



## STATEMENT ON THE HEALTH AND SAFETY OF PRISONERS DURING THE COVID-19 PANDEMIC

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As the global population grapples with the impact of the ongoing Covid-19 pandemic, the Anti-Death Penalty Asia Network (ADPAN) reminds Governments in the Asia Pacific and around the world of their obligations to ensure that prison conditions won't facilitate the spread of the disease for the safety of prisoners, staff and visitors.

It is well documented that prisons in many countries across the world are overpopulated. Prisons in some jurisdictions are also known for their failure to provide a hygienic environment and in some cases, adequate medical care especially for inmates on death row. Such neglect can have huge implications on the health and safety of prisoners who face a high risk of infection if prisons become epicenters of this fatal disease.

We support the call of the UN High Commissioner for Human Rights Michelle Bachelet for States to adhere to their obligations under international human rights law "to work to prevent foreseeable threats to public health and ensure that all who need vital medical care can receive it".

Therefore we call for the following actions:

- All scheduled executions be immediately halted given the lack of access to lawyers, family members and Court review resulting from Covid-19 restrictions;
- That States ensure all prisoners including those on death row are provided the UN Standard Minimum Rules for the Treatment of Prisoners (also known as the 'Nelson Mandela Rules');
- That the State ensures prisons implement the 'Interim Guidance: Covid-19 Focus on Persons Deprived of their liberty' produced by the OHCHR and WHO (27 March 2020) to ensure that prisons provide all the necessary health and hygiene provisions required to protect prisoners, staff and visitors from the spread of infection;
- That prisons report transparently on the exact measures they have taken to ensure the health and safety of prisoners in accordance with the 'Interim Guidance: Covid-19 Focus on Persons Deprived of their liberty';

- That appropriate measures are taken to provide immediate treatment and complete isolation to those diagnosed positive with Covid-19 or displaying symptoms consistent with Covid-19, and immediate isolation for those in any way in contact with the affected prisoners;
- Consideration be given to early release of elderly prisoners and prisoners with underlying health conditions and the granting of bail to prisoners awaiting trial to reduce the overcrowding in jails given the need for physical distancing to control the spread of Covid-19; and
- That any restrictions on visits to prisons be imposed with full transparency and balanced with increased access to phone calls and letters with family member.

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## **ADPAN**

ADPAN is the peak regional body for organisations committed to the abolition of the death penalty across Asia-Pacific, with members from approximately 22 countries within the region. As such, ADPAN maintains that the death penalty violates the right to life, that it is the ultimate form of cruel, inhuman and degrading punishment and that the death penalty should be entirely abolished internationally.

Source information:

- 1) UN rights chief urges quick action by governments to prevent devastating impact of COVID-19 in places of detention, UN News, 25 March 2020 (<https://news.un.org/en/story/2020/03/1060252>)
- 2) Interim Guidance: Covid-19 Focus on Persons Deprived of their liberty' produced by the OHCHR and WHO (27 March 2020) (<https://interagencystandingcommittee.org/system/files/2020-03/IASC%20Interim%20Guidance%20on%20COVID-19%20-%20Focus%20on%20Persons%20Deprived%20of%20Their%20Liberty.pdf>)
- 3) UN Standard Minimum Rules for the Treatment of Prisoners ('Nelson Mandela Rules') (<https://interagencystandingcommittee.org/system/files/2020-03/IASC%20Interim%20Guidance%20on%20COVID-19%20-%20Focus%20on%20Persons%20Deprived%20of%20Their%20Liberty.pdf>)