

COVID-19 DIGITAL MAPPING UPDATE
REPORT:
JUSTICE AND DEPRIVATION OF LIBERTY

MAY 2021



Covid-19 Digital Mapping Update Report:
Justice and Deprivation of Liberty

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A. Introduction

The **COVID-19 Digital Mapping: justice and deprivation of liberty (Digital Mapping)** initiative makes it possible to identify the preventive and response measures that Latin American and Caribbean countries have in place to address the health crisis generated by COVID-19 in the penitentiary sector.

During 2020, most of COVID-19's response and prevention measures focused on restricting contact with the outside world, which implied a high economic and social cost for the people in prison, their families and the sector itself. Reducing the possibilities of contact with the outside world meant a reduction in economic, educational, cultural and sporting activities in most prisons, leading to a lack of access to means of subsistence and challenges in maintaining family ties. Another relevant aspect in the first year of the pandemic was the implementation of alternative measures in prison for people sentenced and immersed in criminal proceedings, focusing on people with high risk factors for COVID-19 infection.

In this context, National Preventive Mechanisms (NPMs), Ombudsman's Offices and Public Defender's Offices played a key role, both in promoting contact with the outside world and in implementing preventive measures to guarantee the human dignity and justice of persons deprived of their liberty.

Two years after the onset of the profound health crisis in the region that affected the prison sector to a large extent, and based on the information gathered during the Digital Mapping update, it is possible to foresee that the response and prevention measures implemented during 2020 to counter the pandemic in the prison system will remain in place in the future. An example of this is the use of technology through video calls for contact with the outside world. From March to May 2021, a process of updating and maintenance of the Digital Mapping was implemented. During these months, 650 documents were collected in addition to the more than 1,000 documents reported in the first phase of the project, relating to COVID-19 responses and prevention measures in the prison sector.

The following new documents were added in the period under review:

- **437** press releases
- **120** government administrative documents
- **45** reports
- **33** recommendations
- **15** action plans



The updated documents focused on the following key issues:

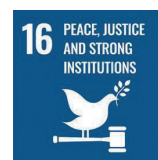
- COVID-19 Contagions / **30%**
- Detention Monitoring / **22%**
- COVID-19 Preventive Measures / **19%**
- Justice / **17%**
- Vaccination / **12%**

The information collected was linked to the following Sustainable Development Goals (SDGs):

58% of the new information collected was related to SDG 3.



35% of the new information collected was related to SDG 16.



5% of the new information collected related to SDG 17.



2% of the new information collected related to SDG 5.



During the process of updating the Digital Mapping, new topics were integrated into the information classification criteria. These were:

- Vaccination
- COVID-19 deaths

This is because prison authorities in the region began to implement vaccination processes for their general population from the beginning of 2021, and in some countries the prison population, including prison staff, was included in the immunization process.



In view of the above, the objectives of this report are as follows:

- Provide updated information on some of the trends identified in the Digital Mapping of the prison sector where significant changes for the project are registered.
- Promote a collective reflection on the response to the COVID-19 health crisis and its effects on the prison sector.

B. Trends updating

This section presents updated information on **trend 2** which states that **the institutional transformation of the prison sector enhances its capacity to respond to the outbreak of COVID-19**. The analysis focuses mainly on two aspects resulting from the updating process conducted from March to May 2021, these aspects are related to vaccination processes and the reactivation of contact with the outside world.

The above, given that it was identified that these are the aspects that are being reported with greater frequency in the penitentiary sector.

i. COVID-19 vaccination actions in the prison sector.

Key facts

- Most countries in the region issued vaccination plans in late 2020 and early 2021.
- In countries such as **Argentina, Chile, Costa Rica, Colombia, Peru** and **Paraguay**, the context of deprivation of liberty was taken into consideration.
- It was identified that in **Chile** more than 27,000 persons deprived of liberty were vaccinated. Approximately 70% of the prison population in the closed regime received the first dose of the vaccine by May 2021, and in **Uruguay** 92.3% of the prison population was vaccinated against COVID-19.

