape provincial government has cancelled a R3.9bn fleet management tender linked to the controversial Bosasa group of companies. According to the report, the tender was awarded to Bosasa subsidiary Phakisa Fleet Solutions under controversial circumstances. The Sowetan reported that a few weeks earlier Bosasa hit the headlines for allegedly bribing top prison officials to secure contracts worth more than R1.7bn. A report by the Special Investigating Unit released in Parliament revealed that one Correctional Services official allegedly accepted a house, cars, and an overseas trip for his daughter and rugby season tickets in exchange for awarding tenders. The company received tenders worth close to R2bn for services in IT, security and prison meals. Reported by Anna Majavu, 22 December 2009, Sowetan at <http://www.sowetan.co.za/News/Article.aspx?id=1099247>

Prison service suspends regional commissioner: A report in The Mercury said that a precautionary suspension has been affected on Gauteng Correctional Services Regional Commissioner. According to the report, the wife of former Correctional Services Minister, Ngconde Balfour, Tozama Mqobi-Balfour, was suspended pending the finalisation of disciplinary charges against her, The Mercury reported. Correctional Services spokesperson, Manelisi Wolela said: "The case stems from an investigation commissioned by the acting National Commissioner (Jennifer Schreiner) into the conduct of the Regional Commissioner relating to, among others, the procurement of rented accommodation." The report notes Mqobi-Balfour was involved in controversy last year over the renting of a house in the upmarket Woodhill golf estate in Pretoria East. 12 January 2010, The Mercury at

<http://www.themercury.co.za/index.php?fSectionId=2875&fRequestedUrl=%2Findex.php%3FfArticleId%3D5309486> See also

http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=nw20100112152952205C635079

Golden handshake for Commissioner: The National Commissioner of Prisons, Xoliswa Sibeko is set to receive a golden handshake from the Department of Correctional Services, IOL reported. According to the IOL report, negotiations are currently underway for the quiet departure of Sibeko. She was charged with renting a private accommodation that cost the Department R34 000 a month. The report said Sibeko had been on paid special leave on the instructions of Correctional Services Minister, Nosiviwe Mapisa-Nqakula, despite being cleared on charges of misconduct. Reported by Eleanor Momberg, 17 January 2010, IOL at

http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=vn20100117090911615C234505

Correctional Services waste taxpayers' money: An audit report presented to Parliament's Standing Committee on Public Accounts (SCOPA) found that the Department of Correctional Services is among the government departments alleged to have been involved in wasting tax payers' money. According to a Business Day report, irregular and wasteful expenditure worth R344 million was uncovered in the Department of Correctional Services. Reported by Florence de Vries, 27 January 2010, Business Day, at

<http://www.busrep.co.za/index.php?fArticleId=5327480>

PRISON CONDITIONS

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HIV prevalence higher in prisons: According to a UN News report, HIV is said to be more prevalent amongst prisoners than in the general population in most countries. The report said that the United Nations Office on Drugs and Crime (UNODC), in partnership with WHO, the World Bank and UNAIDS has launched the African HIV in Prisons Partnership Network (AHPPN), to fight against the AIDs pandemic in prisons. The African HIV in Prisons Partnership Network will support efforts to mount effective, human rights-based responses to HIV in Africa's prisons, UNAIDS reported. 8 December 2009, UNAIDS at

http://www.unaids.org/en/KnowledgeCentre/Resources/FeatureStories/archive/2009/20091207_unodc.asp

Ex-prisoner sues the Department for negligence: IOL reported that a former Pollsmoor awaiting trial prisoner is suing the Department of Correctional Services for R345 000 in damages after he was allegedly infected with tuberculosis whilst detained there. The former prisoner is suing the Department of Correctional Services, for negligently allowing the spread of the disease in the prison. According to the report, Dr. Paul Theron, told the Western Cape High Court that "Recommendations on improving health management at Pollsmoor were not implemented. Conditions at the prison were conducive to the continued spread of TB". Reported by Karen Breytenbach, 9 December 2009, IOL, at http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=nw20091209203426110C212798

Prisoners dying of poor healthcare services: According to an IOL report, prisoners have complained about poor health care in prison and uncaring medical staff with some prisoners having to wash their fellow ailing inmates. The report said that prisoners have died after suffering from lack of care and insufficient medical supplies. Diabetic patients have died in prison because they didn't receive their insulin, and asthma sufferers have died because of a lack of asthma pumps. "In such an environment, completely manageable conditions become life-threatening," said Lukas Muntingh, of the Civil Society Prison Reform Initiative, which compiled the report. Reported by Carien Du Plessis, 27 January 2010, IOL, at http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=vn20100127041821345C490557

