

# Who are women prisoners?

Survey results from Armenia  
and Georgia



## Who are women prisoners? Survey results from Armenia and Georgia

## Женщины-заключенные — кто они? Результаты исследований в Армении и Грузии

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**Penal Reform International (PRI) is an independent non-governmental organisation that develops and promotes fair, effective and proportionate responses to criminal justice problems worldwide.**

We promote alternatives to prison which support the reintegration of offenders, and promote the right of detainees to fair and humane treatment. We campaign for the prevention of torture and the abolition of the death penalty, and we work to ensure just and appropriate responses to children and women who come into contact with the law.

We currently have programmes in the Middle East and North Africa, Central and Eastern Europe, Central Asia and the South Caucasus, and work with partners in East Africa and South Asia.

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# Acronyms

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<b>CPT</b>	European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment
<b>GCRT</b>	Georgian Centre for Psychosocial and Medical Rehabilitation of Torture Victims
<b>GIP</b>	Global Initiative on Psychiatry
<b>MCLA</b>	Ministry of Corrections and Legal Assistance
<b>MOJ</b>	Ministry of Justice
<b>NGO</b>	Non-governmental Organisation
<b>NPM</b>	National Preventive Mechanism, under OPCAT
<b>OPCAT</b>	Optional Protocol to the Convention against Torture
<b>PRI</b>	Penal Reform International
<b>SMR</b>	Standard Minimum Rules for the Treatment of Prisoners
<b>UNODC</b>	United Nations Office on Drugs and Crime

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# 1. Introduction

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Women and girls comprise the minority of prisoners around the world, constituting an estimated two to nine per cent of national prison populations. Given their small number, women offenders find themselves in criminal justice systems that are designed for men and do not address their specific needs.

The little attention dedicated to women prisoners to date also means there is a lack of research and data available on their backgrounds and characteristics. While some research and statistical data on women in prison have been published in a few countries, information is relatively scarce about women who come into contact with the criminal justice system in the large majority of jurisdictions, especially in Asia, the Middle East, Africa and Latin America.<sup>1</sup>

Who are the women held on remand or imprisoned following conviction? What offences have they been charged with or convicted of? What triggered their confrontation with the criminal justice system? What is their background? Do they have dependent children? Were they employed prior to arrest and what is their level of education? Have they experienced violence or do they have a history of drug or alcohol dependency? What are the consequences for them of conviction and imprisonment? And perhaps most importantly: what kind of support do these women feel would help them most in building new, self-supporting lives following release?

Answers to these questions are of more than just academic interest. Increasing the knowledge about the background, characteristics and social reintegration needs of female offenders is an important first step for policy-makers and practitioners to review and adjust legislation and policies in a gender-sensitive way.

With financial support from the UK Government, Penal Reform International is undertaking a multi-regional research project which aims to fill some of the gaps in our knowledge about female offenders.<sup>2</sup> This first paper focuses on South Caucasus (Armenia and Georgia) and two other reports cover Central Asia (Kazakhstan and Kyrgyzstan) and the Middle East and North Africa (Jordan and Tunisia).

While this research project does not assess how far states have progressed towards implementing the UN Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules), its objective is to support the implementation of the international standards set by the Bangkok Rules. By providing facts and figures, the report seeks to illustrate the need for gender-specific policies that respond to the needs of women in prison, and to enable countries to identify the key areas which need to be addressed as a matter of priority.

In this way, we hope the research project will be an important step towards ensuring a proportionate and sensitive response to offending by women.

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<sup>1</sup> Important new research was carried out in the federal prison system of Argentina in 2013 by the Cornell Law School's Avon Global Center for Women and Justice and International Human Rights Clinic, Ministry of Defence of Argentina and the University of Chicago Law School International Human Rights Clinic, with findings published in May 2013 in a report entitled *Women in Prison in Argentina: Causes, Conditions, and Consequences*.

<sup>2</sup> The scope of PRI's research project was inspired by Rule 67 of the Bangkok Rules, which explicitly encourages research into the aforementioned topics. For the full text of the Bangkok Rules see <[www.penalreform.org/priorities/women-in-the-criminal-justice-system/international-standards/](http://www.penalreform.org/priorities/women-in-the-criminal-justice-system/international-standards/)>

## 2. Context

### 1. Georgia

At the time of writing Georgia's penitentiary system included 16 prisons, including pre-trial detention facilities, two medical establishments, a special establishment for juveniles and a special establishment for women. Most (12) are located in East Georgia, while four are located in West Georgia.<sup>3</sup>

Until recently overcrowding was one of the key challenges faced in Georgia's prison system, with a steady rise in the number of prisoners since 2004, when a 'zero tolerance' policy on crime was adopted. As of 1 January 2012, with a prison population of 23,469 and with an imprisonment rate of 521.8,<sup>4</sup> Georgia had one of the highest rates worldwide. Following a prisoner abuse scandal in September 2012 and the election of a new government in October 2012, a process of reform was initiated in Georgia's prison system. As a first step, on 12 January 2013 an amnesty law was signed, which paved the way for the release of some 3,000 prisoners and for reduced sentences for more than 10,000 others.<sup>5</sup>

The sharp decrease in prisoner numbers between 2012 and 2013 included a reduction in the number of women in prison from 926 in 2012 to 463 on 1 May 2013 – not all released with the amnesty (Table 1). The proportion of women prisoners has been quite stable over the years, at 4.5 to 5 per cent, in contrast to many other countries where the proportion of women prisoners has increased faster in comparison to that of men.

In mid-May 2013, the total number of women in prison was 444, of which 438 were held in Rustavi No. 5 prison establishment near Tbilisi, where PRI carried out a prisoner survey. Of the 438 women in Rustavi No. 5 prison, 411 were sentenced.

A number of other initiatives were put in place and planned with the aim of reforming the prison system of Georgia. They included reform plans in the area of prison healthcare, drug dependence treatment,<sup>6</sup> psycho-social support to prisoners, introduction of programmes and activities in prisons, prison staff training, preparation for release and post-release support to former prisoners.

**Table 1: Georgia prisoner statistics**

	2006	2007	2008	2009	2010	2011	2012	2013*
<b>Total number of prisoners</b>	15,465	18,309	18,659	21,239	23,684	24,114	19,349	10,202
<b>Among them women</b>	660	799	771	967	1174	1215	926	463
<b>Proportion of women</b>	4.3%	4.3%	4.1%	4.5%	5%	5%	4.8%	4.8%

\*1 May.

Source: 2001-2007 Ministry of Justice of Georgia, from 2008 Ministry of Corrections and Legal Assistance of Georgia/ Penal Reform International South Caucasus Regional Office.

3 MCLA official website <accessed 14 May 2013 at <<http://www.mcla.gov.ge/?lang=eng&lang=eng>>

4 Council of Europe Annual Penal Statistics <accessed 30 June 2013 at <<http://www3.unil.ch/wpmu/space/space-i/prison-stock-on-1st-january-2013/>>

5 'From zero tolerance to wide-scale amnesty' *Georgia Today*, 28 December 2012 <accessed 22 July 2013 at <[http://www.georgiatoday.ge/article\\_details.php?id=10731#>](http://www.georgiatoday.ge/article_details.php?id=10731#>); 'Parliamentary Speaker Signs Amnesty Bill into Law', *Civil Georgia*, Tbilisi, 12 January 2013 <accessed 22 July 2013 at <<http://www.civil.ge/eng/article.php?id=25635>>

6 Ministry of Corrections and Legal Assistance, *Prison Healthcare Reform, Strategy, and Its Implementation, For the period of 2013 – 2014 ½ (18 Months)*, Tbilisi 2013 <accessed 2 July 2013 at <[http://word.office.live.com/wv/WordView.aspx?FBsrc=http%3A%2F%2Fwww.facebook.com%2Fattachments%2Fdoc\\_preview.php%3Fmid%3Dmid.1364412860146%253Aa1f00415a50203e258%26id%3D79bd8ee6296574387ae4b0d61762bad1%26metadata&access\\_token=560746226%3AAQBwbUrOXsNfH0RQ&title=Prison%20Health%20Reform%20Roadmap%20ENG](http://word.office.live.com/wv/WordView.aspx?FBsrc=http%3A%2F%2Fwww.facebook.com%2Fattachments%2Fdoc_preview.php%3Fmid%3Dmid.1364412860146%253Aa1f00415a50203e258%26id%3D79bd8ee6296574387ae4b0d61762bad1%26metadata&access_token=560746226%3AAQBwbUrOXsNfH0RQ&title=Prison%20Health%20Reform%20Roadmap%20ENG)>

## 2. Armenia

A reform process of the prison system in Armenia, starting with the Law on Legal Status on the Penitentiary Service in 2001, resulted in a transfer of the responsibilities from the Ministry of Interior to the Ministry of Justice. The process, completed in 2005, established the prison service as a separate structural subdivision of the Ministry of Justice.

