

COVID-19 exacerbates the risk of ill-treatment and torture worldwide – UN experts

GENEVA (26 June 2020) – On the International Day in Support of Victims of Torture, the UN Anti-Torture mechanisms* unanimously warned that the COVID-19 pandemic is leading to an escalation of torture and ill-treatment worldwide, and torture survivors are especially in danger of getting infected by the lethal virus due to their vulnerable situation.

People deprived of liberty, already subject to the risk of cruel, inhuman and degrading treatment behind bars and in other confined spaces, are now facing a new threat. As of mid-June 2020, more than 78,000 prisoners have contracted COVID-19 in 79 countries, and at least 1,100 have died of this new virus throughout prisons in 35 countries.** Unfortunately, these numbers are not final.

In these critical circumstances, the UN anti-torture experts have highlighted the particularly vulnerable situation of people in detention or confined in closed spaces, where social distancing is practically impossible. They especially raised the alarm about the pre-existing unfavorable medical conditions of detainees, which have contributed to a rapid spread of COVID-19, with potentially deadly consequences.

“Governments have a greater duty than ever to guarantee the safety of all people deprived of their liberty. Inmates should enjoy the same standards of healthcare that are available in the community at large, including access to virus testing and medical treatment,” said Dr. Jens Modvig, Chair of the Committee against Torture. “All persons deprived of their liberty should be privately examined by independent medical personnel at the time of admission to a place of detention or confinement, in order to be screened for contagious diseases and potential signs of ill-treatment”.

In many regions of the world, excessive force has reportedly been used to enforce curfews and social distancing rules. The experts warned that such action might well amount to torture or to inhuman or degrading treatment.

The experts further stressed that independent documenting of the material and living conditions of persons deprived of their liberty, as well as the monitoring of the use of force by law enforcement officials are indispensable tools for the prevention of all forms of ill-treatment, and therefore, must always be part of the overall COVID-19 response.

“Monitoring places of deprivation of liberty by independent bodies such as National Preventive Mechanisms (NPMs) remains a fundamental safeguard against torture and ill-treatment. Access to places of detention must be guaranteed by governments,” said Sir Malcolm Evans, Chair of the Subcommittee on Prevention of Torture. “States should reduce prison populations by further resorting to alternatives to pre-trial detention and incarceration with the existing alternatives of non-custodial measures. They should also end the use of immigration detention and closed refugee camps,” he added.

The importance of vigilance was stressed by the UN Special Rapporteur on Torture, Nils Melzer, “Governments must uphold the prohibition of torture and other cruel, inhuman or degrading treatment at all times, including during states of emergencies based on the COVID-

19 pandemic. Protective measures, including lockdowns and curfews, cannot justify any excessive use of force and coercion, and all allegations of torture or ill-treatment must be thoroughly investigated.”

Underlining the importance of redress and rehabilitation, the Chair of the Board of Trustees of the UN Voluntary Fund for Victims of Torture, Dr. Vivienne Nathanson, said that victims of torture are at increased risk of further traumatization from the COVID-19 pandemic. “Torture victims are burdened with physical, social, economic and mental health problems. They may also lack the living conditions that allow them to guard against the spread of the virus. We commend the outstanding efforts undertaken by civil society organizations to continue to provide essential services to torture survivors, including during states of emergency and curfews, even when they face acts of intimidation or obstruction by the authorities.”

The coronavirus crisis has highlighted institutional and procedural failures that have exacerbated the risk of torture and ill-treatment for countless children, women and men in all regions of the world, according to the experts. They warned that the COVID-19 pandemic must not be used to avoid complying with the universally recognized duty of governments to eradicate all forms of torture and other cruel, inhuman or degrading treatment or punishment.

All four experts will further discuss the challenges at a public webinar on the occasion of the International Day in Support of Victims of Torture, 26 June 2020, 13:00 - 14:30 (CTE-time).

Use the link to register:

https://apt.zoom.us/webinar/register/WN_FFdnvi5zQwmSxsXN5C1rRg

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** The joint statement was issued by the UN Committee against Torture, the UN Subcommittee on Prevention of Torture, the UN Special Rapporteur on Torture and other cruel, inhuman or degrading treatment or punishment, and the Board of Trustees of the UN Voluntary Fund for Victims of Torture.*

*** Statistics from Prison Insider, all data on COVID positive prisoners and their deaths are collated from official government figures or latest media reports.*