SECURITY

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Dangerous prisoners escape from private prison: Two dangerous offenders escaped from the high security Kutama Sinthumule prison outside Louis Trichardt by sawing through their cell bars. According to the report, the company managing one of the country's private prisons is facing a hefty fine from the Department of Correctional Services after the escape, Beeld reported. The report said the escapees are Chico Naibe (40) and Johannes Antonio Khoza (29), who were sentenced for murder, rape, robbery and assault. Pieter Jordaan, of SA Custodial Management (SACM) company, said the company was conducting an investigation. The report notes the prison has 600 CCTV cameras and a 24-hour patrolling service. *Original report in Afrikaans.* Reported by Marietie Louw-Carstens, 15 December 2009, Beeld, at http://www.beeld.com/Content/Suid-Afrika/Nuus/1928/Od3c9b03916e45e6a6c16825b73defa2/15-12-2009-11-43/Eerste_ontsnapping_uit_private_tronk

Warder stabbed in prison: A Pollsmoor Prison officer was stabbed in prison by a prisoner, IOL reported. The warder was stabbed by a prison gang member trying to improve his status within the notorious 28-gang. Reported by Warder Meyer, 30 December 2009, IOL, at http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=vn20091230120300852C501430

Government improves security and safety of prisoners: Measures by the Department of Correctional Services to improve the security of prisons was reported to have led to the discovery of "unauthorised, dangerous and illegal items" which were confiscated during search operations in 44 prisons in the Eastern Cape. The spokesman for the Eastern Cape Correctional Services Department, Zama Feni, said "A total of 46 unauthorised sharpened items which include scissors, spoons, wires, home-made knives, razor blades and screw drivers were confiscated in various correctional centres in the Eastern Cape," IOL reported. SAPA, 31 December 2009, IOL, at http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=nw20091231125721672C903639 See also The Star, at <http://www.thestar.co.za/?fSectionId=&fArticleId=nw20091231125721672C903639>

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170 children in prison with their mothers: The Minister of Correctional Services, Nosiviwe Mapisa-Nqakula has said that about 170 children are currently in prison with their mothers. The Minister has expressed fears that such children

may return to prison since that is the only place they know. She said, "I directed the department to work closely with academic institutions to conduct research which will seek to determine where children who were born in prison in the past 20 years are, because it is my view that you may find some of them have come back to this environment", The Eye Witness reported. Reported by Malungelo Booi, 7 December 2009, The Eye Witness, at <http://www.eyewitnessnews.co.za/articleprog.aspx?id=28030>

Terre'blanche in trouble: According to a government communications officials, AWB leader Eugene Terre'blanche should be returned to prison for breaching his parole conditions. According to an iAfrica report, Terre'blanche, who is on parole, was pointing to a statue of Chief Tshwane at the Old Pretoria City Hall and referred to him as a monkey. The government official, Panyaza Lesufi, said he will take it upon himself to lodge a complaint because he felt Terre'blanche had gone too far. Reported by Gia Nicolaides, 8 December 2009, iafrica at <http://news.iafrica.com/sa/2101123.htm>

Female prisoners receive gifts: The Deputy Minister of Correctional Services, Hlengiwe Mkhize, has handed gifts to female prisoners, imprisoned with their babies, BuaNews reported. The Minister said "In spite of all the factors that brought you here, you are still loved! We care for our women and children", adding that "This should be an important message because this occasion falls during the 16 Days of Activism Campaign for No Violence against Women and Children. It is during this time that we focus on the human rights of women and children," Mkhize said. 9 December 2009, BuaNews, at <http://www.buanews.gov.za/news/09/09120916051001>

Imbeleko project support babies in prison: According to The Citizen about 120 babies aged up to 23-months are imprisoned with their mothers across the country. According to the Deputy Minister of Correctional Services, Hlengiwe Mkhize, in Gauteng province there were 29 babies in prison with their mothers followed by KwaZulu-Natal with 20 and Western Cape with 19. She was speaking during the roll- out of the Imbeleko project at the Kroonstad female correctional facility, which aims at improving the lives of children in prison with their incarcerated mothers, The Citizen reported. The Citizen at <http://www.citizen.co.za/index/article.aspx?pDesc=112387,1,22>