The Criminal Execution Department, the central body of the penitentiary system,<sup>7</sup> is responsible for the management of 13 penitentiary institutions, which include correctional facilities corresponding to various degrees of isolation:<sup>8</sup> open institutions; semi-open institutions; semi-closed institutions; closed institutions and medical correctional institutions.

At the time of PRI's research in Armenia most responses by officials to questions on prison reform initiatives centred on the construction of a new prison for male prisoners in Armavir, with a capacity of 1,400, and the establishment of a probation service.

As of 24 May 2013 there were a total of 4,771 prisoners in Armenia, including 204 women. All women are held in Abovyan Prison, close to Yerevan. The proportion of women prisoners has been quite stable in Armenia over the past few years, at 4.3-4.4 per cent (Table 2).

Overcrowding in prisons was a serious concern identified by stakeholders interviewed and in the reports of expert bodies, including in those of the Human Rights Defender as National Preventive Mechanism (NPM). The number of prisoners had increased by almost 70 per cent between 2006 and 2013.

Following a report of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT),<sup>10</sup> Armenia's Ministry of Justice outlined measures to address concerns, including 'system-related solutions including a wider application of penalties alternative to imprisonment, imposing detention as a measure of restraint only in extreme necessity, improvement of institutes of early conditional release from punishment and probation'.<sup>11</sup>

*A Strategic Programme of Legal and Judicial Reforms of the Republic of Armenia, 2012-2016* was endorsed by the President on 2 July 2012, aimed at improving the effectiveness of the penal system. It includes the creation of a national probation service to operate under the Ministry of Justice, planned to start functioning in 2014. At the time of PRI's research, a new Criminal Procedure Code and a new Criminal Code were also being drafted to expand possibilities for the use of alternatives to detention and imprisonment at pre-trial and trial stage.

**Table 2: Armenia prisoner statistics**

	Total prison population	Proportion of women	Pre-trial detainees
<b>2011</b>	4514	4.3%	
<b>Among them women</b>	137		56
<b>2012</b>	4532	4.4%	
<b>Among them women</b>	149		49
<b>2013*</b>	4771	4.3%	1167 (24.5%)
<b>Among them women</b>	204		50

\*May.

Source: Council of Europe SPACE reports and the Ministry of Justice, Armenia.

<sup>7</sup> Article 6 of the Law on the Penitentiary Service (2005)

<sup>8</sup> As per Article 100 of the Penitentiary Code of the Republic of Armenia

<sup>9</sup> Human Rights Defender of the Republic of Armenia as National Preventive Mechanism (Interim Report, 2013), Report, Yerevan, 2013, (NPM Report 2013) and The Human Rights Defender of Armenia as the Independent National Preventive Mechanism, Report 2011, Yerevan, (NPM Report 2011)

<sup>10</sup> Council of Europe, Committee for the Prevention of Torture, *Report to the Armenian Government on the visit to Armenia carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Punishment (CPT) from 5 to 7 December 2011* (CPT/Inf (2012) 23)

<sup>11</sup> *Response of the Armenian Government to the report of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) on its visit to Armenia, from 5 to 7 December 2011*, CPT/Inf (2012) 24

### 3. Research findings

The research findings include an analysis of statistics received from criminal justice authorities in Georgia and Armenia and the findings of a survey carried out among women prisoners in both countries.

In Georgia the survey was undertaken on 15, 16, 17 and 20 May 2013 in Rustavi No. 5 Women's Prison, located near Tbilisi, which holds the large majority of women prisoners in this country. In Armenia the survey was conducted in Abovyan Prison for Women and Juveniles, located near Yerevan, on 29 May 2013.

Two-hundred and ninety women participated in the research in Georgia and 142 in Armenia, representing 65 and 70 per cent of the female prison populations in these countries at the time, and hence allowing for representative survey findings. The number of pre-trial detainees who participated in the survey was 62 in total, representing almost 78 per cent of all pre-trial detainees (see Table 3).

**Table 3: Participation by women prisoners in the survey**

Convicted women prisoners	Total at mid-May 2013	Number who participated in survey	Proportion who participated in survey
Georgia	444	290	65%
Armenia	204	142	70%
<b>Total</b>	<b>648</b>	<b>432</b>	<b>67%</b>

Women pre-trial detainees	Total at mid-May 2013	Number who participated in survey	Proportion who participated in survey
Georgia	30	21	70%
Armenia	50	41	82%
<b>Total</b>	<b>80</b>	<b>62</b>	<b>77.5%</b>

## Georgia

### 1. Women in pre-trial detention

According to figures received as of February 2013, the majority of women held in pre-trial detention were charged with fraud at 47.3 per cent, interestingly, followed by murder at 16 per cent and drug related offences at 10.5 per cent. Other offences were all non-violent, some of which could be regarded as fraud as well.

**Table 4: Offences with which women pre-trial detainees were charged in February 2013**

	Number	Proportion
Fraud/tax evasion	9	47.3%
Murder/attempted murder	3	16%
Drug related	2	10.5%
Production of forged documents	1	5.3%
Arranging unlawful child adoption	1	5.3%
Theft	1	5.3%
Illegal land registration	1	5.3%
Transfer of forbidden item	1	5.3%

Source: Penitentiary Department, Ministry of Corrections and Legal Assistance, Georgia

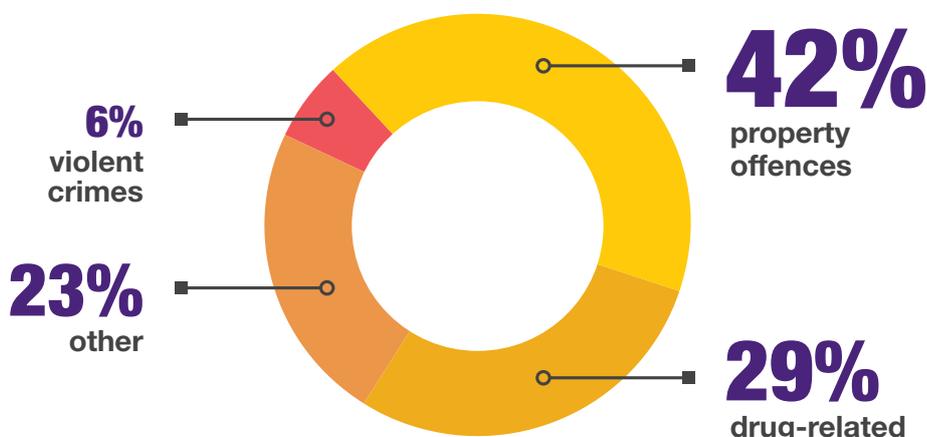
### 2. Offences committed by women and sentences

According to statistics provided by the authorities, a large proportion of women (39 per cent) were convicted of fraud. The separate offences of embezzlement and fabrication or sale of false documents, together comprised three per cent of offences committed, which could be included in the offence of fraud, taking it up to 42 per cent. The second most common offence among women was drug related offences at 29 per cent, yet this proportion may not reflect the proportion prior to the amnesty. According to research conducted by Harm Reduction International, for example, 34 per cent of women in Georgia were serving sentences for drug related offences in 2011/ 2012.<sup>13</sup>

<sup>12</sup> Other prisons where women are held were Kutaisi No. 2, Batumi No.3 and Zugdidi No. 4 prisons in western Georgia, though at the time of the PRI research all the women previously held in Batumi and Zugdidi had been released. There were six women in Kutaisi No. 2 Prison, three of whom were pre-trial detainees, on 1 May 2013.

