

## **Contribution of Centre for Human Rights-Nis for the CAT shadow report (2008)**

### **The execution of prison sanctions/ prisoners: mail, adults**

This report consists of two parts:

#### **I/ Things in Serbian report that we don't agree with**

#### **II/ List of issues to be considered during ...../ answers that we have:**

Centre for Human Rights-Nis was implementing project ``Monitoring conditions in Nis Penitentiary``, funded by EC, was from May 2007 to May 2008. In this period implementing Team realized 8 regular and 4 extra visits to Nis Penitentiary (mail prisoners, adults) and this represents one of the sources of information for this Report

Project methodology: (1) Visits: a) obtaining the authorization of access; b) Establishing the program of visits/ plan for each visit; c) Methodology of visits; d) Follow up to the visit. (2)Visits repetition. (3) Observation and comparison.(4) Conversations: (``free``/ purposeful discourse or an interview). (5)Reports (Annual and after each visit).(6)Measures recommended. (7)Questionnaires. (8) Reporting results to international institutions, bodies and organizations.

There are 3 penitentiaries and 28 district prisons in Serbia. There are 9.500 prisoners and 6.500 of sentenced ones wait for the sentence serving since there is no enough place in the existing prisons. Overcrowding of prisons is expressed compared to accommodation capacities of prisons. Number of prisoner is significantly growing while the age limit decreases. Remand percentage is 75-80%.

Monitoring was conducted only in Penitentiary Niš. Probability that the conditions in other prisons are better is insignificant.

#### **I/ Things in Serbian report that we don't agree with:**

##### **(Ref: par.136)**

``The practice of the treatment of prisoners was predicated on the concept of re-education.``

All the services in prisons in Serbia, as well as treatment service, most commonly do not have sufficient number of staff. There is no special education for treatment officers. Most commonly, treatment officers are sociologists, pedagogues and the least number of them are psychologists, and thus (except for psychologists) they can not use their basic knowledge for the work with the prisoners. There are also treatment officers who were taken over from other institutions, for example from the police.

Presently the situation in Serbian prisons is that one treatment officer has to work with a group of approximately 50 to 80 convicts, namely, can spend once in 2 months at most 20 to 30 minutes with one convict.

In the existing work conditions and without received additional education it is not purposeful to raise the question of the quality of work of treatment officers in the function of prisoners' re-education.

In order to enable treatment officers to practice re-education, it is necessary to provide:

(1) Education and skills of: group work, individual work with elements of therapy, (2) re-Re-education program that they would implement, aimed at reduction in remand prisoners.

##### **(Ref: par. 149)**

Informing persons deprived of liberty: Prisoners should get introduced with the Rule book of House Rules at the admission in the Penitentiary. Answers of interviewees differ, no matter whether it was orally done or the text was made available to them in written form.

During several visits we found out from interviewees that almost none of them was given any information at the admission in the Penitentiary or their rights were retold in short, and in order to introduce with it in more details they were directed to House Rules that are supposed to be in every department. However, they say that House Rules are not posed on visible place, except for the Admission Department and that is why they became aware of the fact that something is forbidden only when the violation of some rule is already done (without going into more details who and why destroys House Rules after they are posed).

The following question comes up- it is informing of illiterate prisoners, whether they are paid enough time and efforts in order to understand what is presented, so that they could equally realize their right to information and not to be discriminated in comparison to literate prisoners

Information received from interviewed literate prisoners about informing illiterate ones that were just admitted, is that illiterate prisoners are directed to literate ones of whose good will and mood depends when and if they will read them out a certain rule or write a request or complaint. We also found out from interviewees that illiterate prisoners were forced to pay in material goods (cigarettes and similar) to literate ones, for writing different applications or reading of House Rules and similar. In this way, illiterate prisoners are discriminated in comparison to those literate. At the moment (April 2008) there are 29 illiterate prisoners in Penitentiary Niš, which is not a great number. It would be preferable to provide additional assistance to illiterate prisoners that should be regularly available, in respect of writing of different applications and introduction with House Rules contents and other texts relevant for them.

House rules are visibly posed as long as it is torn by prisoners. Contents of House rules are in line with valid laws. Formulation is too specialized, arid non-understandable and unadjusted to capabilities of a greater number of prisoners (and in general population that does not deal with legal matters). From the conversation with the prisoners it is clear that even those prisoners who know the procedure and further key elements of the procedure, either don't know the rules or they are introduced with them by more experienced prisoners.

