



PRETRIAL DETENTION AND DISCRIMINATION

As we celebrate Human Rights Day 2010 an estimated three million people around the world are behind bars awaiting trial. During the course of 2010 this daily cohort will likely have amounted to over nine million people many of whom will have spent months or even years in detention typically languishing under worse conditions than those convicted of crimes and sentenced to prison.

People from the poorest and most marginalised sectors of society are most at risk: they are more likely to be arrested and detained and then face multiple layers of discrimination at the hands of law enforcement agents. Manfred Nowak, the outgoing United Nations Special Rapporteur on Torture, expressed particular concern regarding the inhuman and degrading conditions of many places of detention, noting that '*victims are often already marginalised members of society who face double discrimination when they are detained*'. In many countries minorities continue to form a disproportionate part of the detained population and where, for example, disabled or intersexual people are arrested, discrimination is compounded by a lack of appropriate conditions and frequent exposure to humiliation and abuse.

To address these and related issues organisations have come together to work at a national, regional and international level on a [Global Campaign for Pretrial Justice](#). The Campaign seeks to ensure a more rational use of pretrial detention and a respect for the rights and dignity of pretrial detainees. It promotes early access to legal aid, alternatives to pretrial detention and accessible, fair and transparent justice systems.

From 3-5 December 2010, thirty four organisations met in Johannesburg, South Africa, to further develop the Campaign at the continental level. We join human rights advocates across the globe in the struggle against discrimination and draw particular attention to the multiple layers of discrimination faced by many poor and marginalised individuals who are unnecessarily and arbitrarily held in pretrial detention.

Kenya: Kituo cha Sheria, Independent Medico Legal Unit, Legal Resources Foundation, and Muslims for Human Rights (MUHURI); Liberia: American Bar Association, and Catholic Justice and Peace Commission; Malawi: Catholic Commission on Justice and Peace, and Paralegal Advisory Service Institute (PASI); Mozambique: Eduardo Mondlane Legal Aid Clinic, Mozambican Human Rights League (LDH), and Mozambican Legal Aid Board (IPAJ); Nigeria: CURE, PRAWA, Nigerian Bar Association, and Rights Enforcement and Public Law Centre (Replace); Rwanda: The Legal Aid Forum; Sierra Leone: Timap for Justice; South Africa: African Policing Oversight Forum (APCOF), Civil Society Prison Reform Initiative (CSPRI), Indiba Africa, Southern African Human Rights Defenders Trust, and Southern Africa Litigation Centre; Uganda: Foundation for Human Rights Initiative (FHRI), Paralegal Advisory Service (PAS), and Uganda Prison Service; Zambia: Prisons Care and Counseling Association (PRISCCA); Regional: Interights, The Danish Institute for Human Rights, and Unicef; Open Society Foundations: Global Criminal Justice Fund, Open Society Justice Initiative, Open Society Initiative for East Africa, Open Society Initiative for Southern Africa, and Open Society Foundation for South Africa.

THE GLOBAL CAMPAIGN FOR PRETRIAL JUSTICE