<sup>13</sup> E Iakobishvili, Harm Reduction International, *Cause for Alarm: The Incarceration of Women for Drug Offences in Europe and Central Asia, and the need for Legislative and Sentencing Reform*, UK, 2012, p. 10

Type of offences committed by women prisoners in Georgia\*



**Table 5: Offences committed by women serving prison sentences in Georgia in May 2013**

Offences	Number	Proportion
Drug related	119	29%
Fraud	161	39%
Murder	19	4.6%
Illegal restriction of liberty	19	4.6%
Intentional infanticide	1	0.2%
Manslaughter	1	0.2%
Intentional grave damage to health	4	1%
Illegal adoption of child	1	0.2%
Embezzlement	9	2%
Fabrication or sale of false documents	4	1%
Obstruction of the activities of the Penal institution <sup>14</sup>	12	3%
Other offences	61	15%
<b>Total</b>	<b>411</b>	

Source: Penitentiary Department of Georgia

\*Based on information from the Penitentiary Department of Georgia (see Table 5). Offences have been grouped; murder, manslaughter, intentional grave damage to health and intentional infanticide under violent offences; fraud, embezzlement and fabrication or sale of false documents as property offences. Other offences include illegal restriction of liberty, illegal adoption of child, obstruction of the activities of the penal institution and other offences not specified in official statistics, presumed to be predominantly non-violent but for which information is insufficient to classify as non-violent per se. Data available on drug related offences do not differentiate between use, possession or trafficking, and between convictions for violent and non-violent crimes.

Georgia has very strict drug legislation. Illegal use of drugs without a doctor’s prescription carries an administrative penalty on first detection, leading to a fine or administrative detention<sup>15</sup> and a criminal sanction if the same offence is committed within the same year.<sup>16</sup> Consequently a considerable number of people are imprisoned for drug use or possession.<sup>17</sup>

In May 2013, it was announced that Georgia’s new government was considering reducing the penalties applicable to some drug related offences, in particular to the use of marijuana, taking into account the increasing international recognition that drug use should be approached from a therapeutic rather than a criminal justice approach.<sup>18</sup> The Bangkok Rules require the provision of gender-sensitive substance abuse treatment programmes both for crime prevention, as well as for diversion and alternative sentencing purposes.<sup>19</sup>

Data received for the period 2010 to 2012 displays the frequency of the use of alternatives to imprisonment, the proportions of various alternative sanctions used and the differences between the sentences received by female and male offenders. (Table 6 on next page)

14 This covers a group of prisoners who were involved in a prison riot for which they received a new sentence. They were held in the high security section of Rustavi No. 5 Prison.

15 Code of Administrative Offences of Georgia, Article No. 45

16 Criminal Code of Georgia, Article No. 273

17 N. Kvavilashvili, K. Pilauri, *Illicit Drug Use in Prisons of Georgia*, The Georgian Centre for Psychological and Medical Rehabilitation of Torture Victims (GCRT), pp. 3,4 (*Illicit Drug Use*) Article 260 of the Criminal Code, which sets criminal liability for the illegal possession, purchase/storage and/or dealing in drugs, does not distinguish between possession of drugs for the purpose of personal use and/or dealing, thus stipulating similar punishment for both, applying disproportionate sanctions for drug users. (*Illicit Drug Use*, p. 6)

18 See for example, United Nations Commission on Narcotic Drugs (CND) resolution 55/12, ‘Alternatives to imprisonment for certain offences as demand reduction strategies that promote public health and public safety’, 16 March 2012, E/2012/28, E/CN.7/2012.18; UNODC, From coercion to cohesion: Treating drug dependence through health care, not punishment, Discussion Paper, New York, 2010 <accessed 6 June 2013 at <[http://www.unodc.org/docs/treatment/Coercion/From\\_coercion\\_to\\_cohesion.pdf](http://www.unodc.org/docs/treatment/Coercion/From_coercion_to_cohesion.pdf)>

19 Bangkok Rules, Rule 62

**Table 6: Sentences passed by courts: 2010 / 2011 / 2012**

Types of sentences	Number of sentences / women	Proportion of sentences / women	Number of sentences / men	Proportion of sentences / men
Imprisonment	1,250	32.6%	19,745	43.7%
Conditional sentences	2,236	58.3%	22,051	48.8%
Fines	291	7.6%	2,901	6.4%
Community service	51	1.3%	459	1%
Correctional labour	1	0.02%	0	–
Suspension of sentence	1	0.02%	6	0.01%
Prohibition of holding a position or engaging in an activity	0	–	11	0.02%
<b>Total number of sentences</b>	<b>3,830</b>		<b>45,173</b>	

Source: Supreme Court of Georgia

The majority of sentences passed by the courts for both men and women were non-custodial sanctions. Courts passed sentences of imprisonment less frequently in the case of female offenders, compared to men (32.6 per cent as compared to 43.7 per cent).

The breakdown of the prison terms received by male and female offenders during the same period (Table 7) shows that interestingly, the proportions were relatively

similar for both men and women. The largest proportion of sentences were terms of up to two years in both cases – 43 per cent in the case of women and 49 per cent in the case of men. However, it is noteworthy that the proportion of women who received long prison terms was larger than that of male prisoners: 33 per cent of women had received sentences over five years, in comparison to 25.7 per cent of men.

**Table 7: Breakdown of prison terms passed by courts: 2010 / 2011 / 2012**

Length of prison sentences	Number of women	Proportion of women	Number of men	Proportion of men
Up to 2 years	535	43%	9,732	49%
2 to 5 years	305	24.4%	4,935	25%
5 to 10 years	270	21.6%	3,417	17.3%
10 to 20 years	111	9%	1,382	7%
Over 20 years	29	2.3%	259	1.3%
Life	0	0%	20	0.1%
<b>Total</b>	<b>1,250</b>		<b>19,745</b>	

Source: Supreme Court of Georgia

## Armenia

### 1. Women in pre-trial detention

Among women pre-trial detainees, 45 per cent of offences with which women were charged comprised property offences (swindling, theft, squandering or embezzlement); 21 per cent comprised human trafficking offences, with an additional 4.3 per cent of the charges being linked to facilitating prostitution; 11 per cent of charges were drug trafficking offences (Table 8).

**Table 8:** Offences with which women in pre-trial detention were charged, as of 1 March 2013

Offences	Number	Proportion
Human trafficking	10	21%
Swindling	10	21%
Theft	6	13%
Drug trafficking	5	11%
Squandering/embezzlement	5	11%
Murder	2	4.3%
Assistance in involvement in prostitution	2	4.3%
Battery	2	4.3%
Infliction of grave damage of health	1	2%
Extortion	1	2%
Banditry	1	2%
Smuggling	1	2%

Source: Criminal Execution Department, Ministry of Justice, Armenia

### 2. Offences committed by women and sentences

Data provided by the authorities shows that the largest proportions of offences among women were property offences, with 33.3 per cent, and drug related offences at 17 per cent. The latter percentage is much lower than in Georgia, which is no doubt partly a reflection of the more lenient legislation on drug use in Armenia.