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BOTSWANA

Five car theft suspects will not face death penalty: A report in The Sunday Standard said that there are fears that Botswana's most wanted car theft suspects may face the death penalty once returned to the country. The five suspects comprise of two Botswana citizens, Sefelane Shohniwa and Ferese Garsiyi, and two South Africans, Elias Mpofu and Jokoneya Chaka, as well as a Zimbabwean national, Joseph Machala. However, the report added that Thato Dibeela, of the Directorate of Public Prosecution, has assured the court that the suspects would not face the death penalty because the crime that they are linked with does not warrant the death penalty but a prison sentence. They are currently held in a South Africa prison pending their extradition to Botswana. Reported by Reuben Pitse, 24 January 2010, Sunday Standard, at http://sundaystandard.info/news/news_item.php?NewsID=6806&GroupID=1

CAMEROON

Government rehabilitates warders: According to a report in Cameroon Tribune, the Secretary of State in the Ministry of Justice in charge of Penitentiary Administration, Emmanuel Ngafeeson, has said that the government will continue to rehabilitate warders who were sanctioned following their alleged involvement in the strike actions that disrupted some prisons across the country in 2007. He was speaking during an address to members of the Association of Prison Administrators in Cameroon at the opening of their 2009 general assembly. Reported by Henry Wointoh, 28 January 2010, Cameroon Tribune at <http://allafrica.com/stories/201001280882.html>

Journalist receives suspended prison term: A Cameroonian newspaper editor is reported to have been given a one-year suspended prison sentence. According to IFEX, Jean-Bosco Talla was charged with insulting the president. "The sentence is a relief inasmuch as Talla will not have to spend months in prison but he will have to live with a permanent threat that will force him to censor himself," said Reporters Without Borders, which urged the Cameroonian authorities to fully decriminalise press offenses. "We hope that payment of the fine will allow him to be freed without delay" said his lawyer. IFEX, 30 December 2009, at

http://www.ifex.org/cameroon/2009/12/30/talla_sentenced/

Prisoner on hunger strike: According to a report by CRTV, the former Minister of Secondary Education, Catherine Abena, who was arrested after operation Sparrow Hawk is on hunger strike at the Kundengui Central Prison. Catherine Abena and her alleged collaborators appeared before the State Council and formally notified of the charges of misappropriation of public funds against them. She has not made any declarations but close family members have expressed concern if the alleged hunger strike goes on. Some sources say that a doctor has seen her. Reported by Pamela Bidjocka, 1 January 2010, CRTV, at

http://www.crtv.cm/cont/nouvelles/nouvelles_sola_fr.php?idField=5862&table=nouvelles&sub=national

Warders tortured: More than 50 prison officers are reported to have been arrested during a protest march. According to an Afrol news report, the warders were arrested by members of the Cameroon army and taken to an unknown location. The report said, based on an unnamed source, that the warders have not been given food or water. It is alleged that the warders were striking against poor working conditions. Madeleine Afite, President of the Cameroon Human Rights House in Douala, said that according to their source that the detainees were beaten and tortured. Afrol News, 3 January 2010, at <http://www.afrol.com/articles/23567>

Two escaping prisoners shot: Prison warders in Cameroon have shot dead two men who tried to escape from the central prison in the country's main port and economic capital Douala, it was reported on IOL. Apparently warders opened fire after "several warnings" and the first prisoner was shot "20 metres (yards) from the fence," while the second was 300 metres further, according to the governor, Dieudonne Engonga Mintsang. The two detainees were suspects who had been placed in preventive detention in June 2009 on suspicion of theft and being accomplices in theft, with illegal possession of firearms and defensive weapons, Mintsang said. Douala prison built in 1930 is holding 2,900 inmates, according to its governor, but has capacity for between 700 and 800 prisoners. Prison escapes are common in Cameroon. Reported by Sapa-AFP, 14 January 2010, IOL at

http://www.iol.co.za/index.php?set_id=1&click_id=86&art_id=nw20100114195833855C173839

Journalist released from prison: According to a report in IFEX, a Newspaper Editor and Publisher, Jean-Bosco Talla, who was imprisoned since December 2009 has been released. The report said Talla was imprisoned at the Kondengui prison in Yaoundé, for "insulting" President Paul Biya. Talla's lawyers paid the sum of 3,154,000 CFA Francs (approx. US\$6,800) so that he would be released from prison. IFEX, 15 January 2010, at

http://www.ifex.org/cameroon/2010/01/15/talla_released/

CHAD

Dictator knew of deaths in prisons: It is reported that the former dictator of Chad (1982-1990), Hissène Habré, new about the deaths in Chad's prisons. According to Human Rights Watch (HRW), studies have shown that hundreds of prisoners were killed in prison by the political police during the Habre regime. Relief web reported that evidence of deaths was found by chance when HRW uncovered documents at an abandoned security Directorate Headquarters in N'Djamena, capital of Chad. According to the report, president Habre who was indicted more than 10 years ago is yet to be prosecuted. ReliefWeb, 29 January 2010, at

