



# राष्ट्रिय मानव अधिकार आयोग

National Human Rights Commission, Nepal

केन्द्रीय कार्यालय Central Office

हरिहर भवन, पुल्चोक, ललितपुर, Harihar Bhawan, Pulchowk, Lalitpur, Nepal



## Press Note

19 October, 2020

### Commission's recommendations with regard to the implementation of the prison monitoring

National Human Rights Commission has monitored the rapidly the prisons of the 28 districts in the 7 provinces during the COVID – 19 coronavirus pandemics. The commission after monitoring and inspection of the prisons recommends to the Government of Nepal based on the decision of 14 October, 2020 on the basis of the facts received during monitoring.

#### The Followings:

1. Draft, implement and cause to implement a unified guideline in order to keep detainees and prisoners of all the prisons safe from the Covid-19 pandemic, aiming for preparation and response purposes.
2. Immediately arrange the necessary budget for the management of essential materials such as masks, sanitizers, gloves, face shields, soap, fever measuring instruments, PPE sets, etc. to prevent the risk of infection among the inmates, security personnel and staff of the prison from Covid-19.
3. Arrange necessary budget for the management of quarantine and isolation wards inside the prison, as the adequate budget has not seen to be allocated for this.
4. Create conducive environment to maintain social distance inside the prison, creating an emergency infrastructure as there is lack of sufficient space for maintaining social distance.
5. Precautionary measures which should be taken to reduce the risk of infection for the inmates such as sanitizers, soft and nutritious food and adequate water, sanitation including toilet facilities, hot water and other World Health Organization (WHO) standards have not been met due to lack of budget. So, arrange immediately the necessary budgets for this purpose.
6. Arrange separate quarantine for the security personnel and inmates who frequently go to the hospital and court as there is a high risk of spreading the infection to other inmates. In addition to this, follow and cause to follow strictly the health protocol, including PPE, while visiting hospitals and courts.
7. Due to overcrowded in most of the prisons in comparison to the capacity and in the pretext of increasing the number of inmates day by day, some prisons even do not have vehicles or the number of vehicles in operation is less than that of the inmates and there is no sufficient budget for the maintenance. So, arrange or cause to arrange the adequate budgets as there is problem of taking the inmates to the hospital, court and quasi-judicial body on time.

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8. Arrange and cause to arrange the health workers as per the norms as the inmates of the prisons are even dying due to Covid-19 infection and, there is no effective management of health care due to lack of recruitment of the health workers as per the norms. Immediate management of health workers as per the vacancies should be done.
9. Immediately implement and cause to implement the system of exemption of punishment in accordance with the law to protect the right to life of senior citizens and other chronically ill patients in prisons. In addition, timely arrange the necessary medicines adequately to those inmates who are needy and arrange and cause to arrange the separate sitting to those citizens.
10. Arrange and cause to arrange the PCR test ensuring the negative testing to the new detainees or transferred inmates or staff or security personnel from other places before entering into the prison and arrange and cause to arrange periodic sample PCR test of detainees, prisoners, staff, security personnel.
11. Arrange and cause to arrange the chronically ill, senior citizens and women prisoners in the respective prisons of the home district.
12. Reconstruct and cause to reconstruct the prisons which are very old, dilapidated and damaged by the earthquake.
13. take instant step towards immediate release or reduction or exemption of punishment or towards any other special and appropriate decision in accordance with the Section 2 of the Infectious Diseases Act, 2020 as the government has been taking decisions for the prevention of pandemic as per the interim order of the respected Supreme Court dated April 29, 2020 and the mandamus dated August 3, 2020 that the inmates in the prisons are seen to be at high risk. Dependent children, pregnant women, breast feeding mothers and prisoners with chronic health problems who are vulnerable at the prisons should be identified on a priority basis to reduce the crowdedness, taking into account their health risks and the nature of the offense.

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Bed Bhattarai

Secretary/ Spokesperson

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