**Table 9:** Offences committed by women serving prison sentences in Armenia in May 2013<sup>20</sup>

Types of offences	Number	Proportion
Property offences	51	33.3%
Drug trafficking	24	15.6%
Drug possession/manufacture <sup>21</sup>	2	1.3%
Human trafficking	22	14.3%
Maintaining dens of prostitution	10	6.5%
Murder	16	10.4%
Banditry	7	4.5%
Infliction of wilful damage to health	8	5%
Illegal entrepreneurial activity	3	2%
Sexual violence	2	1.3%
Bribe taking	2	1.3%
Illegal border crossing	2	1.3%
Traffic offence	1	0.6%
Hooliganism	1	0.6%
High treason	1	0.6%
Kidnapping	1	0.6%
<b>Total</b>	<b>153</b>	

<sup>20</sup> Information based on statistics provided by the prison authorities on the types of offences committed by sentenced women in May 2013. Similar offences (e.g. various types of property offences and types of murder) were grouped together to allow for a meaningful insight into the offences committed by women offenders.

<sup>21</sup> Illegal manufacture, processing, procurement, keeping, delivery or supply of narcotic drugs or psychotropic materials without the purpose of sale.

New legislation implemented in 2009 decriminalised the use of illegal drugs and the transfer of small amounts of drugs without purpose of sale (e.g. sharing of small quantities among users). Previously, a person convicted of using drugs could be imprisoned for up to two months for a first offence. Under the new system, a first-offence user is subject to a fine, but that fine is waived for a user who voluntarily seeks drug treatment.<sup>22</sup>

A very interesting finding is that over 14 per cent of women had been convicted of human trafficking and a further 6.5 per cent of 'maintaining dens of prostitution.' This finding, which appears quite specific to this country, is no doubt a reflection of the fact that Armenia is reported to be a source country for women and girls subjected to sex trafficking, as well as a source country for women and men subjected to forced labour.<sup>23</sup> A significant local phenomenon is the almost exclusive use of women as traffickers to conduct recruitment of other women.<sup>24</sup>

Full information about the sentences received by women over the past three years was not received from the Armenian authorities, preventing a detailed analysis of data as has been possible in the case of Georgia. Information received on non-custodial sanctions passed by courts from 2010 to 2012 and the first three months of 2013 is shown in Table 10.

Proportions of alternative sentences received by women and men and early conditional release (parole) decisions for women and men are relatively similar. The largest proportion of alternatives used are conditional sentences, also referred to as probation, followed by fines, with community service in the third place (Tables 10 and 11).

**Table 10: Women sentenced to non-custodial sanctions and measures and who received parole in 2011, 2012 and first three months of 2013**

Type of sanction	2011		2012		Jan-March 2013	
	No. of women	% of women	No. of women	% of women	No. of women	% of women
<b>Fine</b>	106	31%	84	30%	41	23%
<b>Deprivation of the right to hold certain posts or practice certain professions</b>	11	3%	18	6.4%	11	6%
<b>Community service</b>	35	10%	22	8%	21	12%
<b>Conditional sentence/probation</b>	159	47%	133	47%	106	59%
<b>Suspended sentence</b>	3	0.9%	1	0.3%	0	0%
<b>Early conditional release/parole</b>	27	8%	24	8.5%	0	0%
<b>Total</b>	<b>341</b>		<b>282</b>		<b>179</b>	

Source: Division for Social, Psychological and Legal Works, Criminal Executive Department, Ministry of Justice

<sup>22</sup> United States Department of State 2011 <accessed 25 May 2013 at <<http://www.thefreelibrary.com/Country+reports%3A+Armenia.-a0259155670>>  
The maximum quantities of drugs allowed for personal use, and therefore not subject to criminal sanctions, are quite small. As a result, stakeholders interviewed by PRI expressed concern that users were still being convicted of drug trafficking.

<sup>23</sup> United States Department of State, 2012 *Trafficking in Persons Report – Armenia*, 19 June 2012, <accessed 24 May 2013 at <<http://www.refworld.org/docid/4fe30ce7c.html>>

<sup>24</sup> UNDP, Norwegian Ministry of Foreign Affairs, EU, ILO, ICMPD, OSCE, *Republic of Armenia Law Enforcement Anti-Trafficking Training Needs Assessment Report*, December 2007

**Table 11: Men sentenced to non-custodial sanctions and measures and who received parole in 2011, 2012 and first three months of 2013**

Type of sanction	2011		2012		Jan-March 2013	
	No. of men	% of men	No. of men	% of men	No. of men	% of men
<b>Fine</b>	857	27%	912	33.5%	274	17%
<b>Deprivation of the right to hold certain posts or practice certain professions</b>	312	9.7%	322	12%	216	13.4%
<b>Community service</b>	457	14%	446	16.3%	344	21.3%
<b>Conditional sentence/probation</b>	1131	41.5%	884	32.4%	696	43%
<b>Suspended sentence</b>	2	0.06%	2	0.07%	2	0.12%
<b>Early conditional release/parole</b>	252	8%	159	6%	81	5%
<b>Total</b>	<b>3,211</b>		<b>2,725</b>		<b>1,613</b>	

Source: Division for Social, Psychological and Legal Works, Criminal Executive Department, Ministry of Justice

## Survey among women prisoners

### 1. Age, marital status and children

In both countries one third of women were aged over 50. Thirty-two per cent in Georgia and 26 per cent in Armenia were between 40 and 50 and around one fourth in both countries aged between 30 and 40. The proportions of younger women in prison are unusually small compared to female prison populations in other countries.

The marital status of women in Georgia and Armenia were quite similar as well. Around one third of women were married in Georgia compared to 27 per cent in Armenia, with an additional four per cent in both countries living with their partners. In Georgia a total of 28 per cent of women were divorced or separated, in Armenia the percentage was 36 per cent. Widowed women made up 21 and 18 per cent respectively in Georgia and Armenia, with 11 and 13 per cent respectively being single.

The survey established that most women in the South Caucasus (78 per cent) are mothers, similar to women prisoners in many other countries worldwide. Most of the children were living with their mother's family and a smaller proportion with their father or father's family. Many children were adults and living on their own or with their spouses or partners. In Georgia there were 486 children whose mothers had been imprisoned; in Armenia the figure was 221. These figures include children living in prison and outside.



## 2. Educational level

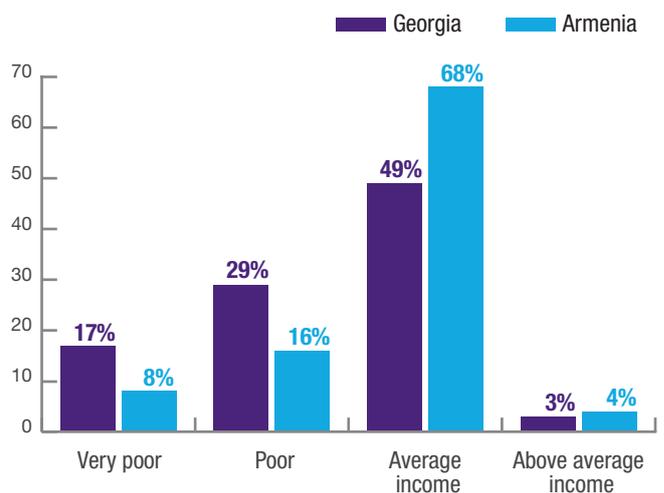
A remarkable finding in both countries, but particularly in Georgia, was that the education level of the women in prison was relatively high. This seems to reflect the situation in the general population in both countries.<sup>25</sup> A total of 98 per cent of women in Georgia had secondary level education or above, with 27 per cent having university degrees (Bachelor’s Degree) and 13 per cent with a post-graduate degree. In Armenia 91 per cent of women had secondary education level or above, and five per cent held university degrees and 20 per cent having a post-graduate degree.

## 3. Economic status and employment

A total of 46 per cent of women in Georgia said they were poor or very poor, in comparison to 24 per cent in Armenia, where the economic level of the women seemed relatively high (Chart 1). This is also an unusual finding. It is possible that the higher level of income among women prisoners in Armenia is associated with the number of women involved in human trafficking and running brothels, as mentioned earlier (see also Section 5).