<http://www.reliefweb.int/rw/rwb.nsf/db900SID/MUMA-8269LZ?OpenDocument>

DRC

ICC revoke Bemba's bail: The International Criminal Court (ICC) has reversed its own decision to award bail to Congolese war crimes suspect Jean-Pierre Bemba, the BBC reported. The report said judges at The Hague expressed fears that Bemba, DRC's ex-vice-President, may escape if granted bail. The BBC noted that Bemba, who has not entered a plea, is accused of leading militias who murdered and raped civilians in Central African Republic in 2002 and 2003. He was arrested in Belgium last year and extradited to The Hague. According to the report, the Court had granted him bail in August, but said he would not be freed until it could be decided which country would host him. SAPA, 4 December

2009 News News24 at

http://www.news24.com/Content/Africa/News/965/dc504a16cdb24ca2b05aa6f4f0853c2b/02-12-2009-12-16/Bemba_to_stay_in_jail_-_ICC See also SAPA, 2 December 2009, IOL, at http://www.iol.co.za/index.php?fsetid=1&click_id=136&art_id=nw20091202110022310C172513

Court rejects death sentence appeal: According to a News24 report, a military tribunal in the northern Democratic Republic of Congo rejected an appeal by two Norwegians who had been sentenced to death for the murder of their driver. The appeal court's president, Colonel Pascal Molida, said that the decision has been confirmed by the military court of Orientale province which handed down the sentences. The two Norwegians are Tjostolv Moland, 28, and Joshua French, 27. SAPA, 3 December 2009, News24 at

http://www.news24.com/Content/Africa/News/965/ca76eb5834324fc8b640998149f6c2f0/03-12-2009-08-22/DRC_court_rejects_appeal

Two former Norwegians sentenced to death: The decision of the court of first instance on 8 September 2009 has been confirmed on appeal by the Military Court of the DRC. The two Norwegians accused of murder and espionage were sentenced to death and fined about R 3,750 000 000.00. Abidjan TV reported. Original report in French. Reported by AFP, 4 December 2009, AbidjanTV of Ivory Coast,

http://nouvelles.abidjantv.net/details_alerte.php?id=1256

Human Rights group condemns Congo prison conditions: A report published by a coalition of human rights groups have slammed prison conditions in the DRC, AFP reported. The report said prisoners were held in appalling conditions in overcrowded prisons across the country. The Congolese Federation for Human Rights (Fecodho) said "Conditions observed in prisons across the country are as dreadful as they could be," adding that "Not only do prisoners live in extremely cramped conditions, packed in like livestock, but none of the basic United Nations standards are observed". AFP, 10 December 2009, at

<http://www.google.com/hostednews/afp/article/ALEqM5iKdJdB7Q4ykT2sPflsoZ0mhyqjQ>

Starvation in prisons: The humanitarian crisis in the Democratic Republic of Congo due to the ongoing conflict in that country has not left inmates unaffected. According to a report from Al Jazeera, at least 17 prisoners at Bunia prison in the Ituri district died in the two months before the intervention of aid organisations in early December 2009. A nurse who works at Bunia prison, lamented over the lack of resources. She said "There are many patients with many different kinds of infections. We lack the resources, we don't have a lot of medicines and I can't refer those with urgent needs to the main hospital. There are too many escapes." Reported by Rhodri Davies and Claude Mahoudeau, 22 January 2010, aljazeera, at <http://english.aljazeera.net/focus/2010/01/201012142858471834.html>

EGYPT

Government retains death penalty: A report from News24 said that the Egyptian government has announced that it would not abolish the death penalty. According to the Minister for Legal and Parliamentary Affairs, Mufid Shehab, "This penalty is carried out with full guarantees of a fair trial in several phases and the accused is not executed until after an opinion from the mufti," the country's most senior Muslim legal scholar. SAPA, 12 December 2009, News24 at

http://www.news24.com/Content/Africa/News/965/da5d308737464348ba117943fe76ceca/10-12-2009-09-19/Egypt_will_keep_death_penalty

Torture in Egyptian prisons: In a report sent to the UN, 16 non-governmental organizations stated that torture is regularly used in Egyptian prisons and police cells, AFP reported. It is also said that the victims are political activists and poor people. The report mentions that "12 to 14,000 people are detained, some for 15 years without being charged or tried". Original report in French. Reported by AFP, 3 December 2009, Google news,

<http://www.google.com/hostednews/afp/article/ALEqM5j2zQymZywPjYQse7-xAfbUgVQxtw>

