

AFRICA PRETRIAL JUSTICE MONITOR



Africa Pretrial Justice Monitor

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Notice Board

Pretrial detention in Zimbabwe: OSISA, in partnership with Zimbabwe Lawyers for Human Rights and the Law Society of Zimbabwe, published the report entitled 'Pretrial detention in Zimbabwe.' The report is an analysis of the criminal justice system and the conditions of detention in pretrial detention in Zimbabwe. More information is available at <http://www.osisa.org/open-learning/law/zimbabwe/pre-trial-detention-zimbabwe>

Country Reports

EGYPT

Torture allegations: IOL reported that a number of journalists charged and detained in connection with their purported support of the country's ousted President Morsi, have accused state officials of torturing them. The report notes that the journalists, all of whom work for the same news channel, also allege that they have been denied medical care. Reported by Haitham El-Tabei, 5 March 2014, at <http://www.iol.co.za/news/africa/torture-claims-in-egypt-media-trial-1.1656965#.Uz6VosdPvPG> an updated version of this story was reported by the Committee to Protect Journalists on 17 March 2014, at <http://www.cpj.org/2014/03/egypt-hands-jail-term-to-journalist-holds-two-othr.php>

Footage indicating ill treatment of detainees: The Telegraph published online video footage of the conditions of detention in a maximum security military prison. The footage indicates extremely unsanitary conditions as well as overcrowding. The article indicates that many of the detainees in the prison have made allegations of torture. Reported by Colin Freeman, 9 March 2014, at <http://www.telegraph.co.uk/news/worldnews/africaandindianocean/egypt/10683781/Smuggled-footage-reveals-squalid-conditions-inside-Egyptian-jail.html>

Mass sentence of the death penalty: Arab News reported that an Egyptian court sentenced 529 Morsi supporters to death on 24 March 2014 on charges of murdering a police official and attacking police officials. The trial has been criticised heavily by human rights activists on the grounds that many of the accused were tried in absentia. The sentences will reportedly be appealed. Reported by Arab News, 24 March 2014, at <http://www.arabnews.com/news/545166>

KENYA

IMLU post on torture prevention: The Independent Medico-Legal Unit published a post on its website regarding the much-needed remaining reforms that need to be undertaken by the state in order to combat and prevent torture. The post was published in the wake of the recent visit by a delegation of anti-torture experts from the World Organization against Torture. The post is available at <http://www.imlu.org/2011-08-04-18-06-26/news/item/70-torture-reforms-must-tackle-implementation-gap-and-end-impunity.html>

NIGERIA

Insurgents freed from prison: The China Post reported that Boko Haram Islamists attacked a military base in Maiduguri on Friday 14 March 2014, forcibly entering the premises. During the attack 'dozens' of insurgents were reportedly released from custody. Boko Haram has reportedly carried out many attacks on detention facilities in recent months, yet this one is allegedly one of the more 'dramatic' events. Reported by the China Post, 15 March 2014, at <http://www.chinapost.com.tw/international/africa/2014/03/15/402873/Boko-Haram.htm>

SOUTH AFRICA

Poor conditions for undocumented migrants: IOL published an article on the conditions of detention at the Lindela Repatriation Centre in Krugersdorp. Legislation provides that an undocumented migrant may be detained for 120 days without trial. The article notes that the repatriation centre, which was built in 1996, is considered an 'alternative' to imprisonment. However, many detainees reportedly experience poor treatment at the hands of the immigration officials.

