



ICRC and the protection of persons deprived of freedom

Introduction:

Within the framework of its humanitarian mandate, the International Committee of the Red Cross (ICRC) carries out regular visits to detainees held in various places of detention countrywide.

The ICRC has been visiting persons deprived of their liberty in Afghanistan since 1987. Today, ICRC delegates visit places of detention run by the Ministry of Justice, the Ministry of Interior, and the Ministry of Defense as well as those under the authority of the National Directorate of Security.

The ICRC also regularly visits prisons run by nations contributing to the NATO-led International Security Assistance Force, and by the US Forces.

Visits to detainees being held by the Armed Opposition (AO) take place as opportunities arise. However, the ICRC maintains a consistent dialogue with the AO on the treatment of detainees.

During the first 10 months of 2011, 211 visits were carried out by the ICRC in 104 different temporary and permanent places of detention. 107 of those were repeat visits to follow up on recommendations to the detaining authorities concerning the conditions and treatment of detainees

Objectives of the visits:

The general objective of the visits is to ensure that detainees are detained in conditions which show due respect for human dignity. By making repeated visits, the ICRC is able to assess the psychological and material conditions of detention. A State that deprives individuals of their liberty must cater to their wellbeing. The ICRC ensures authorities fulfil their obligations and responsibilities in this regard. It evaluates the functioning of the system in places of detention, to detect potential weaknesses and shortcomings that can then be addressed directly with the authorities concerned. Based on the findings and discussions with the detaining authorities, the ICRC supports them in fulfilling their responsibility.

Modalities for visiting places of detention:

All ICRC visits follow standard modalities discussed and agreed beforehand with the State's authorities. Delegates should have the possibility:

- to see all the detainees under any authority, whatever the status assigned to them by the authorities
- to have access to all parts of the prison where detainees are being held, as well as to other areas including showers, toilets, kitchens and recreational areas
- to meet with detainees in private, without the presence of guards or other prison staff
- to repeat visits to the detention facility and meet with detainees of their choice as frequently as they may feel necessary.

- to draw up a list of detainees during their visit whom they consider to come within the ICRC mandate, or receive such a list from the authorities and complete and verify the list with the prison authorities

In accordance with its strictly neutral and impartial mandate, the ICRC does not comment on the grounds for imprisonment, but concerns itself uniquely with the humanitarian conditions of detainees' confinement and their treatment.

The composition of the team and the length of the visits depend on the objectives of the visit and the size of the premises to be visited. The team can be composed of delegates and interpreters as well as ICRC specialists such as legal advisors, doctors, nurses and orthopaedic experts, as well as water and sanitation engineers for assessments of, and improvements to, prison infrastructures.

Procedures of the visits: All ICRC detention visits follow a standard procedure. They start with a preliminary exchange of views with the prison authorities followed by a joint tour of the entire premises.

One of the important parts of the visit is the private conversations the delegates have with detainees. Neither authorities nor guards are present during these conversations. Such discussions can help delegates find out what the detainees regard as their main problems. If the detainee gives his/her permission, they would consider passing on those concerns to the authorities.

At the end of each visit, delegates submit their observations, findings, conclusions and recommendations to the authorities in a bilateral and confidential manner and, if necessary, ask them to take steps to remedy shortcomings in the prison system.



ICRC delegate meeting a detainee

Re-establishment of Family Links:

The right to family unity that includes being able to keep in touch with their families, which is essential for the mental wellbeing of detainees. When authorities are unable to do so, the ICRC facilitates contact between detainees and their loved ones through its Re-establishing Family Links programme. This comprises:

- **Red Cross Messages:** These are open letters exchanged between detainees and their close relatives containing only family news. The letters are censored by the detaining authorities before delivery
- **Salamats:** These are 'I am safe and well' messages, conveyed with the agreement of the authorities at the request of the detainees by the ICRC to his or her family by phone after a visit
- **Family visits and Video Telephone Calls:** The ICRC supports the authorities of the US-run Detainee Facility in Parwan by assisting families wishing to maintain contact with their loved ones.

Health in Detention:

The ICRC's main role in assessing medical services in places of detention is to ensure that health care is consistent with the standards prevailing elsewhere in Afghanistan, and not to provide medical care for individual detainees. In medical emergencies however, such as the outbreak of an epidemic or in the case of a critically ill detainee in need of specific care, the ICRC medical team stands ready to help, and is capable of substantially supporting the authorities with technical and material assistance.

The ICRC supports the Prison Health Services Department of the Ministry of Public Health in the implementation of the Health Reform in places of detention throughout Afghanistan.

To provide support to a specifically vulnerable group of detainees, a pilot project to address the needs of severely mentally ill detainees in Pul-i-Charkhi prison was initiated in spring 2011 and is ongoing.

Water and Habitat:

During visits to detention places, ICRC delegates assess the water and sanitation conditions to ensure that detainees and prison personnel benefit from adequate quantity and quality of water, proper sanitary conditions (latrines, showers, drainage and sewage systems) and well functioning cooking facilities.



The ICRC provides assistance for detainees in Afghan prisons.

Recommendations, and, where necessary, exceptional ICRC direct support are discussed with the prison authorities. Other interventions may include the assessment of the conditions in detainees' living spaces, recreation grounds and workshops, as well as the rehabilitation of prison clinics, and the refurbishment of family visiting areas in agreement with the prison authorities.

In parallel, hygiene awareness campaigns are conducted for detainees and staff to prevent the outbreak of contagious diseases. Hygiene promoters supervise and monitor prison authorities' efforts at insect eradication/fumigation.

Material assistance to detainees:

In exceptional circumstances, when prison authorities are unable to provide the basic necessities to enable conditions to meet the required standards, the ICRC can provide direct assistance to destitute detainees, or to ones facing specific needs. Each October, the ICRC provides all detainees in the permanent places of detention it visits, with a winter assistance package, comprising blankets, shawls and other items, that help to make the harsh conditions of the Afghan winter more bearable. Throughout the year, hygiene items are handed over during visits.

Judicial Guarantees:

Through dialogue with detainees, detaining authorities and the judiciary system's representatives, delegates monitor how detainees' trials are proceeding and whether detainees have access to all rights to a fair trial under international and Afghan law.

Main delegation Kabul

Charahi Hajji Yaqoub
Shahre Naw, Kabul
Tel: 0093 700 297 777
kabul@icrc.org

ICRC Herat

Jad-e-Bank-e-Khon
Tel: 0093700285 949
herat@icrc.org

ICRC Jalalabad

University Road, Area 3
Jalalabad
Tel: 0093 700 604 788
jalalabad@icrc.org

ICRC Kandahar

Charahi Naw, District 6
Kandahar
Tel: 0093 700 285 191
kandahar@icrc.org

ICRC Mazar

First Street, Kart-e-Bukhndi, Herat
Tel: 0093 700 279 082
mazar@icrc.org

ICRC Afghan Central Region

Charahi Hajji Yaqoub
Shahre Naw, Kabul
Tel: 0093 700 297 777
kabul@icrc.org