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To: Medical professionals  
From: Medical office / Africa Program  
Date: 21 August 1998

***Further information on***  
**MEDICAL LETTER WRITING ACTION**

**Prisoners arrested in coup attempt**  
**ZAMBIA**

(See AI Index AFR 63/06/98, 9 April 1998)

**Keywords**

Theme: Ill-health/ medical care

**Summary**

On 9 April 1998, Amnesty International issued a medical action on behalf of a number of prisoners on trial for treason in Zambia in connection with the coup attempt of 28 October 1997. The organization has now received further information that the prisoners are again suffering acute or chronic ill health because of cruel, inhuman or degrading treatment in prison. As of 10 August, two detainees have died in custody, and more than six are now admitted to hospital. Amnesty International remains concerned about a continuing lack of adequate medical attention and is seeking assurances that the prisoners will receive any necessary medical care.

**Recommended Actions**

Letters are requested from medical professionals to the addresses below:

- o explaining that you are writing concerning the cases of a number of prisoners held in connection with the October 1997 coup attempt (referring to your previous correspondence in this regard, if appropriate)
- o expressing concern that Berrington Nkoma, William Chansa, Godfrey Milambo, Delux Malufya, Musonda Kangwa and Princess Nakatindi Wina are reportedly still in poor health; seeking further information on their current state of health and asking for details of whatever medical treatment they are receiving
- o urging that the prisoners' security and well-being be guaranteed in line with international human rights standards and that they receive all necessary medical care in accordance with provisions set out in the UN Standard Minimum Rules for the Treatment of Prisoners
- o expressing [again] concern that the overcrowding, poor sanitation, poor diet and lack of medication in Zambia's prisons, reported by both Zambia's Permanent Human Rights Commissioner as well as the Parliamentary Committee on Social Services, puts the health of prisoners at serious risk
- o urging the Zambian authorities to implement Judge Japhet Banda's recommendation that the state should re-locate the 79 accused in the coup trial to a less crowded prison. Urging

that those admitted to hospital for medical treatment should not be returned to overcrowded and unsanitary cells - and in particular not to Kamwala Remand Prison's Isolation Cell for contagious prisoners - where conditions could again pose a threat to their lives.

- o expressing concern at the deaths of Private John Nalilungwe Akapelwa in June 1998 and Corporal Robert Chiulo in November 1997; noting that Amnesty International is concerned at reports that Akapelwa had been in satisfactory health until placed into the Isolation Cell at Kamwala Remand Prison with prisoners who had contagious diseases. Expressing concern that Robert Chiulo may have died as a result of torture while in police custody.
- o urging the authorities to initiate a prompt and impartial investigation into these deaths; to make the findings of post mortem examinations known to the victims' families and their lawyers ; and to bring anyone found responsible for the death of Corporal Chiulo to justice.

In letters to the Minister of Home Affairs, appeal to the Minister to respond urgently to Judge Banda's court recommendation that the 79 prisoners currently on trial in connection with the October 1997 coup attempt should be re-located to prisons with adequate facilities for safeguarding their health. An appeal can also be made to the Minister to make sure the trial continues with a minimum of delay, in view of the long period of detention for the coup suspects under conditions amounting to cruel, inhuman and degrading treatment.

### Addresses

Dr Peter D Machungwa  
Minister of Home Affairs  
Ministry of Home Affairs  
PO Box 50997  
Lusaka  
Zambia  
Fax: +260 1 254669

Regional Commanding Officer  
Lusaka Province Prisons  
Box 30133  
Lusaka  
Zambia

Dr Colonel Lumbwe  
Commandant  
Maina Soko Military Hospital  
Box 320091  
Lusaka  
Zambia  
Fax: +260 1 263883

Mr Sinyangwe  
Commissioner of Prisons  
Prison Service Headquarters  
PO Box 30133  
Lusaka  
Zambia