**(Ref. to paragraph 150, 154, 155, 156, 157,158):**

All the prisons in Serbia are characterized by high over-crowding and it is not possible to meet even national standards that are at lower level than those given in European Prison Rules. When speaking about the prison in which we monitored the conditions, we can say that, during the realization of the project, the number of prisoners kept growing from initial 950 to 1153 prisoners in visit VIII. Optimum number of prisoners in Penitentiary Niš is 850.

We assume that mistake is a cause of the mistake in given part (par. 150, line 4) per one prisoner, namely, it is 8 cubic meters, not square (Serbian Law on Execution of Prison Sanctions/ Article 67). Heights in prisons, as public facilities are more than 2.20m so that the space per one prisoner is, according to the Law, 3 or less square meters, in case that there is optimal number of prisoners in the prison.

Following aspects (according to European Prison Rules) were under monitoring regime during project implementation:

#### **I/ Treatment (a,b,c)**

**I/a-Torture and ill-treatment:** Regarding the interview carried out with the prisoners, the team members came into the conclusion that only a small number of interviewed prisoners is of the opinion of being exposed to the physical violence by the officers of the penitentiary even in those situations which were officially recorded as applied restraint measures.

During the interview with the examinees being lately injured by the officers in applying the restraint measures and according to the documentation of the medical service, it is concluded that they reject to talk about that particular event. It implies to either avoiding renewing trauma by speaking about it or they are afraid of the consequences they would have due to the reporting. On the other hand, what become relative are the optimistic answers of the prisoners about the quantity of restraint measures applied and about the small number of recorded cases of applied measures of constraint consequently being injured.

The problem of psychological violence is slightly expressed partially due to the fact that the prisoners were not directly exposed to the violence or within the given answers they were unable to recognize a certain behavior as psychological violence since this kind of "communication" is considered normal and usual for the penitentiary conditions.

A number of the interviewed prisoners state that there are prisoners with certain additional privileges given by the officials of the penitentiary at Niš. Among the privileged are "the tippers" and "the tipping" is paid with the privileges. The other group of the privileged/preferred are the wealthy ones (they communicate with the guards through their relatives and, according to the statement of the prisoners, pay for their transfer to a better dormitory), as well as the prisoners being the main dealers of the forbidden goods at the penitentiary.

Regarding the interrelation among the prisoners themselves the power results not only in money but also in goods possession. The relation between the prisoners - members of the various ethnical and religious groups depends on their numerical quantity: when the number of majority group members is equal to the number of other existing groups the relationship is good.

The majority of the Romas is poor so that they are consequentially discriminated since they are required to work for others. Being additionally employed at the penitentiary they are engaged in duties nobody wants to do, which is the same for the Romas out of the penitentiary.

Regarding the existence of the racket within the informal groups the overall opinion of the prisoners is that it is mainly represented at the "C" dormitory later resulting in conflicts and injuring. Almost all of them is of the opinion that the stuff is extremely corrupted and that everything is for sale at the penitentiary. It is stated that the existed corruption fosters the importations of drug and mobile phones into the penitentiary, and the work positions being on a sort of illegal trade.

According to the interviewed the informal groups exist without being organized by sectors but the type of "extra activities" put illegally in practice. The overall opinion is that they are absolutely allowed to do everything being under the full protection of the penitentiary stuff.

**I/b- Solitary confinement:** It is legislated by The Law on Execution of Penal Sanctions that the maximum period of time the prisoners should stay in solitary confinement is 15 days, being confirmed by some of the imprisoned. However, few of the prisoners mention that this legislated period of time is not always obeyed so that the solitary confinement period can even last for a month. Before being sent to the solitary confinement the prisoners go through the health check, then once a day, being more frequent if it is needed.

They all agree that their right for staying outside for an hour a day is obeyed during the period of solitary confinement.

**I/c- Means of restraints :** The prisoners are not informed enough not only about the conditions for applying the means of restriction but also what they are consisted of.

## **II/ Protection measures (a,b,c,d,e)**

**II/ a- Informing the persons deprived of liberty:** Informing persons deprived of liberty: Prisoners should get introduced with the Rule book of House Rules at the admission in the Penitentiary. Answers of interviewees differ, no matter whether it was orally done or the text was made available to them in written form.

The following question comes up- it is informing of illiterate prisoners, whether they are paid enough time and efforts in order to understand what is presented, so that they could equally realize their right to information and not to be discriminated in comparison to literate prisoners.

