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COMMITTEE FOR PROTECTING RIGHTS OF PRISONERS

10th May 2021

The Country Representative
International Committee of the Red Cross (ICRC)
Colombo

Dear Sir / Madam,

Crisis in Sri Lankan Prisons

We are writing to bring to your attention the crisis in prisons with the escalation of COVID-19 in the last few weeks, especially the tensions at the Angunakolapelessa prison due to fears about COVID-19, with many inmates having protested on a rooftop.

As you are aware, prisoners are amongst those who are most vulnerable to COVID-19. Although a basic precaution to prevent spread of COVID-19 is physical distancing, this is impossible in prisons due to massive overcrowding. The lack of adequate sanitary facilities, nutritious food, health care is aggravating the vulnerability. The stoppage of visits by family members and friends have negatively affected the mental health of the prisoners and their families and also denied the remand prisoners, who form the majority of prison population, of receiving relatively more healthy, hygienic home-made food and other basic necessities which are allowed to be brought in from outside. Alternative communication facilities in lieu of visits have been inadequate and irregular, further increasing stress of prisoners and their families.

The unwillingness and inability of the government to take adequate measures resulted in a "prison cluster", with more than 1000 prisoners affected by COVID-19 last year. The understandable fears of desperate and helpless prisoners led to further tensions and violent response from authorities, resulting in the killing of two (2) prisoners in Anuradhapura in April 2020 and eleven (11) prisoners in Mahara in November 2020, along with injuries to many prisoners and prison officials.

Thus, its imperative to act immediately, to prevent further outbreak of COVID-19 in prisons and avoid situations where authorities may respond violently when prisoners express their fears.

From as far as 16th March 2020 and as recently as 5th May 2021, we as CPRP and others have repeatedly appealed to the President and other authorities to ensure the protection of prisoners in the context of COVID-19. We have pointed out the inability of inmates to practice health guidelines due to massive congestion and suggested practical steps that could be taken to release prisoners and reduce congestion through existing legal and constitutional provisions. Though there were some prisoners released immediately after our letter, large numbers of new

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inmates were admitted to prisons afterwards. It appears that prisoner releases and preventing COVID-19 outbreak in prisons was forgotten until the outbreak of COVID-19 in prisons late last year and the massacre in Mahara prison.

We attach herewith, our initial letter to the President dated 16th March 2020 with specific recommendations, our most recent letter to the Human Rights Commission on 5th May 2021 and a letter to the United Nations on 2nd December 2020 with a detailed note on the situation of prisons on context of COVID-19. We also attach a joint civil society letter to the President and other relevant authorities dated 26th March 2020.

We are aware of important services and support ICRC has provided in the past to prisoners and their families in Sri Lanka, particularly in prison health, providing some essential services and facilitating communication between prisoners and their families. And hence, we are writing now to make urgent appeals below.

1. ICRC to undertake an immediate visit and do a rapid assessment of the COVID-19 situation in Angunakolapelessa prison and fears of prisoners
2. Undertake similar assessments through visits to all other prisons
3. Bring to the attention of the government the immediate problems and possible actions that could be taken to resolve these problems
4. To the extent possible for ICRC, provide immediate relief and preventive measures, including, but not limited to vaccinating all prisoners and prison officials, providing adequate personal protective care equipment, hand sanitizers, healthcare, adequate nutritious food, communication and implementing other measures needed to prevent the spread of COVID-19 in prisons and alleviate fears of prisoners
5. Inform prisoners and their family members of measures taken and to be taken to prevent COVID-19
6. ICRC to develop a plan to ensure regular visits to all prisons, particularly with ICRC prison doctors and have follow up dialogues with the relevant government authorities to bring to their attention ongoing problems and recommendations
7. Any other measures

We also request you to grants us a meeting to discuss the above matters, as early as possible, preferably at your office, but if this is not feasible, at least online.

We look forward to hear from you soon.

Sincerely yours,



Seneka Perera, Attorney-at-Law
Chairman

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