### 3. Please send a copy of your letter(s) to

- your government's foreign affairs department (noting that your government may wish to consider financial assistance to the Zambian authorities for a program of improving sanitation and general facilities in Zambia's prisons)
- your government's representative in Lusaka (See attached list of embassies in Zambia.)
- the diplomatic representative of Zambia in your own country
- The Hon. Justice Lombe Phyllis Chibesakunda, Chairperson, The Permanent Human Rights Commission, PO Box 33812, Lusaka, Zambia

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***Further information on***  
**Prisoners arrested in coup attempt**  
**Health concern**  
**ZAMBIA**

(See AI Index AFR 63/06/98, 9 April 1998)

On 9 April 1998, Amnesty International issued a medical action on behalf of a number of prisoners on trial for treason in Zambia in connection with the coup attempt of 28 October 1997. The organization has now received further information that the prisoners are again suffering acute or chronic ill health. As of 10 August, two detainees have died in custody, and more than six had been admitted to hospital. Amnesty International remains concerned about a continuing lack of adequate medical attention and is seeking assurances that the prisoners will receive any necessary medical care.

On 8 August 1998, 45 of the 79 prisoners on trial for treason - 39 from Lusaka Central Prison and the remainder from Kamwala Remand prison - underwent medical examination. On 14 August, Major Berrington Nkoma, Private William Chansa and Corporal Godfrey Milambo were admitted to Maina Soko Military Hospital, Lusaka. Major Berrington Nkoma has been complaining of bronchitis for some time now. His medical report, submitted subsequently to the trial court, stated that he was suffering from fever and chest pains, and recommended further medical examinations to check if he had contracted tuberculosis. Private William Chansa and Corporal Godfrey Milambo both were reported to be suffering from chronic coughs, consistent with tuberculosis, and from dysentery.

Following the 8 August medical examinations, Sergeant Delux Malufya and Major Musonda Kangwa were admitted to the University Teaching Hospital, Lusaka. Sgt Delux Malufya who is suffering a severe attack of malaria had been admitted to hospital but discharged again soon afterwards although his medical condition had not improved. After Maina Soko Military Hospital refused to readmit him despite a request from prison wardens on 10 August, Sgt Delux Malufya was finally admitted to the University Teaching Hospital. Major Musonda Kangwa remains in hospital, and is reported to be malnourished and in pain. His lawyers say that he remains frail due to poor recovery from a previous operation that he underwent in March 1998, partly because of the overcrowding in his cell, which is so excessive he and his fellow prisoners cannot sleep except in crouched sitting positions.

As of 10 August, Princess Nakatindi Wina had been hospitalized for almost a month in Hill Top Hospital, Lusaka, but continues to suffer from hypertension and a hip condition that causes her great pain. Her lawyers say that for the past three months, her physical condition has deteriorated.

Private John Nalilungwe Akapelwa died in June 1998 after developing a high fever. The hospital authorities said he died of malaria, but Akapelwa's lawyers report that he had been in satisfactory health when he entered the Isolation Cell used for prisoners with contagious diseases. Private Anthony Kachingwe collapsed in court on 17 July; on that same date, Major Bilex Mutale and another soldier, Rodrick Ngoma, suddenly fell ill and were rushed to Maina Soko Military hospital. This prompted Judge Banda to order that the Kachingwe and Ngoma be removed from the Isolation Cell at Kamwala Remand Prison. Notorious among inmates and warders as the "buggered cell", this is the same cell where John Akapelwa was kept prior to his death.

Corporal Robert Chiulo, another prisoner accused in connection with the October 1997 attempted coup, died at Maina Soko Military Hospital in late November 1997. The Zambian authorities stated that he died of malaria, but reports received by Amnesty International indicate that he died from injuries suffered during torture. His wife, Patricia Mwewa, said her husband had been shot in the thigh when he was arrested. She said his health had subsequently improved but on 07 November security officers at the hospital suddenly barred her from seeing her husband saying he was

suffering from malaria. She was not allowed to see her husband again until 30 November when the security officers told her he had died. The results of a *post mortem* examination have not been made available to her, to her lawyers, or to the family doctor.

