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REGIONAL CONFERENCE

LIFE IMPRISONMENT IN THE SOUTH CAUCASUS REGION

RECOMMENDATIONS

of the conference participants

15 July 2011

Sheraton Metechi Palace hotel, Tbilisi, Georgia

The conference participants make the following recommendations to the state bodies of the Republic of Armenia, the Republic of Azerbaijan and the Republic of Georgia to implement the following measures at their earliest opportunity:

I. Legislation and Criminal Justice System

- a. Amend the criminal laws and judicial practice with regard to applying life and long-term sentences, so that the application of maximum and ultimate sentences are used as an extreme measure for only the most serious crimes.
- b. Implement the current legislation in Azerbaijan which establishes trial by jury for cases which may be subject to a sentence of life imprisonment.
- c. Ensure full access to the judicial system for prisoners serving a life sentence.
- d. Uphold the rule of law, and in particular, ensure that the judicial system is impartial and transparent when dealing with life sentence applicable cases.
- e. Undertake a genuine review of the outstanding cases of prisoners sentenced to death prior to abolition, taking into consideration the amount of time already spent in detention, any fair trial issues, and the extent to which individuals pose a continuing threat to society.
- f. Ensure prisoners can access personal files for the purposes of appealing administrative or other sanctions.

- g. Ensure that the concept of progressive imprisonment applies to lifers, making it possible to change regimes from high security to minimum security respectively as they progress through their sentence.
- h. Adopt sub-legislation which would specifically regulate the implementation of life imprisonment.

II. Living Conditions

- a. Ensure all life sentenced prisoners have at least 4m² of space in their living accommodation as required under European standards.
- b. Increase the frequency of visitation for life sentence prisoners to receive family members.
- c. Increase the daily amount of time that life prisoners are able to access suitable exercise in the open air. Especially for those with poor health conditions.
- d. Improve the quality of prison food (food of nutritional value adequate for health and strength, of wholesome quality and well prepared and served) for those serving a life sentence. Dietary food should be available for those lifers who have special requirements due to health conditions.
- e. Create conditions for life sentence prisoners to effectively engage in physical and sporting activities as a way of maintaining health and to keep prisoners actively engaged.
- f. Ensure access for life sentence prisoners to a qualified representative of any religion when required, and establish a prison chaplain institution.

III. Medical Service

- a. Ensure that all necessary medical and psychiatric facilities are available to life sentenced prisoners, and in particular improve access for life sentence prisoners to specialised hospitals, ensure that there are appropriate facilities for the treatment of life sentenced prisoners at the "prisoners' hospital".
- b. Psychiatric Commissions should be established and operational to make decisions about the need for specialised treatment of mentally disturbed prisoners.
- c. Ensure that those serving a life sentence are able to effectively access psychiatric treatment and have regular access to psychologists and social workers. There should be sufficient number of psychologists available to provide needed examination and assistance to life prisoners given their high numbers.
- d. Ensure that all the lifers are screened for tuberculosis upon admission.
- e. Medical files of lifers should be made accessible to prisoners themselves, their families and invited medical specialists.

IV. Employment and Education

- a. Ensure that those serving a life sentence are able to effectively access sufficiently paid employment of a useful nature to keep prisoners actively employed for a normal working day.

- b. Ensure that life sentence prisoners are able to effectively access education programmes, including vocational training courses.

V. Parole

- a. Make the parole system for life sentence prisoners more flexible and transparent, ensuring that all release procedures are clearly defined in law, are accessible, meet due process safeguards, and are subject to appeal or review.

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