

AFRICA PRETRIAL JUSTICE MONITOR



Africa Pretrial Justice Monitor

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Notice Board

Paralegal case study in Rwanda: Penal Reform International has published a report documenting a pilot paralegal programme in Rwanda from 2009-2010. The project was launched for the purpose of developing paralegal services for detainees being held in prisons with the objective of reducing the high rate of pretrial detention. Additional information and the report are available at <http://www.penalreform.org/news/paralegal-activity-rwanda-case-study>

Commission for Social Development 50th Session: On 1 to 10 February 2012 the 50th session of the Commission for Social Development took place in New York. The theme for the Session was "Poverty Eradication" and included discussions about the connection between access to justice and poverty. Various NGO statements for the Session are available at <http://social.un.org/index/Home/tabid/40/news/212/Default.aspx>. The full report on the Session has yet to be released.

Access to Justice in East Africa: The Danish Institute for Human Rights and the East Africa Law Society have released a report entitled: "Access to Justice and Legal Aid in East Africa." The report compares the various legal aid schemes used in the region and the level of co-operation between relevant actors. Additional information is available from the Danish Institute of Human Rights, <http://www.humanrights.dk/home>

Country Reports

CAMEROON

Ten women detained on charges of homosexuality: The Daily Mail reported that ten women arrested in Cameroon on charges of being homosexual are being detained until their respective trials. Consensual same-gender sex is punishable by a prison sentence of between six months to five years. Reported by Simon Tomlinson, 24 February 2012, at <http://www.dailymail.co.uk/news/article-2105855/Ten-women-arrested-Cameroon-lesbian.html?ito=feeds-newsxml>

DEMOCRATIC

REPUBLIC

OF

CONGO

Repatriated immigrants detained in prison: Radio Okapi reported that 52 Congolese men that had been deported from South Africa were then detained by Congolese authorities in Kasapa prison. The authorities reportedly insisted their detention was necessary for identification purposes. Original report in French. Reported by Radio Okapi, 18 February 2012, at <http://radiookapi.net/actualite/2012/02/18/lubumbashi-52-congolais-expulses-de-lafrique-du-sud-sont-gardes-la-prison-de-kasapa/>

Justice system in need of reform: Voice of America reported that the country's justice system is in dire need of reform. A spokesperson from a human rights organisation based in the DRC stated that the justice system needs to be rebuilt "from the ground" as the system is "saddled with many problems, including dilapidated court houses and corruption among judges, prosecutors and lawyers." In addition, the report stated that there is a lack of capacity, transparency and accountability at all stages of pre-trial processes. Reported by James Butty, 17 February 2012, at <http://www.voanews.com/english/news/africa/Butty-DR-Congo-Reforming-the-Justice-System-Hall-17february12-139499203.html>

EGYPT

Reports of torture: AU News reported that an Australian freelance reporter gave a press interview in which he confirmed that there had indeed been allegations against prison authorities in Egypt of torture of prisoners. The journalist had been detained in Egypt on suspicion of paying Egyptians to stage protests against the authorities. Reported by au.news, 14 February 2012, at <http://au.news.yahoo.com/world/a/-/world/12904997/australian-tells-of-torture-in-egypt/>

LIBERIA

Courts in prison: allAfrica.com reported that the government had set-up magisterial courts within the most populated prisons in Liberia to help fast track minor cases and reduce prison congestion. Reported by Throble Suah, 7 February 2012, at <http://allafrica.com/stories/201202070510.html>

LIBYA

Amnesty International reports on rampant torture in prisons: The Guardian reported that Amnesty International condemned the Libyan militias' use of torture against suspected Gaddafi loyalists who are reportedly being detained in prisons and secret places of detention all over the country. Reported by Chris Stephen and Luka Harding, 16 February 2012 at <http://www.guardian.co.uk/world/2012/feb/16/amnesty-widespread-torture-libyan-militias?newsfeed=true>

Call to release journalists: News24.com reported that Human Rights Watch had appealed to a Libyan militia reportedly detaining two journalists working for Iran's Press TV to immediately transfer them to the authorities. A spokeswoman for Human Rights Watch reportedly said that "militias have no business detaining people and holding people". Reported by news24.com, 26 February 2012, at <http://www.news24.com/Africa/News/HRW-urges-Libya-militia-to-free-journos-20120226>

NIGERIA

Police reforms underway: The Moment reported that newly appointed Inspector General of Police, Mohammed Dahiru Abubakar, was undertaking reforms, which, if strictly implemented and adhered to could repair the battered image of the Nigerian Police Force and enhance its professional responsibility. Reported by The Moment, 28 February 2012, at <http://www.momentng.com/en/news/6538/evolving-new-orientation-in-the-police.html>