House rules are visibly posed as long as it is torn by prisoners. Contents of House rules are in line with valid laws..

**II/ b- Inspection:** Only one of all interviewed prisoners had met with representatives of some NGO, before our visit. It was Helsinki Committee for Human rights which had visited Penitentiary Niš before.

**II/ c- Disciplinary procedures:** In the period of 6 months, on which the data received from the Penitentiary is based, there were 262 disciplinary procedures were conducted, which, in comparison to total number of prisoners, represents 1/4.

Impression is that interviewees are pretty discouraged in respect of their chances in eventual disciplinary procedure against them and that on the other hand they are almost completely uninterested in getting introduced with the way in which they could protect their rights in appellate procedure as well as in the process of lodging complaints to a treatment by Penitentiary officers.

**II/ d-Complaints procedures:** Prisoners have a weak understanding of the procedures and reasons for a complaint, and almost without exceptions, don't use expert legal assistance. It is probably the reason why only one prisoner's complaint was adopted.

System of giving legal assistance is organized in line with law, but there are certain lacks that can have significant consequences to legitimacy of disciplinary procedure. Insufficient number of employees on these duties can be seen in the fact that one person is a deputy in Disciplinary Commission, and at the same time he gives legal advice to prisoners, which brings to factual and involuntary conflict of interests. No matter the fact that in cases, when involved in Disciplinary Commission work, he or she can avoid giving legal advice to a prisoner against whom the procedure is conducted.

It may turn out to be useful to remind of statistical data that show that almost in 100% of the cases, the person against whom the disciplinary procedure was conducted were declared guilty.

**II/e-Separation of categories of detainees:** Prisoners can require change of accommodation for security and family reasons, i.e. brothers can be together. Those incapable of working are separated in a special department.

All interviewees know who decides upon the change of accommodation but they are doubtful in respect of equal criteria based on which the accommodation is changed or regarding the criteria for the advancement through categories. Out of that it comes that general conclusion is that change of accommodation is one of main potential resources for corruption spreading in Penitentiary.

Prisoners unwillingly talk about the cases of sexual abuse although a small number of them said that they had heard of it. Based on prisoners' statements, allegedly only one case of sexual abuse happened, in the time of rebel.

### **III/ Regime and activities (a,b,c,d,e,f)**

**III/ a- Contacts with the outside world:** The prisoners are aware of the fact that the letters can be sent on daily basis. They hand over an open mail in order to be checked if there is anything else except for the written paper. This is something the prisoners are informed about. They are informed about the conditions for receiving regular and external packages, received according to the category classification.

Keeping family and other social relations is enabled according to the law. The searching of the visitors is performed due to the need.

There is not recognized the need by the penitentiary staff for some additional care (compared with the prisoners who have regular visits) for the prisoners being without any visits nor is recognized the reason for doing so.

The access to the information from outside world is through TV and newspaper, it is free but without much variety and in insufficient number compared to the number of prisoners per newspaper.

**III/ b- Education:** The institution has not offered any possibility for education since the school was burnt in the year 2000 during the riots. At the same time the prisoners are interested in gaining additional education. The prisoners have access to the library by not simple enough procedure that will encourage them to reading and self learning.

**III/ c- Outdoor activities:** All of the interviewed prisoners claim that their daily outdoor activities last less than an hour. The prisoners are able to do exercises up to hour a day at the gym or outside in the open air where the courses for group sports are situated.

**III/ d- Leisure activities:** At the beginning of the project (July, 2007) there were no leisure activities. Later on (October, 2007) the art (engraving) and painting courses started. At the moment the music section is being prepared (April, 2008).

**III/ e- Religion :** The orthodox church has been renovated whereas other religious entities do not exist. Generally, the religious ceremonies of other faith can be performed.

The interviewed prisoners who belongs to some of generally accepted religious communities in Serbia (orthodox, catholic and Islamic faith) make no complaints on respecting their religious rights regarding the fact that those religious rights, except for the occasional fasting, are not followed. On the other hand one of the interviewed, the member of a small religious community (an Adventist) states that due to his faith he is not only often exposed to insults ("sectarian" and other) but also to physical violence by other prisoners that was the answer to the question about the bruise under his eye.