ERITREA

Eritrea ranks high in journalists imprisoned: Ethiopia and Eritrea are reported to be topping the list of imprisoned journalists, Nazret reported. The report said that about 25 journalists were imprisoned as on 1 December 2009 in Sub-Saharan Africa in response to their journalism and nearly 90 percent of these journalists were detained without charges in secret detention facilities, according to the annual census of the Committee to Protect Journalists (CPJ). The Eritrean

government is alleged to have objected to confirm if the prisoners are still alive, even though unconfirmed reports suggested that three journalists have died in prison. The Nazret, 8 December 2009, at

http://nazret.com/blog/index.php?title=ethiopia_and_eritrea_top_the_list_in_jai&more=1&c=1&tb=1&pb=1

Eritrea imprisons evangelical Christians: According to a report in World Net daily, it is alleged that about 30 evangelical Christian women have been arrested by the Eritrean government. The report said that the women are being held without charge by the district office of the federal security service. International Christian Concern's Jonathan Racho said "Eritrea has been cracking down on evangelical Christians and the government has already imprisoned other evangelical Christians. These women are just added on to the other evangelical Christians the government has thrown into prison". Reported by Michael Carl, 10 December 2009 World Net Daily at

<http://www.wnd.com/index.php?fa=PAGE.view&pageId=118674>

Journalist imprisoned for 8 years without trial: According to a report in IFEX, an Eritrean Journalist, Dawit Isaak, is reported to have been in prison for eight years without trial and without visit from his family. The government is reported to have not given out any information regarding his state of health. Jesper Bengtsson, president of the Swedish section of Reporters Without Borders, and Reporters Without Borders secretary-general Jean-François Julliard said that "It is a disgrace that he remains in prison and it is remarkable that the Swedish government does not try harder to get him released", IFEX reported. IFEX, 10 December 2009, at

http://www.ifex.org/eritrea/2009/12/11/eight_year_anniversary/

THE GAMBIA

UK prisoner found dead in The Gambia: A report in the Press and Journal stated that John Burt Brown, who absconded from an open prison in the UK, had been found dead in The Gambia. According to the report, it was alleged that the "Foreign Office confirmed that Brown, who had been transferred to Castle Huntly in February from Shotts Prison in Lanarkshire, was found dead at his home in the West African holiday destination on [9 November 2009]". Reported by Cameron Brooks, 12 December 2009, The Press and Journal, at

<http://www.pressandjournal.co.uk/Article.aspx/1523463?UserKey=#ixzz0cgwZeum>

Prisoner lost touch with relatives: A Gambian court has ordered the prison authorities to assist an awaiting trial prisoner, a Ghanaian national, to reconnect with his relatives. Justice Joseph Wowo of the High Court in Banjul urged the Director General of the Gambia Prisons Service, David Colley, to assist Samuel Joel Mayombeh to communicate with his relatives. According to a report in Daily Observers, the accused is standing trial on a murder charge since 2007 and had informed the High Court that since he was incarcerated he has not communicated with his relatives and that they do not know of his whereabouts. Reported by Sidiq Asemota, 31 December 2009, Daily Observers at

<http://allafrica.com/stories/200912310612.html>

GHANA

Tafo MP brings gifts to prisoners: A report in The Chronicle said that prisoners at the Kumasi central prison were the fortunate beneficiaries of food items and clothing worth over GH¢3,000, donated to them by the Member of Parliament (MP) for the Old Tafo constituency in Kumasi, Dr. Anthony Akoto Osei. According to the report, Dr. Anthony Akoto Osei told the inmates that their welfare has always been his concern, making sure that funds are available for their upkeep. Reported by Issah Alhassan, 31 December 2009, The Chronicle at <http://allafrica.com/stories/200912211084.html>

The agony inside Ghana's prisons: A video on Ghana Tube reported that the Nsawam Medium Security prison, which was built to house 717 prisoners, now holds 3,100 prisoners. The cells are filled with remand and convicted inmates. According to the report, of the 3100 prisoners at the end of 2009, 1652 were awaiting trial prisoners, which constituted 54 percent of prisoners in Nsawam prison. In the same video, it is reported that 80 prisoners have been sentenced to death while 80 are serving life sentences. Reported by Ayokoba, 2 January 2010, Ghana Tube, at

<http://www.ghanatubes.com/view/764/inside-ghana-prison/>

LIBERIA

Newspaper publisher imprisoned: IFEX reported that a Liberian newspaper publisher was imprisoned under inhumane conditions. According to the report, Cyrenus Cephas, an attorney and the publisher of "Plain Truth" newspaper, was stripped of his clothes and shoes and held naked against his will. The "Plain Truth" publisher also said

that his detention order was on instruction of "the powers that be", IFEX reported. IFEX, 16 December 2009, at http://www.ifex.org/liberia/2009/12/16/cephas_interrogated/