Critical factors for integrating the prison sector into national immunization processes

Vaccination for the prevention of COVID-19 has the overall objective of contributing significantly to the equal protection and promotion of human well-being.



Therefore, in order to reduce inequalities in countries, vaccines should be available to all people, equally and without discrimination,¹ including the prison sector.

The pandemic demonstrated that in closed places the possibility of contagion is greater, as in the case of prisons where the possibility of distancing is very reduced, the constant lack of protective equipment, and where access to detection tests is limited.² In addition, there is a lack of infrastructure and basic healthcare services.

This situation of special risk for COVID-19 in the prison sector presupposes the need to prioritize the inclusion of this population in national vaccination plans, as a preventive measure against contagion and COVID-19 outbreaks.

From the field

Colombia, Mexico and Peru: vaccination processes for the elderly

In **Mexico City**, since April 2021, vaccination processes have been implemented for people over 60 years of age living in prisons. During the first day, 829 doses were applied, 59 doses for women and 770 for men.

In **Colombia**, the second phase of vaccination against COVID-19 among elderly people (aged 60-79 years) was conducted during March 2021, and preventive measures, such as screening, were reinforced.³

In **Peru**, prison authorities reported that 877 inmates are over 70 years of age, and that as of May 2021, 37 per cent of this population had been vaccinated.⁴

Argentina: a key reminder for vaccination in the prison sector

The National Committee for the Prevention of Torture (CNPT) of **Argentina** issued the recommendation CNPT 2/2020⁵ in which it indicated that at the provincial level more than 200 persons over 60 years of age received the first dose of the COVID-19 vaccine. The CNPT reminded the national and provincial health authorities that it is necessary to coordinate with detention authorities so that measures are taken to ensure that persons deprived of their liberty are included in the implementation of the Strategic Plan for vaccination against COVID-19 developed at the national level.

¹ IACHR, Resolution 1/2021 COVID-19 Vaccines and inter-American Human Rights Obligations, adopted by the IACHR on 06 April 2021, page 6. Available at: <https://www.oas.org/en/iachr/decisions/pdf/Resolucion-1-21-en.pdf>

² WHO, People in prisons should not be left behind amid COVID-19 vaccination, 26 de abril de 2021. Disponible en: <https://www.euro.who.int/en/health-topics/health-determinants/prisons-and-health/news/news/2021/4/people-in-prisons-should-not-be-left-behind-amid-covid-19-vaccination>

³ INPEC, Así avanza la segunda etapa del proceso de vacunación contra el COVID-19 en los Establecimientos de Reclusión a nivel nacional, 25 de marzo de 2021. Disponible en: <https://www.inpec.gov.co/documents/20143/96157/Bolet%C3%ADn+Informativo+No.023.pdf/eb393141-f9ac-f92b-5b39-1ble6f8f48f7>

⁴ INPEC, Vaccination of the prison population responds to Ministry of Health guidelines, 18 May 2021. Available at: <https://www.gob.pe/institucion/inpe/noticias/493627-vacunacion-de-la-poblacion-penal-responde-a-los-lineamientos-del-ministerio-de-salud>

⁵ CNPT, Recommendation on the effective inclusion of persons deprived of their liberty in the COVID-19 vaccination scheme, 22 April 2021. Available at: <https://cnpt.gob.ar/wp-content/uploads/2021/04/Recomendacion-vacunacion-PPL-CNPT-230121.pdf>