**III/ f- Work:** Some of the interviewed prisoners are not interested for any kind of work during their servitude whereas the ones who are interested state that there is not enough work for all. The work is on voluntary basis and the salaries are from 1200 to 2000 dinars; at the third dormitory to 3000 dinars (the amounts are based upon the decision on prisoners' wage rate). The working hour is from 8:00 am to 3 pm.

#### **IV/ Medical services (a)**

**IV/ a- Access to medical care:** The prisoners have access to the medical service in any time on the request given to the security staff or the treatment officer who escort them to the medical ward to receive a medical care. The medical service consists of a certain number of practitioners and medical technicians with a full time job in penitentiary at Niš, and medical consultants engaged according to the schedule.

#### **V/ Material conditions (a,b)**

**V/ a- Food:** All of the interviewed prisoners are generally satisfied with the quality, quantity and variety of meals. Two different menus are prepared: regular and diet-diabetic. The approximate nutrition value of the regular meals is 13 616 J, whereas of the diet-diabetic is 13 200 J. The prisoners have three meals a day. If it isn't possible to prepare hot meals the prisoners have dry ones.

**V/ b- Overcrowding and accommodation :** Besides the overall crowded capacity of the penitentiary the specific problem is a huge number of prisoners at the Increased Supervision Department. There are three and in some places four prisoners in consolitary confinement. An additional cause of jeopardizing the privacy and personal dignity of the prisoners at Increased Supervision Department are the toilets at the solitary confinement being without any doors or partition walls.

The prisoners do not spend 24 hours or more indoors which complies with the national standards. The ventilation and amount of airing available indoors is adequate except for the Special Supervision department due to the factors previously mentioned.

The hygiene and sanitary facilities are available but only to the prisoners responsible for that job.

**(Referring to par.151)**

Security Service has insufficient number of staff which influences their feeling of being unsafe in contact with prisoners. Staff has not enough knowledge and skills (martial arts as well) and they are not well trained for the work in stressful situations. There is also a lack of internal control of work by someone who is not a member of a service itself, which would make information of recorded cases of restraint measures use would be more valid.

Mechanism of control of Security Service should guarantee respect and provision of conditions for the accomplishment of prisoners' rights. Control conducted only by the members of Security Service does not guarantee neutrality in relation to the service itself and would be far more efficient if someone from other service or external evaluator was involved in the work.

Insufficiently good work of Security Service and Health Care service can jeopardize life and health of prisoners which is one of their basic rights.

**(Ref. to par. 153)**

Treatment service (`Re-education service`) employs insufficient number of treatment officers in relation to number of prisoners (treatment groups consist of 65-84 prisoners per one treatment officer/ namely treatment officer can spend once in 2 months at most 20 to 30 minutes with one convict). Conditions of treatment officers' work, represent a limiting factor in fulfillment of their legal obligations, not only based on the Law on execution of prison sanctions but as well from the obligations that derive from the description of this working position. Insufficient number of basic technical means and huge number of prisoners with whom every treatment officer works, brings to impossibility to perform the work adequately (14 treatment officers and mainly 1.100 prisoners)

Due to conditions in which the treatment officers are working now, and which practically disable them to do what they are supposed to, we cannot comment on expert aspect of their work.

At the same time treatment officers lack knowledge on human rights and imprisonment conditions as well as skills, above all for the work with the group. Their insufficiently good work has impact on the low level of the prisoners' treatment (75-80% of remand prisoners);

There is no program that treatment officers would implement, with an aim to prepare the prisoners for social reintegration. Out of the prison, Centers for social care do not deal with ex-prisoners, in order to support their reintegration.

**(Ref. to par. 161)**

Prisoners have a weak understanding of the procedures and reasons for a complaint, and almost without exceptions, don't use expert legal assistance. It is probably the reason why only one prisoner's complaint was adopted.

From conversation with some of the prisoners it can be concluded that all the complaints do not reach the person they are intended to, i.e. the Warden. In monitored period of six months (information required on 09.07.07.), total number of lodged complaints to officers' work is 18, while only one was solved in favor of a prisoner. It is, maybe, the best indicator of certain prisoners' unconcern for lodging complaints and their belief that lodging complaints will not improve their position.

Interviewees were introduced, without exception, with the possibility to lodge complaints to the Warden. They are not much interested in lodging complaints to the Department in charge of supervision because they don't believe in efficacy of that action.

The prisoners have insufficient knowledge of the procedure of lodging complaints to treatment by officers and especially the rights they have in disciplinary procedure.

Smaller number of the prisoners know that they have right to a legal assistance by expert (lawyer), employed in Penitentiary Niš.