LIBYA

Political imprisonment: A report from News24 stated that despite reforms, Libya is yet to stop the imprisonment of people with different political opinions. Despite its much spoken reform, New York-based Human Rights Watch said that there had been limited improvements in Libya's human rights record. According to the report, the authorities have not published a thorough account of the June 1996 killings at Abu Salim prison, in which over 1 000 prisoners were shot. The results of an investigation promised by the authorities have never been made public and those responsible have not been identified. Reuters, 12 December 2009, News24, at

http://www.news24.com/Content/Africa/News/965/c91e28754f724ab4a96858e18cc605c3/12-12-2009-02-49/Libya_still_jailing_dissenters

MALAWI

The ordeal of gay prisoners: The first gay couple in Malawi may face up to 14-years in prison. Tiwonge Chimbalanga and Steven Monjeza have been arrested, imprisoned and charged with offences that could lead to a 14-year prison sentence. They have been in Chichiri prison in Blantyre, where the warders appear bemused by the level of hysteria surrounding their charges. Tiwonge said that they are being tortured in prison even before their trial. Reported by Raphael Tenthani, 4 January 2010, at

<http://www.timesonline.co.uk/tol/news/world/africa/article6974678.ece>

MOZAMBIQUE

Prison guards arrested: It was reported that more than 50 inmates have escaped from the northern Mozambican district of Nampula-Rapale. According to the report, Nampula provincial police spokesperson, Orlando Mudumane, said only seven of the escapees have been re-arrested. The two warders on guard were arrested after the incident. Mudumane said "All evidence leads us to conclude that the escape of the prisoners was not possible without the guards hearing the noise caused by the instruments used to break through the toilet wall, the method used for the getaway, and investigations are still under way to determine how those tools got into the prison". allAfrica.com, 29 January 2010, at

<http://allafrica.com/stories/201001290937.html>

NAMIBIA

Prison break: According to The Namibian seven awaiting trial prisoners and one sentenced prisoner are reported to have escaped from their prison cell in Khorixas. According to police report, the prisoners dug a hole through the cell's wall before escaping through it. Namibian, 4 December 2009, allAfrica.com at

<http://allafrica.com/stories/200912071597.html>

NIGERIA

Yar'Adua to increase prison budget: The President of Nigeria, Umaru Musa Yar'Adua, has proposed a N2.2bn budget to decongest prisons. In his 2010 budget proposal to the National Assembly, Yar'Adua described the purpose of the allocation as aimed at the 'Expanded Legal Representation for awaiting trial persons', The Punch reported. It is reported that through the government-funded Legal Aid scheme, more than 9015 awaiting trial prisoners had been released, while 5014 detainees who could not meet their bail conditions had received help. Reported by Tobi Soniyi, 1 December 2009, The Punch, at <http://www.punchng.com/Articl.aspx?theartic=Art200912013122893>

Overcrowding in Nigerian prisons: According to a report in the Sunday News, Nigeria has 228 prisons holding 47, 815 prisoners. Of these 145 prisons are for convicted prisoners while 83 serve as satellite prison camps. There are also three Borstal institutions for juvenile offenders. The Ikoyi Prison in Lagos State, which has capacity for 800 inmates, currently holds over 1,500 people awaiting trial. The Kuje Prison in Abuja has more than 600 inmates, including 85 convicted prisoners and 585 awaiting trial. Congestion and overcrowding remains the major problems to the prison administration. Reported by Faith Hassan, 21 January 2010, Sunday News, at

<http://www.sunnewsonline.com/webpages/news/national/2010/jan/21/national-21-01-2010-10.htm>

RWANDA

Genocide offender gets 30 years: The Rwandan Government has welcomed a 30-year sentence handed down to a self-confessed leading genocide criminal by a Belgian court, and believes that it should clear the way for other genocide cases in Belgium. According to The New Times report, the Assize Court sentenced 59-year old Ephraim Nkezabera to a 30-year prison term after finding him guilty of genocide and crimes against humanity, including murder and rape committed during the 1994-genocide against the Tutsi. Martin Ngoga, the Prosecutor General said "It is a good decision; it had taken too long. Circumstantially, the sentence is fair enough and this should be one of the many cases Belgium has to try", adding that the Belgian authorities should continue their search for more genocide offenders alleged to be in hiding in the European country. Reported by Edmund Kagire, 3 December 2009, The New Times at <http://allafrica.com/stories/200912030049.html> see also <http://www.reuters.com/article/idUSTRE5B04CG20091201>

