



Oral statement by the International Federation of ACATs (FIACAT)

Item 2 – General debate

46th Session of the Human Rights Council

25th and 26th February 2021

Thank you, Madam President,

The FIACAT thanks the High Commissioner for her report on the effects of the Covid-19 pandemic on the enjoyment of human rights.

The FIACAT would particularly like to comment on the situation of persons deprived of their liberty. The promiscuity and insalubrity prevailing in most places of deprivation of liberty have made it impossible to comply with the minimum health rules necessary to prevent the spread of the virus. Moreover, access to health care in places of deprivation of liberty is often unsatisfactory and not equivalent to access to health care outside. In order to prevent the virus from entering these places, several States have taken measures to reduce the contact of persons deprived of their liberty with the outside world, even though this contact is essential to ensure moral and material support for the persons present in these places and to carry out independent monitoring to prevent torture and ill-treatment.

However, some States have taken measures that are less detrimental to human rights by reducing prison overcrowding. Nevertheless, two criticisms can generally be made about these measures. Firstly, many of them only apply to convicted prisoners, or only to remand prisoners, whereas they should apply to both categories of prisoners at the same time. In addition, these measures are punctual responses to long-standing and latent issues that need to be addressed in a sustainable manner.

This crisis offers a real opportunity to denounce the pre-existing shortcomings of the judicial and prison systems in place in order to build institutions that respect human rights, in which freedom would be the rule and detention the exception.

Thank you.