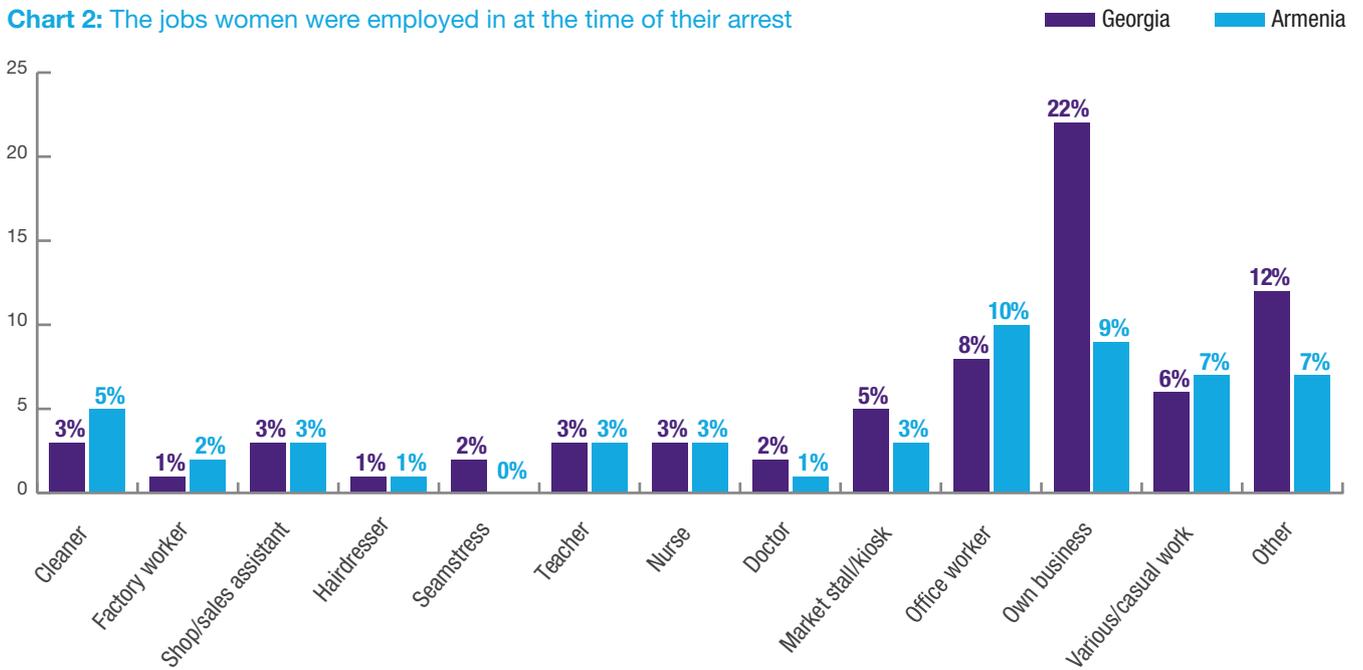
Some 66 per cent of women in Georgia and 51 per cent of women in Armenia were in paid employment at the time of their arrest. The relatively high rate of employment, especially among women in Armenia, is also noteworthy. Chart 2 shows the kind of employment carried out prior to imprisonment.

**Chart 1: Economic status of women prisoners**



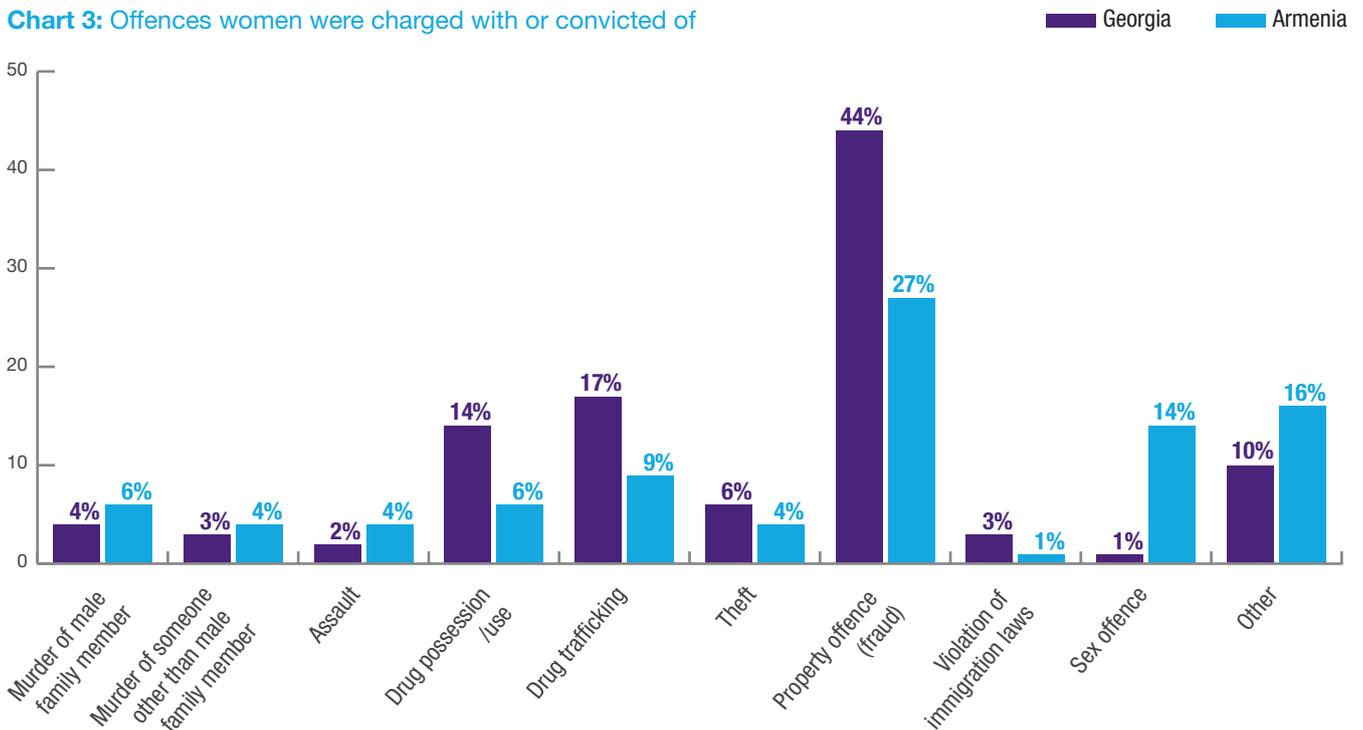
25 UNICEF statistics, Armenia <accessed 4 July 2013 at <[http://www.unicef.org/infobycountry/armenia\\_statistics.html](http://www.unicef.org/infobycountry/armenia_statistics.html)> and UNICEF statistics, Georgia <accessed 4 July 2013 at <[http://www.unicef.org/infobycountry/georgia\\_statistics.html](http://www.unicef.org/infobycountry/georgia_statistics.html)>

**Chart 2: The jobs women were employed in at the time of their arrest**



## 4. Offences and charges

**Chart 3: Offences women were charged with or convicted of**



In Georgia fraud comprised 44 per cent of all offences committed; theft made up another six per cent – together representing half of all offences. Thirty-one per cent of offences were directly drug related, although this proportion did not perhaps reflect the proportion before the amnesty, when many drug dependent women were said to have been released.<sup>26</sup>