Hash punishment for corrupt officials: The Rwandan government is reportedly on a crusade to punish corrupt government officials. According to The Telegraph, the Finance Director at the presidency, Janvier Murenzi, was reported to have been convicted and sentenced for graft. He was sentenced to four years' imprisonment plus a fine of 1 billion Rwandan francs (\$1.13 million). Vincent Gatwabuyege, a former top civil servant in the infrastructure ministry, was given a similar fine and seven years in prison for corruption in the attribution of several government contracts. A former junior minister in charge of water, Munyanganizi Bikoro, received a two-year prison sentence for tax fraud. Reported by Boris Bachorz, 7 December 2009, The Telegraph at <http://www.telegraph.co.uk/expat/expatnews/6752425/Rwanda-gets-tough-on-corruption.html>

Prisoners engaged in agriculture: Nsinda prison is reported to be home to over 10,000 prisoners. The prison which is located in Rwamagana district, has engaged prisoners in extensive modern agricultural production. Over sixty hectares are covered with flourishing green maize fields, in an area that used to be redundant with skinny cows grazing. Mary Gahonzire, head of the Rwandan prisons said "It helps them realize that social wealth does not come easily, fosters a love for work and helps them become accustomed to it," Gahonzire says. "It instils the idea of 'no work, no food' in their minds. Work gives them a sense of social responsibility and law abiding spirit and improves their self-discipline." Reported by Stephen Rwembeho, 17 December 2009, The New Times at <http://allafrica.com/stories/200912170051.html>

Building capacity for prison management: According to a report in the New Times, 246 prison officers graduated from the Duha Training Center after a three-months training programme as part of a strategy to build capacity and strengthen the young force. The recruits were trained in prison management, ethics, general management skills, discipline drills, communication and customer care. Reported by James Karuhanga, 25 December 2009, The New Times, at <http://allafrica.com/stories/200912280825.html>

Children separated from mothers in prison: In a move to keep children out of prison, the Rwandan government separated 54 children from their mothers in prison. According to the New Times report, the Minister of Gender and Family Promotion, Dr Jeanne d'Arc Mujawamariya, the children will be re-united with their parents once the latter had completed their sentences. "Today, we concluded the exercise that has seen 54 children who are above three years out of prison and allocated to various orphanages. When their mothers complete their respective sentences, they will be re-united," Mujawamariya said during the ceremony at Kigali Central Prison. Reported by Grace Mugoya, 29 January 2010, The New Times at <http://allafrica.com/stories/201001290089.html>

SERRA LEONE

Prison riot: Hundreds of prisoners are reported to have embarked on a riot over poor conditions at Freetown's central prison, New Era reported. It is alleged that six warders were stabbed, leaving them in a critical condition. Prisons department spokesman, Mohammed Janny, said "The fighting lasted for almost two hours when reinforcements from the prison department entered." He added that "To some point they are right. The Freetown central prison at Pademba Road was built to accommodate only 350 prisoners," he said. "But today it is overcrowded with a total of 1 000." Reported by Nampa, 3 December 2009, New Era, at <http://www.newera.com.na/article.php?articleid=8676>

TANZANIA

Prisoner graduates with LLB degree: The Tanzanian Daily reported that a prisoner, Haruna Gombela, was the first to graduate with a law degree in 2007. According to the report, Semayoga Michael Ernest (37) became the second prisoner to graduate with a bachelor degree in law from the Open University of Tanzania (OUT). The Minister for Home Affairs, Lawrence Masha, who was present during the graduation ceremony, expressed his satisfaction that the prisoner's reform programme was going well. Masha said "This is a clear indication that the reform exercising of prisoners is on the right track and at the same time this will boost the morale of other prisoners to follow in his footsteps,". Reported by Rose Athumani, 3 December 2009, Tanzanian Daily News, at <http://allafrica.com/stories/200912030774.html>

TUNISIA

Concern about condition of imprisoned journalist: According to a report from the Committee to Protect Journalist (CPJ), the CPJ is deeply concerned about the health and detention conditions of imprisoned Tunisian journalists. The report said that the detention conditions of Taoufik Ben Brik, one of the most critical journalists of President Zine El Abidine Ben Ali who is currently serving a six-month prison sentence for a series of allegedly trumped-up charges, are alarming, lawyers and journalists told CPJ. The journalist was imprisoned for assaulting a woman, damaging property, harming public decency, and defamation. CPJ, 11 December 2009, at <http://cpj.org/2009/12/tunisian-authorities-mistreating-imprisoned-journa.php>

