

AFRICA PRETRIAL JUSTICE MONITOR



Africa Pretrial Justice Monitor

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Notice Board

White Paper on Remand Detention: The final draft of the South African government's White Paper on Remand Detention Management has been published. The White Paper is intended to bring Department of Correctional Services' policy in line with the provisions of the Correctional Matters Amendment Act 25 of 2011, which was enacted during March 2012 and aims to provide for the 'management' of remand detainees in South African correctional centres. More information and a link to the draft is available at <http://ppja.org/countries/south-africa/south-africas-white-paper-on-remand-detention-management-finalised>

OHCHR 2012 Report: The 2012 Report of the United Nations Office of the High Commissioner on Human Rights has been released. The thematic issues dealt with include impunity and the rule of law and violence and security. It also contains a number of case studies on African countries in relation to torture and arbitrary detention. The report is available at http://www2.ohchr.org/english/ohchrreport2012/web_en/allegati/downloads/1_Whole_OHCHR_Report_2012.pdf

Committee against Torture examines Kenya report: On 16 May 2013 the Committee against Torture finished its examination of Kenya's second periodic report. Some of the issues raised included the criminalization of torture and establishment of a mechanism to investigate all claims and complaints of torture and a public authority to monitor and provide independent oversight of the police. More information is available at <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=13337&LangID=E>

Socio-economic effects of pretrial detention: The Global Campaign for Pretrial Justice, in collaboration with the UNDP and civil society organizations in the three countries, has released a series of reports on Sierra Leone, Ghana and Guinea Conakry, wherein important demographic information on pretrial detainees and the impact of their detention is captured. More information and a link to the reports is available at <http://www.opensocietyfoundations.org/voices/new-insights-pretrial-detention-three-west-african-countries>

Reports on children in pretrial and police detention: Penal Reform International and the Foundation for Human Rights Initiative have released eight country reports reviewing the law and policy to prevent and remedy violence against children in police and pretrial detention. Two of the selected countries are African: Tanzania and Uganda. The reports are available at <http://www.penalreform.org/publications/review-law-and-policy-prevent-and-remedy-violence-against-children-police-and-pre-trial-0>

Report on police abuse: Human Rights Watch has released a report entitled "You are all Terrorists: Kenyan Police Abuse of Refugees in Nairobi." the report documents the treatment of Somali refugees, which includes allegations of rape, extortion, torture and arbitrary detention. The report is available at <http://www.hrw.org/node/115736>

Country Reports

DEMOCRATIC REPUBLIC OF CONGO

Mbuji-Mayi prison overcrowded: Radio Okapi reported on the overcrowded conditions of Mbuji-Mayi prison, which has an occupancy level of 566%, with a sentenced population at only 37% of the total prison population. A government committee has reportedly been considering other places of detention in the area that could take in some inmates. Original report in French. Reported by Radio Okapi, 18 May 2013, at <http://radiookapi.net/actualite/2013/05/18/mbuji-mayi-surpeuplee-la-prison-centrale-heberge-850-personnes/>

ERITREA

Secret detention facilities: NPR reported the story of Kindane Isaac who was 18 when the authorities arrested him for “an unspecified crime.” The report notes that it is likely that he was suspected of planning to desert military service. Isaac was taken to a remote prison, a shipping container, one of the many reportedly secret prisons scattered around the country visible only by satellite. An Amnesty International reportedly notes that thousands of political prisoners are being held in secret facilities in the Eritrean desert. Reported by Gregory Warner, 19 May 2013, at <http://www.npr.org/blogs/parallels/2013/05/19/184846121/escape-from-an-eritrean-prison>