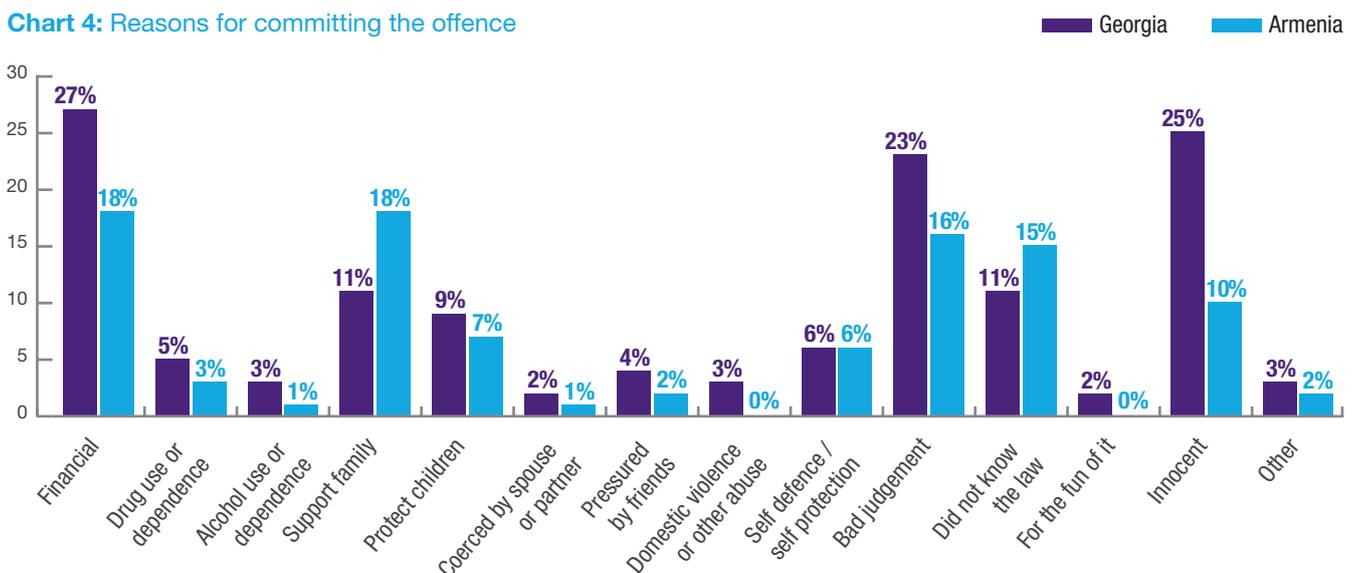
Four per cent of the women had been convicted of or charged with the murder or manslaughter of a male family member, which is similar to findings in other countries, where statistics indicate that, when women commit murder, their victim is often a partner or spouse, who is likely to have abused them, sometimes on a systematic basis. Three per cent were in prison for the murder or manslaughter of someone other than a male family member. This number most certainly includes the one woman who was convicted of intentional infanticide, shown in Table 5. In 2010 there was reported to be eight women servicing sentences for infanticide.<sup>27</sup>

In Armenia as well the largest proportion of women had committed fraud, but the proportion was smaller at 27 per cent. A further four per cent were in prison for theft and another two per cent of women noted 'squandering or embezzlement / supporting embezzlement' under the 'other' option, which could be regarded as fraud, taking the total proportion of property offences to 33 per cent. Drug related offences made up a much smaller proportion, with 15 per cent – half of that of Georgia. This finding may reflect the more lenient drug legislation in Armenia. Over 14 per cent of women said that they had been convicted of sex offences and a further six per cent of human trafficking. As explained earlier, this appears to reflect the fact that Armenia is a source country for women and girls subjected to sex trafficking, and that women are used to recruit women for traffickers.

The types of offences committed by women in Georgia and Armenia, in general, are similar to other countries of the world, in that the majority of offences are non-violent property or drug offences. The exception to this is the large proportion of women who are in prison for human trafficking and sex related offences in Armenia.

## 5. Reasons for committing the offence

Chart 4: Reasons for committing the offence



<sup>26</sup> Interview with Eka Pachulia, Head of Social Affairs Unit, Penitentiary Department of Georgia, 13 May 2013

<sup>27</sup> Interview with Eliso Amirejibi, Regional Coordinator, NGO, Women's Club Peoni, 13 May 2013. Women's Club Peoni conducted a study on mothers who killed their children in Rustavi No. 5 Prison, outlined in a report compiled by Tinatin Amirejibi, who undertook the research: *Mothers who Kill, Psychosocial Profile of Filicidal and Neonaticidal Mothers in Georgia*, 2011, which explored the reasons for the offences and characteristics of offenders in detail.

The most common reason for committing the offence was financial in both countries, with 27 per cent of women in Georgia and 18 per cent of women in Armenia identifying this as the main motive for their offence. A further 11 per cent of women in Georgia and 18 per cent of women in Armenia said that they committed the offence to support their families. So, financial motives comprised very similar proportions in both countries, with 38 and 36 per cent in total, in Georgia and Armenia respectively.

In Georgia 23 per cent and in Armenia 16 per cent of women indicated that 'bad judgment' had led to their offence. A quarter of the women in Georgia and ten per cent of women in Armenia claimed they were innocent. Eleven per cent of women in Georgia and 15 per cent of women in Armenia responded that unawareness of the law was the reason they committed the offence. (See Chart 4)

## 6. Practical consequences of conviction and imprisonment

Among the practical consequences of imprisonment the most common in both countries were the loss of jobs and housing. The loss of employment was experienced by 34 per cent of the prisoners in Georgia and 26 per cent of prisoners in Armenia. The loss of housing was noted by 36 per cent of the prisoners in Georgia and 20 per cent of the prisoners in Armenia.

The family had broken up in 18 per cent of cases in Georgia, with a much higher proportion of 28 per cent experiencing the breakup of their families in Armenia.

In Georgia 13 per cent of women responded that their children had ended up on the street and three per cent said that their children had been taken away. In Armenia six per cent of women indicated that their children had ended up on the street and two per cent said that their children had been taken away.

In Georgia 12 per cent of women said that they were stigmatised by their families or communities, compared to five per cent in Armenia.

## 7. Drug and alcohol dependency

Drug and alcohol dependency was found to be low among women prisoners in both countries, with four per cent and one per cent of reported drug dependence in Georgia and Armenia respectively; one per cent of alcohol dependence in each country and two per cent of reported treatment for a drug or alcohol problem in both countries.

However, a number of interviewees reported drug dependency issues among women prisoners, related to a variety of drugs.<sup>28</sup> The Head of the NPM Unit of the Ombudsman Office stated that 90 per cent of complaints from women were about health related issues, including in particular issues relating to drug dependence. A number of NGOs who had worked in Rustavi No. 5 Women's Prison told PRI that many women prisoners were dependent on drugs or alcohol prior to imprisonment, and psychotropic substances in prison, which were used to pacify and control prisoners throughout the prison system, under the previous administration.<sup>29</sup> There was no support or treatment when women had withdrawal symptoms in prison.

Taking into account a number of reports from different stakeholders interviewed, the findings on drug dependence in Georgia almost certainly do not reflect the actual level of drug dependence among female offenders in this country. Firstly the amnesty, which resulted in the release of 427 women before the PRI research was conducted, appears to have had an impact on the findings.<sup>30</sup> The discrepancy may also be a consequence of under-reporting by the women, perhaps due to the shame and stigma associated with drug and alcohol dependence, or because – drug use being a criminal offence – they did not want to draw attention to themselves, even though the survey was anonymous. Women could also consider themselves not to be dependent any longer, since they had not had access to drugs in prison.

In Armenia, in contrast, a number of stakeholders interviewed told PRI that substance use or dependence was not widespread among women prisoners.

28 For example Global Initiative on Psychiatry (GIP) reported that women had used synthetic drugs, heroin and marijuana, prior to imprisonment. Another NGO, Tanadgoma, Centre for Information and Counselling on Reproductive Health, had carried out research in 2007, which found that 23 per cent of women prisoners were injecting drug users prior to imprisonment.