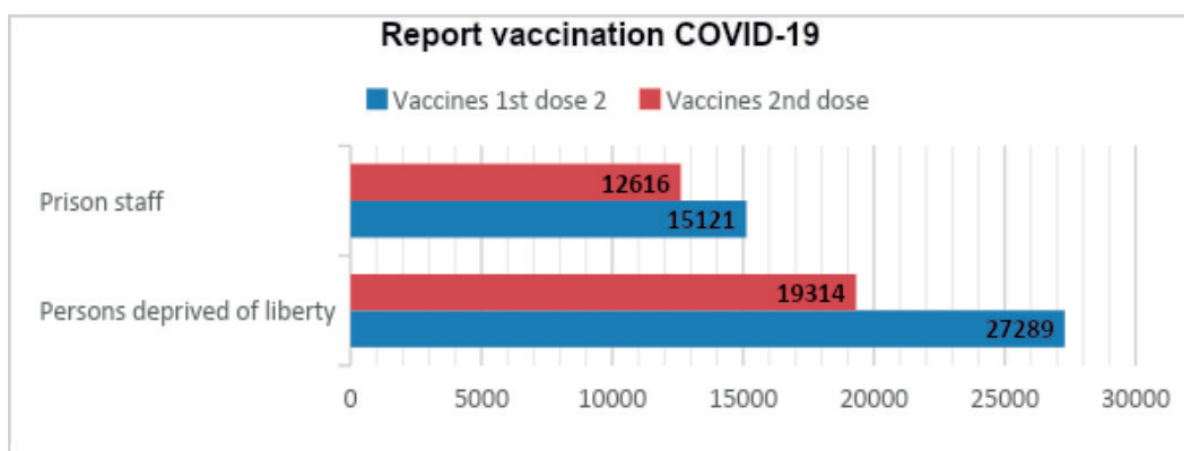


Uruguay and Chile: implementation of vaccination processes

Uruguay was one of the first countries in the region to vaccinate 92.3% of prison population (9,362 persons). The first part of the prison population vaccinated were women deprived of liberty.⁶

In **Chile**, since March 2021, a free, voluntary and progressive process for the vaccination of civil servants of the Gendarmería de **Chile**, as well as of persons deprived of liberty, has been⁸ implemented.⁷ The Gendarmería de **Chile** reported the following statistics up to 25 May 2021:

Figure 1. COVID-19 vaccination report published by the Gendarmería de Chile.



Source: Gendarmería de Chile.

Antigua and Barbuda: responding to particular circumstances

In **Antigua and Barbuda** it was identified that 176 prisoners did not wish to receive their dose of the vaccine when offered by the prison authorities.⁹

⁶ Ministry of Interior, On the first day of vaccination against COVID-19 19 prisons 519 women prisoners received their doses, 12 March 2021. Available at: <https://www.minterior.gub.uy/index.php/unicom/noticias/8738-en-el-primer-dia-de-vacunacion-contra-el-covid-19-en-carceles-x-mujeres-privadas-de-libertad-recipientes-su-dosis>

⁷ Gendarmería de Chile, Gendarmería personnel and prison population receive the first dose of the SINOVA vaccine, 15 March 2021. Available at: <https://www.gendarmeria.gob.cl/noticias.html>

⁸ Gendarmería de Chile, COVID-19 Estadística, verificado el 25 de mayo de 2021. Disponible en: https://www.gendarmeria.gob.cl/corona_2020.html

⁹ Over 176 prisoners refuse to take the COVID-19 vaccine in Antigua and Barbuda. Disponible en: <https://antiguanewsroom.com/176-out-of-179-prisoners-refuse-to-take-the-covid-19-vaccine-in-antigua-and-barbuda/>



Key considerations

An important aspect that could contribute to reducing inequality in the health sector is to include the prison system in the vaccination processes, considering that in these places the health profile of the population is more fragile,¹⁰ including the staff. This is due to the greater risk of exposure to the virus in close settings. Therefore it is necessary to simplify vaccination activities in the prison sector, taking into account the particular situation of the centers and the population that lives and works there.

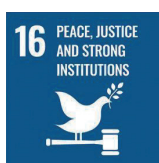
In addition, vaccination processes should be accompanied by the dissemination of adequate information about vaccines, their care and possible side effects, and adequate consideration should be given to the granting of free and informed consent of persons deprived of their liberty to receive the vaccine

Key aspect: the importance of information gathering for strategic and informed decision-making to combat misinformation.