Providing legal assistance:

System of providing legal assistance is organized in line with law, but there are certain lacks that can have significant consequences to legitimacy of disciplinary procedure. There is impression that officers in charge of giving legal assistance are capable of giving it but their number is too small in comparison to large prison population, they are loaded with other daily duties that they regularly perform. This most probably leads to insufficient interest among the prisoners regarding the accomplishment of this very important right during their stay in Penitentiary. Innovation in giving legal assistance (03.2008.) is that Penitentiary lawyer is on duty, once a week, in one of the dormitories and gives oral advice or draws up written submissions for the prisoners.

Insufficient number of employees on these duties can be seen in the fact that one person is a deputy in Disciplinary Commission, and at the same time he gives legal advice to prisoners, which brings to factual and involuntary conflict of interests. no matter the fact that in cases, when involved in Disciplinary Commission work, he or she can avoid giving legal advice to a prisoner against whom the procedure is conducted.

It may turn out to be useful to remind of statistical data that show that almost in 100% of the cases, the person against whom the disciplinary procedure was conducted were declared guilty.

Team members took insight in number of random selected disciplinary procedures that were conducted against prisoners in last year. Main aim of taking insight in these matters is determination of eventual lacks in a part that is related to giving legal assistance to prisoners by Penitentiary Service in charge. According to Team Members' opinion the only lack noticed during that insight lays in the fact that the way of keeping record in disciplinary procedure is not precise enough, bearing in mind that there is a form already in which the data is manually written in. Lack of legal procedure conducting in this way is reflected in the fact that only in one of the procedures, in which the team had insight, it was precisely written in that the person against whom the procedure is conducted is not interested for offered legal assistance and/or eventual engagement of a lawyer out of Penitentiary. In the remaining part, these procedures satisfy certain legal standards.

**(Ref. to par. 162)**

An example from prison in Nis (with more than 1000 in-mates) can be an illustration: in the period of 6 months in 2007, there have been only 18 complaints filed by in-mates to prison disciplinary commission, regarding the ill-treatment by the security prison staff, of which only one was accepted as founded. It is also an illustration of prevailing opinion among in-mates that there is no use of filing complaints.

**(Ref. to par. 170, 171, 172)**

(1) The importance of medical service is dual-purpose and it should be always bared in mind. This service:

- Take care of the health of the prisoners
- Records and reports any sign or indication that prisoners may have been ill-treated and tortured

(a) The article 130/ Law on Execution of Prison Sanctions it is stated the obligation of the medical service to examine the prisoner after the restraint measures are implemented.

The article 103.6/ Law on Execution of Prison Sanctions/it is stated the obligation of the Medical service to keep special records about injuries of the prisoners. The team members did

have access to these records. They were convinced that there was a compatibility between the patients' records of the prisoners and protocol on injuries. This protocol includes all types of injuries regardless the way they have been made. There are the following data: record number, name and surname of the prisoner, registry number of the prisoner in the penitentiary, the date-the hour and the day of the examination; the injuries are classified as slight and severe, made at work or out of work, self-injuring, or injuries caused by the official as well as the practitioner's name and injury description.

We have received records for period September-December, 2007, on numbers individually for each month according to the type and seriousness of injuries. In September there were 13, as well as in October, in November 21, in December 5. During this period there were 14 injuries made at work, out of work 31, self - injured 6, injuries caused by the official 1.

The CHR Niš team is certain that the number of injuries caused by restraint measures is at least 2 due to the fact that the injury of the ex-convict B.D. on October 22, 2007 had not been properly registered nor it was later revised. This implies to the lack of methodology in keeping records in which nobody is responsible for revising defaults made due to the non-compliance of certain members of the medical service.

The method of keeping these records does not include the monitoring of the data validity and as well as revising possible defaults beforehand.

(b) In order to have the health care of prisoners organized according to general health regulations it is necessary that it is integrated into the national health policy. This is the only way for the imprisoned to be treated without discrimination, compared with other citizens, in regard to receiving basic medical care. At the moment medical service is under the competence of the Ministry of Justice, it is subjected to the inspections by the Ministry of health and there is no rationalized cooperation of these two ministries, aimed at provision of health care of the patients/prisoners, in best possible way.

