

PUBLIC

AI Index: AFR 41/002/2003

UA 361/03 **Torture or ill-treatment/ Medical concern/ Prison Conditions** **10 December 2003**

MOZAMBIQUE **Mamade Assif Abdul Satar (m)**
Ayob Abdul Satar (m)
Vicente Narotam Ramaya (m)
Carlitos Cassamo (m)
Manuel Fernandes (m)
Aníbal dos Santos Júnior (m)

Amnesty International has just received information that the prisoners named above are being subjected to cruel and degrading treatment at Maputo's Maximum Security Prison.

For at least two days and nights, five of the six convicted prisoners named above have been held in foot-cuffs and the sixth, Mamade Assif Abdul Satar, has been shackled with chains. The foot-cuffs and chains cause pain by pressing into the prisoners' flesh whenever they bend their knees. They have cut into the flesh of Carlitos Cassamo, who tried to relieve the pain by inserting cloth between the metal and his skin.

The prisoners, who are being held in separate cells, are able to shuffle to a urinal, but try to avoid defecation because sitting causes pain. Guard dogs outside their cells bark continually at night and the prisoners are unable to sleep. They have reportedly been denied visits from their relatives for months. In addition, Ayob Abdul Satar has not received medical attention for infected gums.

BACKGROUND INFORMATION

These six men were convicted in January 2003 of the murder of Carlos Cardoso, the editor of a daily newspaper, in November 2000. Carlos Cardoso had been investigating a fraud of 14 million US dollars at the state-run Commercial Bank. Five of the six were sentenced to prison terms of 23 years and six months and Aníbal dos Santos Júnior was sentenced in absentia to 28 years imprisonment for murder and related charges. Momade Assif Abdul Satar, his brother Ayob Abdul Satar and Vicente Ramaya, are awaiting a further trial for fraud.

Security in the Maximum Security Prison was tightened in September 2002 after Aníbal dos Santos Júnior escaped. In September 2003, a court acquitted seven police officers who had been charged with assisting him to escape. The judge said that the policemen had been used as scapegoats to "protect those who were untouchable".

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Portuguese or your own language:

- calling for the six prisoners named above to have any foot-cuffs and chains removed as they are inherently cruel and degrading;
- calling for the prisoners to be given immediate access to medical attention;
- urging a thorough and impartial investigation into the conditions in which they have been held, with a view to bringing their treatment into line with the Standard Minimum Rules for the Treatment of Prisoners;
- reminding the authorities that in accordance with Rule 33 of the Standard Minimum Rules for the Treatment of Prisoners, chains or irons should not be used as restraints. Rule 33 also states that other instruments of restraint should only be used while prisoners are being transferred, or to prevent them from injuring themselves or others or damaging property, in which case a medical officer should be consulted. In any case, Rule 34 requires that restraints should not be applied for any longer than necessary.

APPEALS TO:

Minister of Justice

Sua Excelência Ibraimo Abudo
Ministro da Justiça
Ministério da Justiça
Avenida Julius Nyerere 33
Maputo
República de Moçambique
Telegram: **Ministro da Justiça, Maputo, Mozambique**
Fax: **+258 1 494 264**
Salutation: **Sua Excelência/ Dear Minister**

Minister of Interior
Sua Excelência Almerino Manhenje
Ministro do Interior
Gabinete do Ministro
Ministério do Interior
Av Olof Palme 46/48
Maputo
República de Moçambique
Telegram: **Ministro do Interior, Maputo, Mozambique**
Fax: **+258 1 431 048/420 084**
Salutation: **Sua Excelência/ Dear Minister**

Attorney General
Exmo. Sr. Dr. Joaquim Luis Madeira
Procurador Geral da República
Procuradoria Geral da República
Maputo
República de Moçambique
Telegram: **Procurador Geral da República, Maputo, Mozambique**
Fax: **+258 1 492 758**
Salutation: **Excelentissimo Senhor/ Dear Attorney General**

COPIES TO: Diplomatic representatives of Mozambique accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 21 January 2004.