Reported by Ufrieda Ho, 1 March 2014, at <http://www.iol.co.za/news/south-africa/stateless-and-stuck-in-limbo-1.1654749#.Uz5ZLcdPvPE>

Damages award for wrongful arrest: The Star reported that a man has been awarded R200 000 after having successfully sued the minister of police for wrongful arrest. The report notes that the plaintiff was compelled to spend 20 days in custody before the police established that he was not a suspect in a crime. The judgment reportedly notes that the police had been derelict in their duty to uphold the law. Reported by The Star (subscription required), 4 March 2014, at <http://thestar.newspaperdirect.com/epaper/showarticle.aspx?article=5d9e7187a&â€589e&â€4d32&â€953aa&â€2c10ad9f25c1&key=WAq7EKZxSKM%2fX8TK9GBe1Q%3d%3d&issue=6510201403030000000001001>

Man released from Equatorial Guinea Prison: IOL reported that a South African businessman who had been held in Equatorial Guinea's Black Beach Prison since December 2013, was released on 21 February 2014. The man had been held in prison after having been acquitted by a court during December 2014. The report notes that his arrest happened soon after a business deal with a local businessman had 'gone wrong.' Reported by Peter Fabricius, 4 March 2014, at <http://www.iol.co.za/news/africa/sa-man-freed-from-black-beach-prison-1.1656023#.Uz6SHcdPvPE>

Lengthy incarceration: The Mail and Guardian published a feature article on the plight of awaiting trial detainees who are compelled to spend lengthy periods of time in remand detention. The article documents the poor conditions of detention in Johannesburg Medium A and the sense of depression and hopelessness that many detainees feel. Reported by Ruth Hopkins, 7 March 2014, at <http://mg.co.za/article/2014-03-06-presumed-innocent-rotting-in-jail>

Complaints of torture: eNCA reported that a complaint has been lodged with the South African Human Rights Commission against the Department of Correctional Services' emergency security team (EST) for allegedly beating, electrocuting, and torturing inmates at the St Albans correctional centre in Port Elizabeth on 2 and 3 March 2014. The incident reportedly occurred during a mass search of 200 inmates for contraband. Reported by eNCA, 20 March 2014, at <http://www.enca.com/south-africa/prison-assault-complaint-lodged> Also reported at <http://www.news24.com/SouthAfrica/News/Prison&â€assault&â€complaint&â€lodged&â€20140320>

SWAZILAND

Journalists arrested: The Cape Argus reported that a Swazi journalist and a human rights lawyer have been arrested and detained in connection with having written an article criticising the High Court of Swaziland. Both accused have reportedly been denied bail. The report notes that the accused have been forced to wear leg irons during their appearances in court despite it being contrary to the constitution. The report also notes that their arrests have been criticised and described as being part of an ongoing endeavour of the state to stifle freedom of speech. Reported by The Cape Argus (subscription required), 28 March 2014, at <http://capeargus.newspaperdirect.com/epaper/showarticle.aspx?article=c753887a&â€6122&â€4292&â€9072&â€30973a4a0a59&key=RT%2b8D2%2bbrP8yoB1XUHxy4Q%3d%3d&issue=6985201403290000000001001>

TANZANIA

Training of paralegals: IPP Media reported that a significant number of people living in rural areas are receiving legal aid services from paralegals. The report notes that victims of rights violations no longer have to travel long distances to obtain legal advice. The paralegals are reportedly trained by legal aid organisations that received funds from the Legal Services Facility. Reported by Michael Haonga, 1 March 2014, at <http://www.ippmedia.com/frontend/index.php?l=65280>

Global Campaign for Pretrial Justice

On any given day, an estimated three million people around the world are behind bars awaiting trial. Many will spend months and even years in detention - without being tried or found guilty - languishing under worse conditions than people convicted of crimes and sentenced to prison. To address the over-reliance on pretrial detention and promote greater access to legal assistance, the Global Campaign for Pretrial Justice is working to gather empirical evidence to document the scale and gravity of the problem; pilot innovative practices and methodologies, to identify effective, low-cost solutions; and build a forum for sharing knowledge among practitioners, researchers and policymakers. For more information on the Global Campaign for Pretrial Justice, please visit http://www.soros.org/initiatives/justice/focus/criminal_justice/projects/globalcampaign

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