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Title: “*The perfect storm*”: Intersectionality of COVID-19, conflict and climate change related impacts on environmental justice and human rights of people detained in African prisons.

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The 2022 UN Climate Change Implementation Plan acknowledged the imperatives to take action to address climate change and safeguard water and food security within a human rights- based approach.¹ LMICs are disproportionately impacted by climate change and have less capacity to respond to related impacts (e.g., sea level rise, extreme weather events, drought, population displacement, plagues and disease).

Aspects of criminal justice involvement overlap with determinants of climate vulnerability, underpinned by structural inequalities (e.g., poverty, social exclusion, stigma).² Prisons house the target groups (poor, marginalised, indigenous) of the Sustainable Development Agenda 2030 and are critical to achieving its goals (e.g., health, poverty, hunger, WASH). Even though the global prison population has reached its highest level ever (over 11.5 million),³ the Plan does not explicitly mention prisons, despite the unique health vulnerabilities of people in prison, almost complete reliance on the State, and consequent inability to protect themselves from climate and disease related threats to health and life.⁴ The 2021 UN Common Position on Incarceration has documented continued under-resourcing of prison systems, and low priority of prison reforms in many countries.⁵ During COVID-19 many domestic policies and responses either excluded or failed to adequately include prisons. Prisons are frequently excluded from domestic climate adaptation and disaster mitigation planning, and forgotten in the aftermath of extreme weather events.³

The UN expresses grave concern at the disproportionate impact of climate change on Africa, and potential for destabilisation of countries/regions due to drought emergencies (e.g., the Sahel, Horn of Africa), extreme heat and wildfires, flooding, damaging locust swarms, crop failures, water shocks and food insecurity, increased poverty, and backsliding of rule of law.⁶

This *Comment* focuses on the situation of people in African prisons, where over one million are detained.³ They are substantially impacted by the three “Cs” (COVID-19, conflict, climate change). COVID-19 amplified the significant inequalities and environmental health risks to which they are exposed.⁷⁻⁸ Standards of care remain inadequate (safety, space, ventilation, WASH, nutrition) especially in low-income or least developed African countries, due to under-investment in post-colonial infrastructures, staffing, and bio-hazard management.⁷⁻⁸

Prisons in Africa are not immune to the consequences of the Ukraine conflict. In times of scarcity, the needs of people in prison tend to be given very low priority due to their virtually non-existent political power and the stigma that surrounds them. Africa remains heavily reliant on the supply of fuel and basic commodities (e.g., wheat, corn, sunflower oil) from Ukraine and Russia. At the time of writing, the Black Sea Grain Initiative has only been extended for four months.

Climate change presents a new and serious threat to the lives and health of people in African prisons. The confounding aspects of insufficient domestic resourcing of disaster and disease responses, infrastructural damage by extreme weather, and housing of congested, malnourished and chronically ill prison populations not only threatens the lives and health of African prison populations, but also potentially jeopardises Africa’s achievement of the 2025 UNAIDS targets.⁹

A joint civil society submission (including by authors) to the UN Committee on Economic, Social and Cultural Rights in 2023 raised grave concerns regarding severe overcrowding, poor infrastructure, ventilation, hygiene and sanitation, water shortages, interrupted electricity and medicines supply, frequent disease outbreaks, and hunger crisis (prisoners without food for up to five days) in Malawi's prisons.¹⁰ These prisons have not escaped substantial damage from record-breaking Cyclone Freddy which has killed close to 500 in Malawi. In Madagascar, the Southern African Litigation Centre reported that; "...prisoners are the invisible victims of the environmental crisis" due to their complete inability to escape and protect themselves from the impacts of severe weather.¹¹

Increased global and regional collaboration on human rights-based measures to mitigate climate (and conflict) related impacts on people in African prisons is urgently required. Recommendations for future climate change responsive prison policies in Africa are warranted to incorporate agreed human rights based development frameworks for detecting, understanding, preventing, and responding to the impact of climate change on operations.

At a minimum, this includes increasing the resilience of prison systems in implementing early warning systems for extreme weather events and disrupted supply chains, creating contingency and evacuation plans, training staff, identifying vulnerable prisoners (e.g., chronic ill-health, elderly), devising robust supply chains for medicines (including HIV drugs) and basic needs (e.g., food, clean water), protecting infrastructure and essential services (e.g., electricity, sanitation), using renewable energies for clean water supply, cooling and heating mechanisms, and expanding sustainable development approaches to counter food insecurity (e.g., prison farms).⁴ The urgent identification of high-risk (or fragile) prisons and the implementation of climate (and conflict related) adaptation and resilience measures is key.⁴

Further research to better understand the intersection between climate change, conflict, disease outbreaks, and incarceration is also warranted, in order to help policymakers and practitioners to develop more effective policies and programmes.

Africa's most vulnerable people should not be left behind.

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