IVORY COAST

United States embassy highlights conditions of detention: L’Infodrome reported on the 2012 Report on the Human Rights situation in Ivory Coast. It highlighted, among others, issues of conditions of detention (including overcrowding and corruption), arbitrary arrests and detention, and torture and other ill-treatment at the hands of police and prison officials. Original report in French. Reported by L’Infodrome, 16 May 2013 at http://www.linfdrome.com/index.php?option=com_content&view=article&id=9012:rapport-explosif-sur-les-droits-de-l-homme-en-cote-d-ivoire-les-etats-unis-accablent-le-regime-ouattara&catid=8:vie-politique&Itemid=110

NIGERIA

Prisoners released during raid: Aljazeera reported that suspected fighters of the Nigerian group Boko Haram attacked and raided the northeastern town of Bama on Tuesday 7 May 2013. Fighters reportedly freed 105 inmates from the town’s military prison during the raid, killing 14 prison officials in the process. Reported by Aljazeera, 8 May 2013, at <http://www.aljazeera.com/news/africa/2013/05/201357225836850553.htm>

Nigerians in Brazilian prisons: Leadership Nigeria reported that approximately 500 out of the 5000 Nigerians living in Brazil are incarcerated in different prisons around the country. Almost all of the Nigerian prisoners are either awaiting trial on drug-related charges or are serving sentences of imprisonment after having been convicted of drug offences. Reported by Nkem Osuagwu, 18 May 2013, at <http://leadership.ng/news/180513/500-nigerians-languish-brazil-s-prisons-ambassador>

Rising number of remand detainees: Worldstage reported that the Federal Government has inaugurated a twelve-person Inter-ministerial committee for the purpose of coming up with ways to decongest the prisons nationwide. The Minister of Interior reportedly stated that about 70 per cent of the Nigerian prison population are awaiting trial and are thus a major driving factor when it comes to overcrowding. Reported by Mos Abaka, 19 May 2013, at <http://www.worldstagegroup.com/worldstagenew/index.php?active=news&newscid=8696&catid=2>

SOMALIA

Alleged pirates await trial in Seychelles: The BBC reported that a United Nations funded prison, Montagne Posee, located in the Seychelles, is being used as an awaiting trial facility for suspects accused piracy. There are reportedly 66 Somalis awaiting trial on charges of piracy. If convicted, they will be deported to Puntland, Somalia,

to serve their sentences. There are reportedly more than 1000 convicted Somali pirates in prisons around the World. Reported by Anthony Denselow, 18 May 2013, at <http://www.bbc.co.uk/news/magazine-22556030>

SOUTH AFRICA

Inmates detained illegally: The Guardian reported that according to a confidential government report, a prison run by the British firm G4S is detaining inmates illegally in isolation for up to three years and denying some of them important medication. The confidential report reportedly indicates that 62 inmates were detained in single cells for periods ranging from two weeks to three years, and two inmates were denied HIV and TB treatment. Reported by Ruth Hopkins, 29 May 2013, at <http://www.guardian.co.uk/world/2013/may/28/g4s-south-african-prisoners-isolation>

UGANDA

Police abuse: The Daily Monitor reported that according to the Annual Reports of the Uganda Human Rights Commission (UHRC), complaints against the police are on the rise, particularly allegations of torture or cruel, inhuman or degrading treatment or punishment. The report notes that possible reasons for the high number of complaints include lack of training and resources as well as the fact that there is a poor culture of accountability. Reported by Sarah Mount, 15 May 2013, at <http://www.monitor.co.ug/OpEd/Commentary/Policing-and-human-rights--Time-for-real-change-in-Uganda/-/689364/1852782/-/whm82m/-/index.html>

OTHER

African migrant inmates protest: The Jerusalem Post reported that on 5 and 6 May 2013 340 African migrants were protesting what they term 'their illegal detention' and calling for their release. The protesters were all African migrants who are being detained under the Prevention of Infiltration Law (1954) which authorises the state to incarcerate people who enter the country illegally for three years or longer. Reported by Ben Hartman, 7 May 2013, at <http://www.jpost.com/National-News/African-migrants-attack-guards-at-prison-312373>

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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