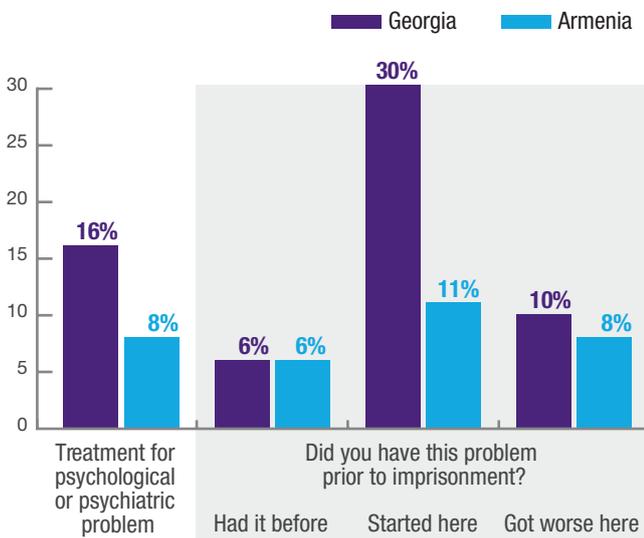
29 Women's Club Peoni and the Association of Professional Psychologists

30 According to the Head of the Social Affairs Unit of the Penitentiary Department of Georgia, many prisoners who were released were drug dependent, as mentioned earlier.

## 8. Psychological or psychiatric consequences of imprisonment

Among the psychological consequences of imprisonment, depression was the most common, with 62 per cent of prisoners in Georgia and 48 per cent of prisoners in Armenia having experienced it. The second most common complaint was insomnia – in 53 per cent of cases in Georgia and 46 per cent of cases in Armenia. Loneliness was indicated by 34 per cent of women in Georgia and 38 per cent of women in Armenia, and fear by 33 per cent of women in both countries. Aggression was experienced by 15 per cent of women in Georgia and 20 per cent of women in Armenia. Seventeen per cent of women in Georgia and seven per cent in Armenia had suicidal thoughts, six and seven per cent respectively had self-harmed as a consequence of imprisonment. Other consequences comprised very small proportions of the responses.

**Chart 5: Psychological and psychiatric problems among women prisoners and treatment**



While some women in both countries said that they had had psychological or psychiatric problems before imprisonment, most reported that their problems had started in prison, with some indicating that their condition had worsened in prison. Many women did not respond to this question, especially in Armenia. Only 16 per cent of women in Georgia and eight per cent of women in Armenia had received any treatment for psychological or psychiatric problems. (See Chart 5)

Stakeholders interviewed in Georgia referred frequently to the negative impact of imprisonment on the mental health of women. Reports included stress and anxiety resulting from living in a closed place (the ‘prison syndrome’), a significant number of cases of post-traumatic stress disorder and various mental health problems (insomnia, high levels of anxiety, depression, phobias, damaged communication skills, psychosomatic complaints, major depressive episodes, personality disorders, psychopathy and psychosis). High levels of stress were reported among women in pre-trial detention and those who were close to release, the latter relating to the anxiety about how and whether their family would accept them. The interviewees indicated additional psycho-social support needs among the many substance dependent women.<sup>31</sup>

The Head of the NPM Unit of the Ombudsman’s Office confirmed to PRI that many women needed regular supervision by a psychiatrist, but that psychiatrists visited only once a month. Under the current administration steps were being taken to provide more comprehensive treatment, but this was not sufficient yet. The results would be seen in a few years.

PRI was not able to gather independent information about mental healthcare needs, self-harm and suicide attempts among women prisoners in Armenia, since there were no NGOs providing psycho-social support in the women’s prison. There was one psychologist in Abovyan Prison. When asked about the mental healthcare needs among women prisoners, she informed PRI that there were no problems, although information gathered, reflected in Chart 5 would suggest otherwise.

## 9. Self-harm and suicide

In Georgia seven per cent of women had self-harmed and 13 per cent had attempted suicide. In Armenia eight per cent of women had self-harmed and eight per cent had attempted suicide. It is difficult to say whether these figures reflect reality. In Georgia, in particular, a number of stakeholders interviewed told PRI that self-harm and suicide attempts were relatively high among women prisoners.

**Table 12: Time of self-harm and suicide attempts among women prisoners**

	Georgia	Armenia
<b>Before imprisonment</b>	7%	8%
<b>In prison</b>	10%	4%
<b>Both before and during</b>	2%	4%

As for the timing, seven per cent of all women in Georgia reported to have harmed themselves or attempted suicide prior to imprisonment, ten per cent had done so in prison and two per cent both before their imprisonment and in prison. In Armenia eight per cent of all women had harmed themselves or attempted suicide before imprisonment, four per cent in prison and four per cent both before and during imprisonment.

Certain times were highlighted by interviewees as constituting a heightened risk of self-harm and suicide: during the first weeks of admission; the period before and after the trial; and following a six months' period of detention. Another period of high risk was prior to being transferred to the sentenced prisoners' part of the prison, if convicted, and in particular due to fear of being transferred to the block where high security prisoners were held.<sup>32</sup> There were said to be less suicide attempts among sentenced women. Generally attempts of suicide among this category of women occurred when women wanted to attract attention, for example, to access a doctor. The head of the NPM Unit of the Ombudsman Office confirmed a high rate of self-harm and some suicide attempts, though fatal suicides were very rare.

The psychologist in Abovyan Prison, Armenia, said that there were no cases of self-harm in the prison. Additional information about self-harm and suicide among women prisoners was not received in Armenia.

## 10. Experience of domestic violence

Thirteen per cent of women in Georgia and ten per cent of women in Armenia said that they had experienced domestic violence. These figures are low compared to some other countries – for example in the UK where the proportion was found to be 50 per cent<sup>33</sup> and 43 per cent in the US according to one study and a higher proportion according to another.<sup>34</sup>

It is difficult to tell whether the South Caucasus figures reflect reality or not. Reports indicate that domestic violence is a problem in both countries but are vastly underreported because of the shame attached to having been a victim of domestic violence.<sup>35</sup> According to comprehensive research carried out in Georgia in 2006, a relatively small number of women acknowledged being victims of physical or sexual violence. Overall, 6.9 per cent of women reported having experienced physical violence.<sup>36</sup> Based on this figure the proportion among women prisoners is almost twice as large as that in the general female prison population.

In 2010 the United Nations Population Fund's office in Yerevan released their findings of the most comprehensive study on domestic violence ever undertaken in Armenia. This study found that nearly one in ten women in Armenia has been physically ill-treated by their husbands or partners.<sup>37</sup> This proportion is similar to the findings of PRI's research among women prisoners.

## 11. Experience of sexual abuse

In Georgia three per cent of women and in Armenia six per cent said that they had been sexually abused once or twice, two per cent in both countries indicated to have been sexually abused many times.

As with reports of domestic violence, these proportions may not reflect reality. Additional research would be required to collect data on this sensitive question. Abuse backgrounds and mental health needs may be better understood through the use of personal interviews, review of clinical files and other methodologies.

32 Global Initiative on Psychiatry (GIP)

33 UNODC *Handbook for Prison Managers and Policymakers on Women and Imprisonment* (2007), p. 9

34 *Ibid.*, p. 8

35 *Stop Violence Against Women*, A Project of the Advocates for Human Rights <<http://www.stopvaw.org/Armenia.html> and <http://www.stopvaw.org/Georgia.html>>

36 Prof Marine Chiashvili, Prof Nino Javakhishvili, Assoc. Prof. Luiza Arutiunov, Assoc. Prof. Lia Tsuladze, Ms Sophio Chachanidze, *National Research On Domestic Violence Against Women In Georgia*, Tbilisi (2010)

37 <[http://www.stopvaw.org/armenia\\_research\\_findings\\_on\\_domestic\\_violence\\_released.html](http://www.stopvaw.org/armenia_research_findings_on_domestic_violence_released.html)>, with reference to Ghalechian, Narine, 'Research Sheds Light on Domestic Violence in Armenia,' Azatutyun, (5 August 2010)

## 12. Links between experience of domestic violence, sexual abuse, mental healthcare needs and substance dependencies

Conclusions on the link between mental illnesses or substance dependence as a consequence of domestic violence or sexual abuse would require further examination, and – as highlighted above – figures on domestic violence and sexual abuse may reflect under-reporting. Yet, survey findings indicate a very clear correlation.<sup>38</sup>

For example, in Georgia 14 per cent of the women who received treatment for drug or alcohol dependence had experienced domestic violence, 28 per cent had been sexually abused. Of the women who had self-harmed, 28.5 per cent had experienced domestic violence and 23.8 per cent had been sexually abused once or twice.

