

**Commission on Human Rights,
Sub Commission on Prevention of
Discrimination and Protection of Minorities,
Working Group on Indigenous Peoples**

Seventeenth Session, July 26th to 30th 1999.

Agenda Item 6

**Indigenous peoples and health :
follow-up and developments.**

Madame Chairperson,

I represent the CSIA a NGO that works for the promotion of Indigenous peoples rights. We were recently contacted by Luis V. Rodriguez, an Apache Xicano prisoner who is currently incarcerated at Pelican Bay State Prison, California, USA. He mentioned to us the extreme health condition in which he is forced to remain, due to lack of proper medical care and also asked us to draw international attention to the alarming health situation of most of the prisoners confined in this penitentiary.

A great part of Pelican Bay prison population is Indigenous, including the Xicanos and other peoples who are not officially recognized as such by the US Government. A great number of prisoners there have been diagnosed as suffering from serious mental health condition as a result of the conditions of confinement.

The Indigenous prisoners make up the majority of the sensory deprivation Security Housing Unit (SHU) where inmates are confined for 22:30 hours a day in windowless cells. The doors are operated electronically and any human contact or even visual stimuli are reduced to the maximum. Only the food is brought by guards because, as one of them stated : « it is the only design flaw in the prison that they had not figured out a way to automatically operate » ... The « exercise yard » is a concrete room, with a cage for each prisoner, which does not allow inmates to ever see the sunlight . A great number of them are doomed there for years...

In both the mainline population and the SHU, the conditions of confinement added to the unusual violence of prison staff toward inmates provoke and exacerbate serious psychiatric problems. Most of prisoners suffer from Post Traumatic Stress Disorder (PTSD) which involves : severe depression, insomnia, panic and anxiety attacks, seizure disorders and blackouts, spells of confusion and inability to be in close quarters with others and to take part in even restricted social life. In certain cases, and especially for SHU inmates, PTSD also involves schizophrenia, hallucinations, paranoia, catatonia, excessive aggressiveness, suicidal ideation... Such health

WGIP JJ/NAM. USA/21

condition is obviously life threatening to a lot of inmates, yet, no mental health care is available at Pelican Bay. Prisoners are simply left with their mental illness...

The situation of Mr. Rodriguez is an example of what many others are enduring. From his arrest in 1978 to this very day, he has been subjected to severe beatings, constant racial insults, humiliations of all kinds, murder threats by prison officials... among other things.

In 1991, while still being at San Quentin State Prison he was diagnosed with severe PTSD. Yet, instead of being transferred to a medical facility, as recommended by the prison psychiatrist, he was sent to sensory deprivation lock up in the Pelican Bay SHU.

For almost a decade, he has been addressing several requests each year, to be transferred to a medical facility, all of which were ignored. The PTSD diagnosis was made several times by different specialists yet, instead of being provided with the mental health care his condition requires, he was subjected to further harassment by prison officials. Since July 1998, he has been forced to remain in his cell 24 hours a day. This situation considerably worsened his PTSD and provoked additional life threatening heart and blood pressure problems...

The current situation of Luis V. Rodriguez and of his co-inmates stands in total violation of Californian and US constitutions as well as of international Human Rights Standards. Tuesday morning, the US Mission, stated that the US government demonstrates its « commitment to indigenous human rights and fundamental freedoms ». Yet, there are thousands of Indigenous prisoners, men and women, who are currently subjected to mental and physical torture in many jails throughout the country and who are denied mental health care...

It is crucial that those who are confined behind prison walls and who cannot address their claims not be forgotten in the work of the United Nations and NGOs regarding the health of Indigenous peoples. I would like to especially invite the World Health Organization, to draw particular attention to the mental health condition of Indigenous prisoners during its November 1999 consultation.

Thank you Madame Chairperson.

**Submitted by Caroline Grenot,
Comité de Solidarite avec les Indiens des Ameriques (CSIA):**