The on-going treason trial was adjourned on 10 August because Berrington Mukoma and other defendants had been admitted to Maina Soko Military Hospital and were therefore unable to attend court. The court had earlier ruled that an accused mentioned in evidence must be present in court for the trial to proceed, unless he or she is terminally ill. The trial was set to resume on 24 August, but the state requested a postponement until 3 September. Defence lawyers have opposed this adjournment, fearing for the health of the detainees should their detention be prolonged further than is absolutely necessary. Many of the defendants have now been in prison for almost 10 months, under conditions that are cruel, inhuman and degrading.

According to information obtained from parliamentary sources cited by *The Monitor*, a human rights magazine published by the Lusaka-based Inter-Africa Network for Human Rights and Development, 833 prisoners died while serving their sentence in the past five years. This death rate is attributed mainly to overcrowding, as well as to poor diet and lack of medication. The Parliamentary Committee on Social Services, working from submissions by the Ministry of Home Affairs and prison officials, recommended that more open-air prisons should be established for petty criminals while those with contagious illnesses such as tuberculosis should be pardoned.

In early August 1998, the judge presiding in the treason trial, Judge Japhet Banda, ordered the commandant of Maina Soko Military Hospital to provide him with medical reports of each of 79 accused. Judge Banda said he would visit Kamwala Remand Prison and Lusaka Central Prison to assess the conditions under which the accused are being held. On 11 August 1998 Judge Banda, having visited these prisons, said the situation he found was inhuman and "keeping prisoners in congested cells was tantamount to torture" (*Times of Zambia*, 12 August 1998). The Judge also said, "All these who are sick get infected because they are kept like they are in a tin and as such diseases circulate fast." The Judge agreed to give the defence lawyers a copy of his report.

Commissioner Lewis Changufu of the Zambian Permanent Human Rights Commission recently toured Mukobeko Maximum remand prison (as well as other prison and police cells). He stated that the congestion and filthy state of the cells needed a concerted effort by the government, non-governmental organizations and the community at large, to bring about improvements. He said the conditions were appalling: "This is inhuman and should not be left so" (*Times of Zambia*, 11 August 1998).

### Embassies and High Commissions in Zambia

Country	Address	Ambassador / High Commissioner
Austria	POB 31094, Lusaka	Ambassador: Dr H Schurz
Canada	POB 31313, Lusaka Fax: (1) 254176	High Commissioner: Aubrey L Morantz
Denmark	POB 50299, Lusaka Fax: (1) 254618	Ambassador: Jørn Krogbeck
Finland	POB 50819, 15101 Ridgeway, Lusaka Fax: (1) 261472	Chargé d'affaires: Hannu Ikonen
France	POB 30062, Lusaka Fax: (1) 254475	Ambassador: Philippe Perrier de la Bathie
Germany	POB 50120, 1501 Ridgeway, Lusaka Fax: (1) 254014	Ambassador: Dr Peter Schmidt
Ireland	POB 34923, Lusaka	Chargé d'affaires: Brendan Rogers
Italy	POB 31046, Lusaka Fax: (1) 260329	Ambassador: Dr G Mingazzini
Netherlands	POB 31905, Lusaka Fax: (1) 253733	Ambassador: J P Dijkstra
Portugal	POB 33871, Lusaka	Ambassador: A. Lopes da Fonseca
Russia	POB 32355, Lusaka	Ambassador: Mikhail N Batcharnikov
South Africa	Private Bag W369, Lusaka Fax: (1) 223268	High Commissioner: Walter Themba Thabethe
Spain	(no address)	Ambassador: Jesus Carlos Riosalido
Sweden	POB 30788, Lusaka Fax: (1) 254049	Ambassador: Kristina Svensson
United Kingdom	POB 50050, 15101 Ridgeway, Lusaka Fax: (1) 253798	High Commissioner: Thomas Young
USA	POB 31617, Lusaka Fax: (1) 252225	Ambassador: Roland Kuchel