Competent departments in the Ministry of Health should be much more involved in following and control of the work of Medical Service in all prisons, not in the way that inspections come in more frequent controls, but that Medical Service work expertise and ethics in dealing with prisoners are continually checked by suitable methods. With an aim to equalize the prisoners' rights to adequate protection with the rights of other citizens/ patients of the Republic of Serbia, it would be necessary to introduce Advocate of prisoners'/patients rights, in the prisons as well.

(c) When a doctor makes a mistake in work he is subjected to responsibility in front of disciplinary commission, according to the acting Law on Labor. Bearing in mind that doctors' mistakes can mean death of the prisoner as well, it is unacceptable that only sanction for that mistake is a reduction of salary (10, 20 or 30% in the period of 2 or 3 months). As well, disciplinary commission does not take into account "remand" in work negligence when speaking about doctors.

## **II/ List of issues to be considered during the examination of the initial report of the Republic of Serbia (CAT/C/SRB1)/ answers that we have dealing with execution of prison sanctions:**

### **Article 2/ 5**

Ombudsman and the Provincial Ombudsman (Vojvodina) perform inspections in places of detention. As far as we know, in prisons in Vojvodina, there are sealed boxes in which the prisoners put their complaints and those complaints are exclusively picked up by Ombudsman's Service.



Serbian NGOs as well perform independent inspections when they manage to provide financing of their projects and the agreement by the Directorate for execution of prison sanctions for the implementation of those projects. We are not sure that national NGO would get agreement for only one visit to any prison. .

### **Article 10**

In order to have human rights norms applied, first step would have to be cognition of their contents.

For complete improvement of prison functioning as a system, in line with European Prison Rules, we believe that it is necessary:

- a/ To provide objectively better pre-conditions, like additional education and better (in every sense) conditions for the work of services and individual within each of the services;
- b/ That the prisoner is understood and treated as a person whose penalty is restricted freedom of a movement for a certain period of time, while he/she has right to enjoy all other rights (that belong to each individual) and which cannot be withdrawn during sentence serving.
- c/ Adequate legal framework, procedures and mechanisms of control

During project implementation, one of our aims was to find out what is missing so that these preconditions could be fulfilled simultaneously. That is why, in a set of questions that we asked the staff in services (Treatment Service, Security Service, Health Care Service, Service for general affairs) , we included those related to knowing of documents on human rights but as well on prison regulative.

We consider general international (UN and EU) documents on Human rights as a group of values expressed in legal language that, in some measure, guarantees that values can be protected and implemented. That is why, for introduction, we asked representatives of different services what they considered under the term values, so that we could argument whether it is enough that needed education on human rights is only theoretical or it requires previous sensibilization of those who should be taught about its contents. Under sensibilization we consider introduction of members in the process during which, by distribution of roles, they have possibility to reach certain value through their own experience.

For the purpose of this Report, we only give staff's answers to a set of questions about **Education about international regulations (general and imprisonment)**

Interviewees were not introduced in great amount with important universal and regional international instruments (Universal declaration on Human rights, Convention of children rights, European convention on Human rights, Pact on economical, social and cultural right, Convention on elimination of all kinds of women's discrimination Convention on elimination of all kinds of discrimination...)

From the offered list of international documents from the area important for the staff in Penitentiary, all the interviewees recognize only European Prison Rules, for which they know that exist and that are available in Penitentiary.

They think that it would mean a lot to them if the greater number of Recommendations, conventions and resolutions were translated in Serbian so that they could get introduced with the contents.

Two of all interviewees attended seminar on international instruments in the past.

### **Article 12/ 21**

As a great accomplishment Centre for Human Rights-Nis consider the fact that 32 out of 64 recommendations that we gave during the realization of monitoring (may 2007-may 2008)

were adopted and implemented by Prison management. This number would be even higher if there were technical and material conditions.

List of adopted recommendations is enclosed (Annex 1).

### **Other/ 29**

Remand prisoners: Regarding the repeated offence to the penitentiary no particular attention is given in terms of that the repeated offence to the penitentiary is not only the total number of recommitted crimes, but the set of causally advised internal and external changes related of the imprisoned.

In order to accomplish the basic aim of the Law on execution of penal sanctions the systematic activities should be pre-arranged to assist the prisoners in returning to free society after release. Although there is no legal act concerning this matter, it is not being distinguished as a specific, very important section in the process of re-socialization and prevention of repeated offence to the penitentiary. Every change, even if it is getting much better, is a stress due to the adaptation to a new way of living which is convenient for the prisoner who spent a long period of time in penitentiary conditions being away from a family and usual surrounding.