



# Strengthening the role of civil society in protecting the human rights of vulnerable groups of offenders in Ukraine

## Project factsheet



**Main donor:** European Commission

**Key partners:** All Ukrainian Centre of Legal Assistance “Public Advocate”

**Duration:** 24 months

### Project contact details

The Project will be managed by Penal Reform International’s office in Russia.

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## Background

It is important to remember that people in prison do not lose their right to basic human dignity but retain all human rights except for the right to liberty. Certain groups of prisoners, because of their nature or present situation, should be considered vulnerable. This group can include children, women and mothers, the mentally ill or those with a learning disability, foreign prisoners, minorities or indigenous peoples, the elderly, physically disabled or ill persons, prisoners living with HIV/AIDS. These groups are entitled to additional services and protections due to their vulnerability. Unfortunately in common with many other countries of the former Soviet Union, the criminal justice system of Ukraine does not pay much attention to the needs of vulnerable groups of offenders. The majority of the prisons still have problems related to overcrowding, poor health

and hygiene, high risk behavior (eg suicide, unprotected and forced sexual contact, drug misuse), and poor prison management leading to torture, riots and corruption. Ukraine is one of the largest countries of Europe by territory with a population of over 40 million. According to the official statistics on 1 July 2013 in 182 penitentiary establishments, 138,168 offenders were held including 1139 children in 7 educational colonies (one of them is a colony for girls – 88 girls are detained), 6085 women in 13 women colonies. Two colonies for women have special units for babies and small children up to three years old (in July there were more than 100 children from 0 to 4 years old). In 2013 to date 126,600 offenders were sentenced to non-custodial sanctions and measures and are under criminal-executive inspection's supervision.

Approximately 20 per cent of the total prison population are living with HIV/AIDS. Approximately 50 per cent of prisoners suffer from a chronic illness.

A number of problems within Ukrainian Law and in the operation of the criminal justice system have a negative impact on detainees including the following.

1. An incomplete policy, legal, regulatory and resource framework for delivering human rights protection for vulnerable groups of inmates (women prisoners, women detained with their children, juveniles (boys and girls), people with disabilities, people with chronic illness, prisoners living with HIV/AIDS).
2. Insufficient level of human rights awareness among judges, prosecutors, prison officials and other law enforcement agencies.
3. Poor conditions in places of detention.
4. Insufficient partnerships between state and non-state actors to support vulnerable groups of offenders to provide social programme and social support of population.
5. High levels of deaths in custody, and far higher prevalence of HIV/AIDS in closed institutions compared to the general population.

The proposed action will maintain close contacts with relevant state bodies and CSOs in 10 regions (Kyiv, Kyiv region L'viv, Poltava city, Kharkiv, Vinnitsa, Khmel'nizky, Nikolaev, Odessa, Chernigiv) in order to understand their needs for assistance. It will also identify needs of the non-state actors in terms of organisational, legal and social assistance to representatives of vulnerable groups of offenders in detention and after release. The voices of beneficiaries will be heard through the assessment component of the project. Contacts will be maintained with the central and local prison administrations to identify their needs for capacity-building and respond in an appropriate manner.

The advocacy and capacity-building elements of the action will help civil society to strengthen their programme development and persuade policy makers of the need and benefits of improved treatment of vulnerable groups of offenders and society at large. The project will ensure that the public is updated about the specific needs of vulnerable groups of offenders to reduce stigmatisation. Public awareness of the situation with respect to violence of human rights in prisons will increase public pressure on the authorities and will elicit their higher public accountability.

## **Project details**

### **Overall objective**

Overall objective is to strengthen the role of Ukrainian civil society in promoting human rights, non-discrimination and equality for persons belonging to minorities and vulnerable groups in conflict with the law.

## Specific objectives

Specific objectives: 1) To improve the legislative and policy framework ensuring the right to equality before the law and access to justice; 2) To promote human rights awareness among judges, prosecutors, prison officials and other law enforcement agencies; 3) To build the capacity of central and local authorities and civil society organisations to develop and maintain effective support services for offenders and ex-prisoners.

## Activities

1. Advocacy and policy dialogue on the human rights of vulnerable detainees: baseline assessment on situation of vulnerable groups and access to complaints mechanisms produced and widely disseminated; regional meetings with criminal justice stakeholders, public meetings and a mid-term conference. Activities will also include the drafting of recommendations for legislation and policy amendments.
2. Promote awareness of stakeholders: trainings for 240 prison department personnel, judges, prosecutors, lawyers and CSO representatives on the human rights and needs of vulnerable groups. 1 small grants program to support regional CSOs; 10 advocacy/awareness-raising meetings with the relevant authorities (central and local).
3. Capacity building: seminars to facilitate partnerships between CSOs and local authorities on the development of effective social support mechanisms for former offenders; Trainings of Trainers programme for regional NGOs and social workers.
4. Recommendations for amendments to law and publication forums to improve dialogue and networking between civil society organizations.
5. Capacity Building: 10 workshops on awareness-raising and human rights for 250 police workers and lawyers; 3,000 information brochures for law enforcement workers.
6. Strengthening civil society: 2 trainings on human rights issues and monitoring instruments for civil society groups; development of a Monitoring Guide; monitoring of 50 police units; preparation of 4 monitoring reports with recommendations.

## Expected results

1. Levels of human rights abuses are reduced and access to justice for vulnerable groups of prisoners is improved.
2. Increase in interaction between CSO and criminal justice stakeholders on situation of vulnerable groups.
3. Increased numbers of initiatives to deliver social services.