

Human rights study exposes brutal conditions in Sri Lankan prisons

N. Ranges
26 January 2021

The Human Rights Commission of Sri Lanka (HRCSL) has published an extensive report detailing the overcrowded and torturous conditions inside the country's prison system. It is based on investigations conducted between April and September 2018 at 20 of the island's 23 prisons—two years before COVID-19 began infecting prisoners.

The 850-page study was released in late December. A few weeks earlier on November 29, 11 inmates were shot dead and dozens of others injured at Mahara prison when guards and police brutally suppressed a protest at the facility.

The prisoners were demanding protection from COVID-19, improved living conditions and the release of all bailed inmates. Those who ordered the shootings are scot-free. Sixty of the protesting inmates, however, have been charged with creating unrest.

While the HRCSL report has been compiled to appeal for prison reform, the study is a damning indictment of successive Sri Lankan governments. The HRCSL, however, is a toothless entity with no real power. None of its recommendations are binding on the government.

Sri Lanka's prison capacity is supposed to be 11,762 but last month the country had almost triple that number, with over 33,470 people incarcerated.

The HRCSL observed that most of the prisoners are from the country's poorest layers. "Poverty was a factor that intersected across all age, ethnic and religious groups of prisoners," it stated. "Prisoners often cited their lack of financial stability and poverty as reasons they initially became involved in criminal activities."

Male prisoners, most of whom are their family's primary income earner, told the HRCSL that their families faced "multiple hardships."

Many inmates were in remand prison because they could not afford to pay for legal services. Others remained in the overcrowded jails because they were unable to raise

bail or pay their fines.

The study revealed how social inequality is played out inside the jails. "Prisoners of a higher social standing, however, are treated with respect and are even able to access special facilities and privileges not available to other inmates," the report said. They could get privileged accommodation, food and medical facilities. The rich would bribe prison officers and get what they want.

Although not mentioned by the HRCSL, there are numerous reports about wealthy inmates and some jailed politicians even having air-conditioners and televisions in their rooms. The same individuals can secure admission to the prison hospital or to paying wards at major hospitals.

Angrily commenting on the hell-hole accommodation, one remand prisoner said: "We need to change this place that smells like death, that smells like a graveyard. We must change this."

Cells are small and overcrowded, with inadequate ventilation, lighting and extreme temperatures and "often amounted to inhumane living conditions," the report added. Many older prisons are in such a dilapidated state, with crumbling roofs and walls, that they pose a life-threatening real danger in the event of a natural disaster or calamity. Bed bugs, cockroaches and mosquitoes are rampant.

The facilities are so overcrowded, the reports noted, that "many new remanded prisoners stand all night-long because they do not have space to sleep, or are forced to sleep near or inside the toilet." These conditions, the report added, are "conducive to the spread of illnesses among prisoners."

The report noted that that food situation is dangerously substandard and unhealthy. One convicted prisoner said: "They don't give us proper food here. The rice is not cooked properly and they cook rotten vegetables. They are trying to kill us by making us sick. They are treating us like this because we are prisoners but we have already

been punished by the courts, and these officers are here for our protection.

“I don’t think even cats and dogs would eat the food they give us. It’s like water; there is no taste in that food. Even if they gave a small quantity, if it was a bit tasty, we could eat it... These people treat us like slaves.”

Many inmates said they were afraid to complain because they feared being transferred to even worse facilities.

Sanitary conditions are inhumane with inadequate and inconsistent access to water and cleaning facilities. There are no flushing toilets, the report stated, and prisoners complained that they have to “use their limited water supply to sluice away excrement after using the toilets.”

Prisons in rural areas had no piped water supplies, with some facilities getting water directly from natural sources that “would become muddy or contaminated, or taste briny or brackish.”

Inmates are provided with buckets for usage of water. In some instances, they use the same bucket to collect water, food and for urinating.

An inmate at Welikada prison said: “If we want to pass faecal matter at night, we do it into a shopping bag and tie it. Then, we keep it in a corner of the room. In the morning, we throw it into the toilet. We wash the urine bucket. We have to bear the bad smell overnight. In the early days, when I came here, there were eleven people in my room.”

Prison hospitals lack a proper medical infrastructure, and specialised medical facilities have few nurses, thereby limiting the options for treatment. Doctors are only available at certain times of the day and generally not at night, which means “multiple prisoners have succumbed to their illnesses,” the report stated.

While there are lower numbers of female prisoners, they face many problems, including lack of access to sanitary napkins. Remanded women inmates rely on family members to bring these and other necessities. Convicted women and foreign nationals are only able to obtain these basic requirements by doing washing or other work inside the prison.

Women are allowed to keep their children under five inside prison. But as the report stated, these children “do not receive the facilities they require for healthy growth and development, such as access to suitable and nutritious food, to preschool books.”

Foreign nationals incarcerated in the prison system generally experience even worse conditions than their local counterparts because of language and cultural

barriers. They have no access to basic provisions and toiletries, and are reliant on local inmates to obtain these and other necessities.

Many prisoners said they suffered racial and religious discrimination. The report noted that prisoners jailed under the draconian Prevention of Terrorism Act (PTA) are usually called LTTE prisoners, a reference to the separatist Liberation Tigers of Tamil Eelam.

These inmates have no constitutional rights or legal entitlements guaranteed under international human rights laws. These prisoners, the report stated, suffer discrimination and “feel they are at a continued risk of harassment or abuse by fellow prisoners, and even prisoners officers.”

There are still almost 200 Tamil prisoners having been arrested as “LTTE suspects.” Only a few have been convicted. Others have been in remand for up to 20 years without ever having been served indictments.

Although the report does not mention it, police can legally use confessions, even obtained from torture, as evidence against prisoners. Their families have protested to demand release of these “suspects,” but in vain.

Some prison officers told the HRCSL they have called on the government for funds to improve the prison infrastructure but any amounts provided were completely inadequate.

Following last year’s Mahara prison protest, around 12,000 inmates on minor charges were released. President Gotabhaya Rajapakse, however, appointed a task force to recommend an expansion of the prison system, including larger numbers of high security cells.

The president also directed the Commissioner General of Prisons to recruit 500 former military personnel who had completed 12-years’ service to a special prison unit. Its task will be “the protection of high-profile prisoners and to combat riots inside prisons.” It will be linked to Sri Lanka’s intelligence service.



To contact the WSWS and the
Socialist Equality Party visit:

wsws.org/contact