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First UA: 24/24 Index: AFR 33/7855/2024 Lesotho of March 26, 2024

## **LESOTHO DETAINEES REMAIN AT RISK OF FURTHER TORTURE**

On December 22, 2023, detainees at Maseru Correctional Institution (MCCI) in Lesotho experienced torture and other forms of mistreatment at the hands of Correctional Services officers. The officers assaulted the detainees using various weapons and withheld essential medical care. Family members observed the injuries during their visits, which led to immediate legal actions.

Following these events, on January 23, 2024, the High Court of Lesotho denounced the archaic practice of corporal punishment at MCCI. An inquiry by the Office of the Ombudsman of Lesotho identified widespread failures that allowed these abuses to occur.

The authorities must act swiftly on the Ombudsman's recommendations to hold those responsible at MCCI accountable and to ensure the detainees' protection from further torture and mistreatment.

### **Write to the Minister for Law and Justice urging him to:**

- Ensure the protection of the eight identified detainees and all others at Maseru Centre Correctional Institution from torture and mistreatment by quickly implementing the Office of the Ombudsman's recommendations.
- Hold those implicated in the abuses accountable and take definitive action to overhaul the correctional system so it meets international human rights standards. This should involve updating detention laws and policies, enhancing detention conditions, and fostering a commitment to human rights among correctional officers.

### **Write to:**

Minister of Law and Justice

Hon Richard Ramoetsi

P.O. BOX 33, 100, Maseru, Lesotho

Email: [seithati.sethabathaba@gov.ls](mailto:seithati.sethabathaba@gov.ls)

*Salutation: Dear Hon. Richard Ramoetsi,*

### **And copy:**

His Excellency Molise Paul Tseole,

High Commissioner

High Commission for the Kingdom of Lesotho

130 Albert Street

Suite 1820

Ottawa, ON K1P 5G4

Phone: (613) 234-0770, Fax: (613) 234-5665

Email: [lesotho.ottawa@bellnet.ca](mailto:lesotho.ottawa@bellnet.ca)

## **ADDITIONAL INFORMATION**

On December 22, 2023, eight detainees awaiting trial at Maseru Centre Correctional Institution (MMCI) in Lesotho, including Sebilo Sebilo, Mots'oane Machai, Nthathane Motanyane, Liphapang Sefako, Motsieloa Leutsoa, Mohlalefi Seitlheko, Marasi Moleli, and Litekanyo Nyakane, were subjected to torture and other forms of mistreatment by officers from the Lesotho Correctional Services (LCS). During a visit on the same day, family members observed visible injuries on the detainees, who reported being assaulted with various objects by institution authorities during a search operation.

Following these allegations, the Ombudsman of the Kingdom of Lesotho initiated an investigation, which concluded with a report published on March 19, 2024. The investigation confirmed that the detainees were indeed beaten with various weapons by correctional officers, who then refused them medical care for their injuries. It also uncovered that officers had conspired to create false narratives to justify the abuse and that senior official had ignored these actions, pointing to a systemic issue of misconduct within the institution.

The report highlighted key systemic failures contributing to the incident, such as inadequate oversight of detainee treatment, reliance on outdated regulations, subpar working conditions for officers, delayed medical care, and lack of resources. These factors culminated in a gross violation of the detainees' human rights, underscoring the need for extensive reforms in the correctional system.

To address these issues, the Ombudsman recommended several measures. It called for an in-depth investigation by the Commissioner into the behavior of the 114 male recruit officers implicated in the abuse. These recruits should face disciplinary action as per internal guidelines. The Lesotho Mounted Police Service (LMPS) is also urged to conduct an investigation, and the Office of the Director of Public Prosecutions (DPP) should prosecute those recruits responsible for causing severe harm to the detainees.

Additionally, the Ministry of Law and Justice is advised to quickly implement regulations for the Lesotho Correctional Services Act No. 3 of 2016, ensuring the Act's effective application and providing clear, fair guidelines for its enforcement. The Ministry should also work on improving the working conditions and environment for correctional staff, including aligning their pay with that of other security services, to foster a better work culture and increase efficiency within the correctional system.

***Please take action as soon as possible until May 21, 2024! The UA will be duly updated should there be the need for further action.***