Another journalist receives 4-year prison sentence: A Tunisian court in the Southern town of Gafsa has sentenced a Tunisian journalist to four years in prison. According to IFEX, Fahem Boukadous was convicted on charges of "belonging to a criminal association" and spreading materials "likely to harm public order". The Committee to Protect Journalists (CPJ) is, according to the report, urging the justice department to quash on appeal the decision of the lower court. Two other journalists are currently serving prison sentences in Tunisia on allegedly trumped-up charges in retaliation for critical coverage of President Ben Ali and his ruling party, IFEX reported. IFEX, 15 January 2010, at http://www.ifex.org/tunisia/2010/01/15/boukadous_sentenced/

UGANDA

Legislatures are considering a death sentence for gays: The Washington Post has reported that the Legislatures of Uganda are considering outlawing "any form of sexual relations between persons of the same sex," and punishable by life in prison or death. According to the report, while the Anglican church of the United States is ordaining its second gay bishop, their counterparts in Uganda may have to come under a strict sentence of death, creating a divide in the Episcopalian church in the U.S. Reported by David Walters, 7 December 2009, The Washington Post at http://newsweek.washingtonpost.com/onfaith/undergod/2009/12/ugandas_anti-gay_law_rile_us.html

Parliament bans female genital mutilation: According to a CNN report, the Ugandan Parliament has unanimously adopted a bill banning female genital mutilation. Convicted offenders will face a 10-year prison sentence. According to the report, if the victim dies during the act, those involved will get a life sentence. Reported by Faith Karimi, 12 December 2009, CNN, at

<http://edition.cnn.com/2009/WORLD/africa/12/12/uganda.genital.mutilation/>

Prison torture continues despite improved human rights situation: A New Vision report said that the human rights situation in Uganda has improved markedly, but torture of prisoners and illegal detention continue to threaten fundamental human rights guarantees. The Ambassador of Ireland, Kevin Kelly, said "The human rights situation in Uganda has steadily improved over the last three years due to the cessation of hostilities in northern Uganda, [and] the change in approach to the disarmament process in Karamoja, and law reform efforts". There are still allegations, however, that prison officers, and the police, continue to undermine the rights of persons. New Vision, 12 December 2009, allAfrica.com, at

<http://allafrica.com/stories/200912141099.html>

Anti-gay bill may lead to death penalty: An attempt by the Ugandan government to impose the death penalty on homosexual offenders has led to worldwide opposition. The anti-gay bill is, according to its proponent, David Bahati, aimed at "preventing the recruitment of under-age children, which is going on in single-sex schools", The Guardian reported. He also said that people have misunderstood the death penalty provision: The section of the death penalty relates to defilement by an adult who is homosexual and this is consistent with the law on defilement which was passed in 2007. The whole intention is to prevent the recruitment of under-age children, which is going on in single-sex schools. We must stop the recruitment and secure the future of our children." Reported by Tracy McVeigh, Paul Harris, 13

December 2009, The Guardian, at
<http://www.guardian.co.uk/world/2009/dec/13/death-penalty-uganda-homosexuals>

Minister fights against juvenile imprisonment: A report in the New Vision stated that the state Minister for the Youth, Jessica Alupo, has urged district probation officers, secretaries for children affairs, the police and paralegals to work towards protecting juvenile offenders from being sent to prison. Alupo said "We are going to inspect all prisons to see if any juvenile offenders have been jailed there, and take due action". Reported by Charles Mukiibi, 14 December 2009, New Vision at <http://www.newvision.co.ug/D/8/16/704287>

ZIMBABWE

Sanitary crisis hits prisons: A report in the Zimbabwean Times said female prisoners and patients in most government hospitals face the risk of contracting diseases as they have now resorted to the use of newspapers, tissue paper or rags as substitutes for sanitary pads. According to the report, the Officer in Charge of the female prison at Chikurubi Maximum Prison, Chief Prison Officer Susan Mlambo, told Deputy Prime Minister, Thokozani Khupe, during a visit to the prison that female prisoners now used these substitutes due to a shortage of sanitary pads. The Zimbabwean, 9 December 2009, at
<http://www.thezimbabwetimes.com/?p=25744>

Prison life gets better: A report in The Herald said that prison conditions in Zimbabwe have seen remarkable improvement. ZPS Commissioner Retired Major-General Paradzai Zimondi yesterday said: "We have received support from a number of organisations and Government has come up with a number of initiatives that have seen the situation improving." Reported by the government of Zimbabwe, 23 January 2010, The Herald, at
<http://allafrica.com/stories/201001250070.html>

NOTE FROM THE EDITORS

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