High number of remand detainees: Leadership Nigeria reported that the Deputy Controller of Prisons said that out of 898 prisoners at Onitsha prison, only 53 had been convicted and were serving their sentences. The remainder were remand detainees. The prison is reportedly severely overcrowded as it is only designed to accommodate 326 prisoners. Reported by Leadership Nigeria, 14 February 2012, at http://leadership.ng/nga/articles/16366/2012/02/14/845_inmates_await_trial_onitsha_prisons_%E2%80%9393_official.html

SOUTH

AFRICA

Intervention urged: The Saturday Star reported that the conditions under which rape victims were attended to at Umbilo police station "have not improved" despite an Independent Complaints Directorate investigation into 34 incidents of unconstitutional or inhumane treatment of victims of sexual offenses and a directive for the police to take corrective action. Full Saturday Star report (subscription needed) Reported by the Star, 11 February 2012, at <http://thestar.newspaperdirect.com/epaper/showarticle.aspx?article=eb02f919-8eb0-4525-8a4d-93364c7d6ff3&key=KeZO7qdViXqwCnRCmbBaTA%3d%3d&issue=6988201202110000000001001>

Budget for renovation unveiled: Sake24.com reported that the Minister of Finance announced during his budget speech that R300 million, in addition to the Department of Justice and Constitutional Development's infrastructure budget of R1.3 billion, would be used to renovate and build new courts. Reported by Alice Stine October, 23 February 2012, at <http://www.sake24.com/Ekonomie/Nuwe-howe-gaan-gebou-word-20120222>

Unit under investigation: The Sunday Times reported that 18 KwaZulu-Natal police officers are being investigated in connection with 51 suspicious murders of suspects. The report added that "various government agencies" had descended on KwaZulu-Natal to carry out investigations into the activities of the police officers implicated. Reported by Stephan Hofstatter, Mzilikazi wa Africa and Rob Rose, 19 February 2012, at <http://www.timeslive.co.za/local/2012/02/19/rogue-unit-executed-51>

Prisoners escape: The New Age reported that one of three remand detainees that escaped from Zeerust police station on the weekend of the 28 January 2012 had been re-arrested. The other two escapees are reportedly are still at large. Reported by Elfas Torerai, 2 February 2012, at http://www.thenewage.co.za/42185-1008-53-Escaped_prisoner_rearrested

Woman challenges detention: IOL reported that a Cameroonian woman, who claims to have been detained illegally by South African law officials, challenged her detention in court on the basis that it was "driven by corrupt officials keeping her behind bars to source information from her on a Cameroonian businessman." Reported by Omphitlhetse Mooki, 27 February 2012, at <http://www.iol.co.za/news/africa/woman-says-sa-is-holding-her-illegally-1.1243508>

SUDAN

Civilians detained: News Day reported that three civilian members of the UN/African Union peacekeeping force are being held by rebel group, Justice and Equality Movement in Darfur, on account of being suspected as spies. Reported by newsday.com, 13 February 2012, at <http://www.newsday.com/news/world/world-briefs-1.3544836>

TOGO

Torture report false: Radio Netherlands reported that eight human rights organisations in Togo were angered by the fact that the government had "doctored" a report into the torture of "dozens of suspects held over an alleged 2009 coup plot." Reported by Radio Netherlands, 28 February 2012, at <http://www.rnw.nl/africa/bulletin/rights-groups-say-togo-govt-doctored-torture-report>

ZIMBABWE

Zimbabwe to ratify UN Convention against torture: The Herald reported that the government had begun motivating for the formal ratification of the United Nations Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. The report quotes the Minister of Justice as saying that "people who are alleged to have committed torture in Zimbabwe did not do it with the authority of their superiors." Reported by Sydney Kawaza, 20 February 2012, at http://www.herald.co.zw/index.php?option=com_content&view=article&id=34357:govt-pushes-to-ratify-un-convention-against-torture&catid=37:top-stories&Itemid=130

Court system grinds to a halt: Reuters reported that authorities in Harare shut down the capital's main courthouse during a typhoid outbreak that had affected many of the magistrates and court officials. Reported by MacDonald Dzirutwe, 11 February 2012, at <http://www.reuters.com/article/2012/02/11/zimbabwe-typhoid-idUSL5E8DB0B020120211>

Allegations of torture in remand detention: The Daily News reported that despite assurances to the contrary by the Ministry of Justice, the use of torture "to extract evidence from suspects has become routine and systematic." The report added that it had become part of remand procedure for magistrates to ask suspects if they were tortured while in police detention. Reported by Conrad Nyamutata, 28 February 2012, at <http://www.dailynews.co.zw/index.php/opinion/7610-time-to-eradicate-torture-.html>

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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