



To: Health Professional Network
From: Amnesty International
Date: 11 August 2010

Health Professional Action Update
Deteriorating health of Muatxihina Chamumbala
and other political detainees in Conduege Prison
Angola

(Update to AFR 12/002/2010, 27 January 2010)

Amnesty International remains seriously concerned about the health of 37 political detainees held in Conduege prison in Dundo, Lunda Norte Province in Angola. Their health continues to deteriorate due to the persisting unsanitary conditions, insufficient and inadequate food and water and lack of medical treatment. Most, if not all, have been intermittently ill since they have been in detention.

In addition to chronic ailments such as hernias and infections such as malaria, which reportedly have worsened because of the lack of medical treatment, most of the detainees have been suffering from severe vomiting and diarrhoea with blood loss in the urine and faeces.

Amnesty International is particularly concerned about the health of Muatxina Chamumbala (please note that he was referred to as Muatxihina Muatximbala in the original health action of 27 January 2010) who has been very ill for eight months with a distended abdomen. In early July he was taken to the Lunda Norte Provincial hospital where he had fluid drained from his abdomen. He was returned to the prison three days later. However, he is not receiving further medical treatment and the prison conditions are not conducive to a recovery. He reportedly remains very ill.

Amnesty International is concerned the health of these detainees will continue to deteriorate if needed medical attention is not provided and prison conditions are not improved.

Cruel, Inhumane and Degrading Treatment

When states hold people in detention they have a heightened level of responsibility in ensuring their right to life and health, including by providing adequate food and health care to detainees, and by ensuring that the conditions of detention do not put their lives and health at risk. Amnesty International considers that the conditions in Conduege prison, which are overcrowded, with lack of sanitation and clean water and with inadequate and poor quality food, place prisoners' lives and health at risk and amount to cruel, inhumane and degrading treatment. Most

of the 37 individuals, who are detained pending trial, suffer from chronic illnesses and some are very seriously ill; only two have received medical treatment, albeit inadequate.

Provisions of food and water are sent to Conduege prison from the Angolan capital, Luanda, more than 1,000 kilometres away. Detainees often go without food or have their already inadequate rations cut as food provisions run out before new supplies arrive. Only the families who live in the area are able to visit their relatives in prison and provide food and medicines. The majority of prisoners have families that live hundreds of kilometres away and cannot visit. Therefore, they do not receive needed supplies.

In a previous action, Amnesty International did not have details of the conditions in Conduege Prison. However, in mid-July 2010 the deputy Attorney General visited prisons in Lunda Norte, including Conduege. At the end of the visit he was reported as saying on national television that conditions in Conduege were deplorable and not fit for human habitation.

Amnesty International calls on the Angolan authorities to take immediate steps to put an end to this cruel, inhumane and degrading treatment by ensuring without delay that all those held in the prison have access to adequate clean water and food and proper sanitation and health care. This includes releasing the detainees pending trial. In the case of any who are released the Angolan authorities must ensure provision of appropriate medical treatment to any who are suffering ill-health caused or exacerbated by the conditions of detention to which they have been subjected.

International Standards on Prison Conditions

The UN Standard Minimum Rules for the Treatment of Prisoners outlines the responsibility of states in adhering to good principles and practices for conditions of detention. These include adequate sanitary conditions (12), nutritional food (20.1), drinking water (20.2), hygienic facilities (10, 13, 14) and medical services (22-26). The UN Body of Principles for the Protection of All Persons Under Any Form of Detention or Imprisonment also outlines the responsibility of states to provide humane conditions and respect dignity of persons under all forms detention. Principle 6 states, 'No person under any form of detention or imprisonment shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment'. A footnote to this principle clarifies that the "principle shall be interpreted with the widest possible protection against abuses, whether physical or mental".

Furthermore, UN Special Rapporteurs have addressed the issue of cruel, inhuman and degrading treatment in reports. For example in 1995, the UN Special Rapporteur on Torture visited a prison in the Russian Federation and found the conditions under which the prisoners were held in a remand centre so appalling that they amounted to cruel, inhuman and degrading treatment. He stated, 'No state has the right to subject person to these conditions, regardless of constraints on resources, rigidities in its legal system or time required to develop new facilities'. His recommendations included removing all prisoners from these conditions by reducing overcrowding and releasing all non-violent first time offenders detainees pending trial.¹ The Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions also reinforced the states 'heightened level of responsibility in protecting the rights of detained individuals', including 'proving adequate health care to detainees'.²

Recommended action

a) Please write to the Angolan authorities below in Portuguese or your own language:

- explaining that you are a health professional concerned about human rights;
- expressing concern at reports of cruel, inhumane and degrading conditions of the Conduege prison, which are making prisoners ill;

¹ UN Doc. E/CN.4/1995/34/ADD.1

² UN Doc. A/HRC/14/24 and UN Doc. A/61/311

- expressing concern at reports that Muatxihina Chamumbala and other detainees at Conduege prison are not receiving adequate medical treatment and that their health is deteriorating;
- urging the authorities to ensure that Muatxina Chamumbala and the other detainees receive full and immediate access to the necessary medical care, in accordance with provisions set out in the UN Standard Minimum Rules for the Treatment of Prisoners;
- urging the authorities to improve the conditions in which the detainees are held, including providing adequate and regular food, potable water, adequate sanitary facilities;
- calling on the authorities to ensure that these detainees are treated humanely in detention, in accordance with human rights standards;
- calling on the authorities to release these detainees pending trial and provide them with medical treatment even after their release;
- asking the authorities to provide updates on the current state of the detainees

Addresses

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Minister of Health

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Minister of Foreign Affairs

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Please also send copies to diplomatic representatives of the Angolan government accredited to your country.

If you receive no reply within eight weeks of sending your letter, please send a follow-up letter seeking a response. Please send copies of any letters you receive to the International Secretariat, attention of Special Thematic Projects Team, 1 Easton Street, London WC1X 0DW or e-mail: health@amnesty.org