

URGENT ACTION

DETAINEES REMAIN AT RISK OF FURTHER TORTURE

On 22 December 2023, detainees at Maseru Correctional Institution (MCCI), Lesotho, were subjected to torture and other ill-treatment by the Correctional Services officers who beat the detainees with various weapons and denied them necessary medical care. Relatives witnessed visible injuries on their visit, prompting urgent legal action. On 23 January 2024, the High Court of Lesotho condemned the outdated use of corporal punishment against MCCI detainees, and an investigation launched by the Office of the Ombudsman of Lesotho revealed systemic failures contributing to the violations. The authorities must urgently implement the recommendations made by the Ombudsman - including accountability for the detainees at MCCI and ensure that they are protected from further torture and other ill-treatment.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

Minister of Law and Justice
Hon Richard Ramoetsi
P.O. BOX 33, 100, Maseru, Lesotho
Email: seithati.sethabathaba@gov.ls

Dear Hon. Richard Ramoetsi,

I am writing to express my deep concern regarding the recent findings of human rights violations – including torture and other ill-treatment – against **detainees at Maseru Centre Correctional Institution**, Lesotho.

On 22 December 2023, eight detainees - **Sebilo Sebilo, Mots'oane Machai, Nthathane Motanyane, Liphapang Sefako, Motsieloa Leutsoa, Mohlalefi Seithleko, Marasi Moleli, Litekanyo Nyakane, and others** who are awaiting trial at Maseru Centre Correctional Institution (MMCI) - were subjected to torture and other ill-treatment by Lesotho Correctional Services (LCS) officers. On 22 December 2023, the detainees' relatives visited MMCI and found them with visible injuries on their bodies. The detainees told their relatives they were beaten with various objects by the institution authorities during a search operation.

The day after, on 23 December 2023, relatives of the detainees filed an urgent application before the Maseru Court which sought to declare that MMCI officers and their subordinates acted unlawfully by imposing corporal punishment on the detainees and that their decision to refuse their applications to visit the detainees was unlawful. Regarding the unlawful imposition of corporal punishment, on 27 January 2024, the court found that it was unable to determine the circumstances that led to the injuries sustained.

As you may recall, you have previously expressed your support for an independent inquiry into the allegations of torture made by the detainees at the MMCI. Following an investigation it carried out on its own initiative in December 2023, on 19 March 2024, the Office of the Ombudsman released its own report which uncovered a disturbing pattern of abuse, including torture and excessive use of force, against detainees at the institution; where on 22 December 2023, the detainees were subjected to beatings with various weapons by correctional officers who then denied them medical treatment for the injuries they sustained.

I urge you to ensure the eight named detainees and others held at Maseru Centre Correctional Institution are protected from torture and other ill-treatment including by taking immediate steps to implement the recommendations put forth by the Office of the Ombudsman. I also call on you to ensure accountability by holding those suspected to be responsible for the abuses to account and taking concrete steps to reform the correctional system to ensure that it upholds international human rights standards. This includes revising laws and regulations governing detention, improving conditions of confinement, and promoting a culture of respect for human rights among correctional staff.

Yours sincerely,

ADDITIONAL INFORMATION

On 22 December 2023, the Ombudsman of the Kingdom of Lesotho investigated allegations of torture and excessive force inflicted upon detainees at Maseru Centre Correctional Institution. On 19 March 2024, the Ombudsman published its findings. The report found, among others, that inmates were subjected to beatings with various weapons by correctional officers who then denied them medical treatment for the injuries they sustained. Evidence suggests that officers colluded to fabricate scenarios justifying the abuse, while senior officers turned a blind eye, indicating a deeply ingrained culture of misconduct within the institution.

The investigation further identified systemic failures as key contributors to the incident. These include inadequate controls on inmate treatment, reliance on outdated regulations, poor working conditions for correctional officers, delays in medical care, and resource shortages. These factors collectively led to a blatant violation of inmates' human rights and underscore the urgent need for comprehensive reforms within the correctional system.

To tackle these issues effectively, the Ombudsman has made a number of recommendations. Firstly, it is recommended that the Commissioner conducts a thorough investigation into the conduct of the 114 male recruit officers involved in the alleged torture and other ill-treatment of inmates without any apparent justification. These recruit officers, acting collectively, should be subjected to disciplinary measures in accordance with internal regulations. Additionally, the Lesotho Mounted Police Service (LMPS) should launch an investigation, while the Office of the Director of Public Prosecutions (DPP) should prosecute the Community Service Training Scheme (CSTS) recruits responsible for inflicting grievous bodily harm on inmates. Furthermore, immediate action is urged from the Ministry of Law and Justice to enact regulations and rules that operationalize the Lesotho Correctional Services Act No. 3 of 2016. This step is crucial for ensuring the efficient enforcement of the Act and establishing a structured framework of guidelines that guarantee transparency, fairness, and consistency in its application and implementation. Moreover, the Ministry of Law and Justice should prioritize the improvement of working conditions and the overall environment for correctional officers and related staff. Specifically, there should be a focus on harmonizing the remuneration of correctional officers with that of other security agencies on an urgent basis. This step is likely to result in positive and lasting changes, fostering a conducive work environment and enhancing efficiency within the correctional system.

PREFERRED LANGUAGE TO ADDRESS TARGET: English.
You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 21 May 2024

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PRONOUN: Sebilo Sebilo, Mots'oane Machai, Nthathane Motanyane, Liphapang Sefako, Motsieloa Leutsoa, Mohlalefi Seitlheko, Marasi Moleli, Litekanyo Nyakane and other detainees at the MMCI (All he/him/his)