Adequate and sufficient information on the number of infections, COVID-19 deaths, and vaccination processes should be available. Quality, objective and timely information makes it possible to track and prevent contagions.

Combating misinformation through public campaigns, which include people living and working in the sector - including families - is also necessary to avoid misconceptions about the safety and effectiveness of vaccines. This information should be accessible and in language understandable to all people.

Related SDGs:



¹⁰UN News, COVID-19 disproportionately affects prisoners worldwide, 12 March 2021. Available at: <https://news.un.org/es/story/2021/03/1489432>



ii. Reducing isolation and reactivating contact with the outside world

Key facts

- From March 2020 until the end of 2020, visits and face-to-face activities in the prison sector were suspended in most Latin American and Caribbean countries.
- The suspension of visits and activities were carried out to avoid contagion, however, the lack of information and adoption of alternative measures to contact with the outside world led to crisis situations in the prison sector.
- In some countries, such as **Argentina, Chile, Paraguay, Dominican Republic, Mexico**, alternative measures to promote contact with the outside world, such as video calls, were implemented.

Importance of contact with the outside world

Ensuring that persons deprived of their liberty are able to maintain contact with family, friends and significant others through visits, telephone calls and correspondence is essential.¹¹ In some countries, this contact is even an essential support for people to access basic necessities such as food and medicine. It also contributes to the maintenance of emotional ties and the mental health of persons deprived of their liberty.

Contact with the outside world also includes regular and meaningful access to external information, which in the case of a health crisis involves providing information to both the prison population and staff about the risks of contagion, the preventive measures to be implemented, and about the evolution of the pandemic outside the prison sector.

New characterization of contact with the outside world

Since March 2021, there has been a progressive lifting of some the preventive measures in the prison sector, such as the suspension of visits and activities. In this process of reactivation of contact with the outside world, some of the COVID-19 prevention and response measures implemented in 2020, which at the time were implemented in a reactive and temporary manner, are now beginning to be institutionalized in the longer term with the initiative of the prison authorities.

¹¹ APT, Detention Focus contact with the outside world, accessed 20 May 2021. Available at: <https://www.apr.ch/es/resources/detention-focus-database/contacto-con-el-mundo-exterior>



In the aftermath of the pandemic, the process of adopting alternative measures to contact with the outside world was characterized by prioritizing the use of technology with virtual visits, correspondence, telephone and internet.

A look at the field

Chile: collaborative work for the reactivation of face-to-face visits and activities

The COVID-19 working group, composed of the Ministry of Health, the Medical Association Health Department, and the Gendarmerie of **Chile**, published an initial Protocol for the resumption of in-person visits and other activities in the prison sector during the COVID-19 pandemic. The Protocol outlined preventive actions relating to risk identification, preparation and adaptation of prison facilities, and the establishment of special measures for the use of common facilities.¹²

In addition, virtual visits were implemented, a messaging system from the Gendarmería to the families, to avoid the loss of contact with the outside world for persons deprived of their liberty.

Peru: video calls to prevent contagion

In order to guarantee the right to outside contact for persons deprived of their liberty and to prevent COVID-19 infection, virtual visiting centers equipped with computers and biosecurity measures have been opened in some penitentiary establishments in Peru so that prisoners can communicate with their families.¹³

In addition to this effort, donations of computer equipment were made by the Colombian Consulate¹⁴ and the British Embassy¹⁵ to the penitentiary system for the consolidation of the Itinerant Video Call Module¹⁶ and to strengthen the Integrated System of Virtual Visits - created in 2020 - in the prison system, as an alternative to the face-to-face visits that were suspended due to the health emergency. The Itinerant Module was implemented by the Information System Office of the National Penitentiary Institute (INPEC) to visit prisons on a regular basis.

