



## **PRESS STATEMENT**

### **CALLING ON GOVERNMENTS TO RESPECT PRISONERS' HUMAN RIGHTS AND UNITE TO END TB**

24 March 2017

According to the [World Health Organisation](#), Tuberculosis (TB) is one of the top 10 causes of death worldwide and is the leading cause of death amongst people living with HIV: In 2015, 1.8 million people died from TB. In many African countries, prison conditions violate peoples' human rights in a manner that exacerbates vulnerabilities to infection with and death from TB.

On this World TB day, the AIDS and Rights Alliance for Southern Africa (ARASA), ENDA Santé, the Kenya Legal & Ethical Issues Network on HIV and AIDS (KELIN), and the Southern Africa Litigation Centre (SALC), call on African governments to respect prisoners' human rights and unite to end TB.

#### ***TB in prisons***

Globally, [studies](#) estimate that TB rates are between 5-50 times higher in prisons than in the general population. Cases of TB in prisons can account for [25%](#) of a country's TB burden.

“Prison conditions in the region provide near-perfect conditions for the spread of TB. Overcrowding, inadequate access to healthcare services, poor nutrition and sanitation in prisons are not only violations of human rights - these conditions also increase the spread of TB,” says Daouda Diouf, Executive Director of Enda Santé.

#### ***Overcrowding***

TB is generally spread through the air. Persons living in close proximity and with poor ventilation, such as in overcrowded prisons, are therefore more likely to contract TB.

“Most prison systems in Africa are severely overcrowded, due in many cases to dysfunctional criminal justice systems and the continued use of colonial era structures

designed to dehumanise not reform inmates,” says Annabel Raw, Health Rights Lawyer at SALC.

A 2016 study in [the Lancet](#) has shown that 86% of sub-Saharan African countries in which there was data available had prison occupancy rates over 100%. Underlying these national averages is the extreme overcrowding in individual facilities. In [Zambia](#), for example, the 2015 national occupancy levels were at 277%, but some prisons had 700% occupancy rates.

These conditions have been held by courts in countries like [Malawi](#), [Zambia](#) and [South Africa](#) to violate prisoners’ rights to human dignity and to freedom from cruel, inhuman and degrading treatment.

### ***Prison conditions, sanitation and nutrition***

About one-third of the world's population has latent TB but most people will never become sick with TB. However, persons with compromised immune systems, such as people living with HIV or suffering from malnutrition have a much higher risk of falling ill. Prisoners’ immune systems are compromised by the inadequate access to food, clean water and sanitation.

In many prisons, access to clean running water for both consumption and bathing is limited; inmates are often forced to relieve themselves in [packets or containers](#) used for eating and drinking due to non-existent or inaccessible toilets.

Inmates in [Malawi](#), [Mozambique](#), [Nigeria](#), [Zimbabwe](#), [Zambia](#), amongst many others, suffer extreme and consistent food deprivation. These conditions violate prisoners’ rights to food, water and sanitation in detention and infringe on their rights to dignity, life, and health.

### ***Inadequate access to healthcare services***

[Studies](#) show that prison populations are disproportionately made up of individuals from poor socio-economic backgrounds with higher risk of ill-health on entry to prison. Despite that prisoners enjoy the [right](#) to access the same standard of healthcare as available in the community, inadequate access to healthcare services in prisons increases susceptibility to contracting HIV, causes delays and interruptions in TB diagnosis and treatment. Healthcare access for prisoners in the region has been described as sometimes “[non-existent](#)” in Uganda, “[discriminatory](#)” in Botswana, and a “[bare struggle for survival](#)” in Zimbabwe. The High Court in [Kenya](#) has found that prison conditions are not conducive to the adequate treatment of TB and lack adequate isolation facilities in adherence with human rights standards to prevent TB transmission.

“Without access to adequate screening, diagnostics, and HIV and TB prevention and treatment services, these prison conditions threaten the lives and rights of both inmates and prison staff alike,” says Michaela Clayton, Director of ARASA.

## ***Call for action***

Despite these conditions and their devastating impact on the rights of persons deprived of their liberty and on public health outcomes, prison populations are increasing [globally](#), adding to the burdens of prisons systems that are already under-resourced and underfunded. Prison conditions that exacerbate the spread of TB, violate prisoners' rights. People living with TB have rights to dignity and to access healthcare treatment, which includes persons in detention who are infected with TB.

“International, regional and domestic laws affirm that prisoners retain their human rights but for those incidental to the deprivation of their liberty. TB and illness should not be a part of any prisoner’s sentence,” says Allan Maleche, Executive Director of KELIN.

**Ending TB by 2030 is among the health targets of the Sustainable Development Goals (SDGs). On World TB day, we call on governments in Africa to protect, respect and fulfil the rights of all persons in detention without discrimination in order to end TB. This includes taking immediate and systematic steps to reduce prison overcrowding, to ensure sustained access to sufficient food, water and sanitation, and to quality healthcare testing, diagnostics and treatment.**

ENDS

**For more information, request for photographs from the launch and to arrange interviews, contact:**

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The AIDS and Rights Alliance for Southern Africa (ARASA) is a partnership of 116 civil society organisations working together to promote a human rights based response to HIV and TB in southern and east Africa.

For more information on ARASA’s work and its partners, please visit: [www.arasa.info](http://www.arasa.info)

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