¹² Gendarmería de Chile, Informativo y protocolo sobre reactivación de visitas a unidades penales y otras actividades, 2020. Available at: https://www.gendarmeria.gob.cl/corona_2020.html

¹³ Instituto Nacional Penitenciario, En el penal de Huaral inauguraron sala de videollamadas, 17 February 2021. Available at: <https://www.gob.pe/institucion/inpe/noticias/342813-en-el-penal-de-huaral-inauguran-sala-de-videollamadas>

¹⁴ Instituto Nacional Penitenciario, Consulado de Colombia dona laptops al INPE, 22 April 2021. Available at: <https://www.gob.pe/institucion/inpe/noticias/483800-consulado-de-colombia-dona-laptops-al-inpe>

¹⁵ Instituto Nacional Penitenciario, INPE receives donation of laptops from the British Embassy, 28 April 2021. Available at: <https://www.gob.pe/institucion/inpe/noticias/488012-inpe-recibe-donacion-de-laptops-de-la-embajada-britanica>

¹⁶ National Penitentiary Institute, INPE starts the operation of the Video Calling Intensive Module in women's prison, 26 October 2020. Available at: <https://www.gob.pe/institucion/inpe/noticias/310618-inpe-inicia-el-funcionamiento-del-modulo-itinerante-de-videollamadas-en-penales-de-mujeres>



Dominican Republic: a pilot programme

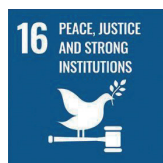
A year after the suspension of visits, a pilot programme was implemented in the Dominican Republic to reopen the prison to receive the families of 1,372 persons deprived of their liberty (the majority of visitors are women, who represent 87% of the visits to La Victoria prison), which includes the request for appointments, and five shifts are identified, with staggered schedules to avoid overcrowding.¹⁷

Key considerations

While remote access may be a medium-term solution to the lack of contact with the outside world as a measure to prevent outbreaks, it should be considered that the use of video calls, correspondence, telephone and internet should be an additional form of contact when the pandemic ends, and not a substitute for meaningful human contact.

Given the importance of these alternative measures, certain minimum criteria could be considered, especially in the use of electronic media and technology as forms of contact with the outside world, for example, virtual interactions could be considered for a significant period of time, in private, in a manner that is accessible to the entire prison population and, depending on the context, it could be coupled with other types of actions that promote direct human contact

Related SDG:



C. Conclusions and recommendations

The prison sector is progressively demonstrating its capacity to respond to changing circumstances. The Digital Mapping allows to draw on the experiences and lessons learned in the prison sector in Latin American and Caribbean countries to provide evidence-based solutions and expertise that are important to guide governments' efforts to reduce the negative repercussions of the health crisis affecting persons deprived of their liberty.

¹⁷ Procuraduría General de la República, Las visitas de familiares a los privados de libertad se realizan por citas y bajo estricto protocolo sanitario, 17 May 2021. Available at: <https://pgr.gob.do/las-visitas-de-familiares-a-los-privados-de-libertad-se-realizan-por-citas-y-bajo-estricto-protocolo-sanitario/>



However, the health phenomenon still faced is complex, and strategies for prevention and the progressive lifting of COVID-19 containment measures during 2021 in the prison sector must be comprehensive, articulated and coherent, catalyzing respect for dignity, access to justice and well-being.

The following are recommendations that could be considered in the process of building, reviewing and adapting preventive and response measures in the prison sector:

- Integrate quality information management, strategic planning, policies and plans, and regulatory framework transformations as aspects of comprehensively addressing the health crisis caused by COVID-19.
- Boosting digitalization and innovation processes in people-centered public services in the prison system.
- Obtain technical support in conducting rapid institutional assessment processes, prison censuses and prison population profiles.
- Promote reintegration and re-socialization programs and initiatives for young people and women.
- Create effective, competency-based training programs for staff, in conjunction with the Prison Academies where possible.
- Promote innovation in prison management in partnership with local governments and communities.
- Promote the inclusive participation of the prison population and communities to transform realities.
- Promote the use of alternative non-custodial measures (pre-trial), or non-custodial sanctions (post-convictions) and conflict resolution mechanisms within prisons.
- Increase the capacities of the National and Local Preventive Mechanisms (NPM) in the region, and promote the implementation of their recommendations.



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