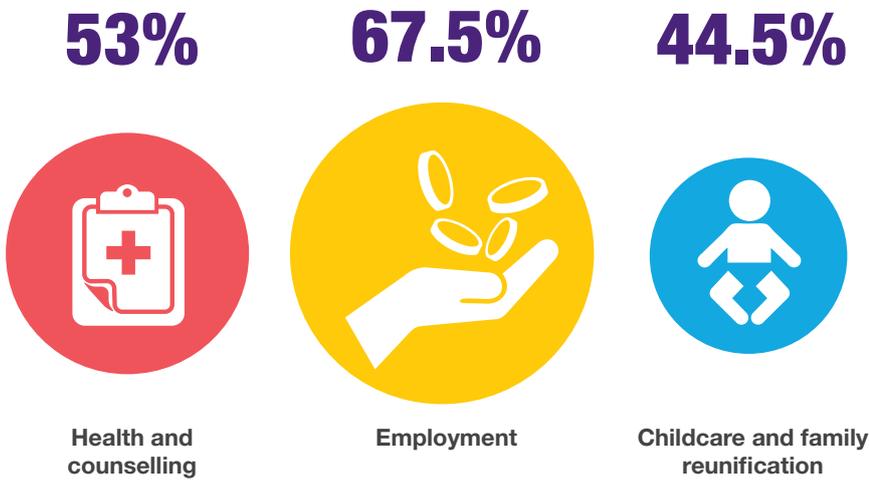
In Armenia as well a correlation was found, though not as apparent as in Georgia. Survey responses indicated that 33 per cent of the women who had been treated for drug or alcohol dependence had been sexually abused once or twice. Of the 11 women who had self-harmed, 18 per cent had experienced domestic violence and 27 per cent had been sexually abused once or twice.

## 13. Support requirements to build a new life

As regards their needs in prison, interestingly the majority of women in both countries (48 per cent of women in Georgia and 60 per cent of women in Armenia) said that treatment for health problems would be the most important support they could receive to help them with reintegration following release. The second most important support desired were programmes to build confidence and life skills, with 19 per cent in Georgia and 21 per cent in Armenia, followed by vocational skills training – 18 per cent in Georgia and 15 per cent in Armenia. These were followed by legal aid (17 per cent in Georgia and 11 per cent in Armenia), counselling/ therapy for mental health (13 per cent in Georgia and 9 per cent in Armenia) and formal education/ schooling in Georgia with 15 per cent (compared to only 4 per cent in Armenia).

A second survey question on support needed following release indicated that treatment for health and counselling services represented a major requirement (54 and 51 per cent in Georgia and Armenia respectively), followed by finding employment (70 and 65 per cent in Georgia and Armenia respectively). Support with child care and reunification with family were identified as required by 49 per cent in Armenia and 40 per cent in Georgia. Assistance with finding housing was listed by 43 per cent in Georgia and 35 per cent in Armenia. See Chart 6 for other support requirements indicated.

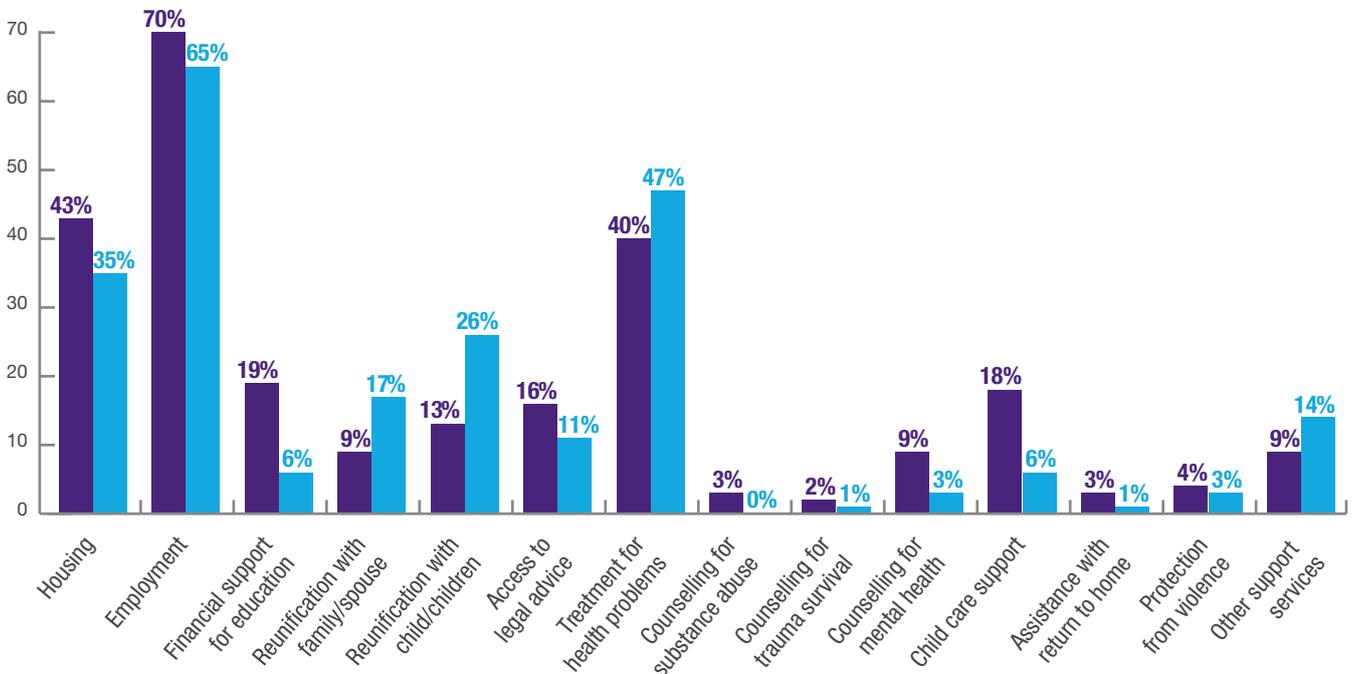
<sup>38</sup> The survey allowed multiple responses, thus the figures do not represent the number of women who developed mental healthcare needs or became substance dependent due to past victimisation.



The top three support requirements on average as identified by women prisoners in Georgia and Armenia when leaving prison

Chart 6: Detailed support requirements following release

■ Georgia ■ Armenia



## 14. Previous offences and obstacles to reintegration

Fifteen per cent of the prisoners in Georgia and 19 per cent in Armenia had been imprisoned previously. Table 13 shows the obstacles they faced to social reintegration following their release from prison on the previous occasion. Multiple responses were possible, thus each obstacle represents the proportion of responses, rather than the proportion of prisoners.

In Georgia having a criminal record, which prevented employment, was identified as the most serious obstacle for reintegration, with 51 per cent. In Armenia the obstacle which was identified most often was poor psychological state, with 48 per cent of responses (almost half), followed by the criminal record which prevented employment, representing 37 per cent.

**Table 13: Obstacles to social reintegration encountered following release**

	Georgia	Armenia
<b>Have you been convicted and been imprisoned before?</b>		
Yes	15%	19%
<b>If you have been in prison before, what were the most serious obstacles you encountered following release when you were trying to build your life again?</b>		
Stigmatisation	9.3%	4%
Criminal record prevented employment	51%	37%
Partner/spouse left	9.3%	11%
Family abandoned	16%	15%
Could not find housing	21%	30%
Poor health and no money for treatment	16%	30%
Poor psychological state	2.3%	48%
Untreated substance dependence	2.3%	3.7%
Other	7%	18.5%

## 15. Assistance from governmental or non-governmental agencies following release

Of the prisoners who had previously been imprisoned in Georgia, 21 per cent had received assistance with their social reintegration following release, compared to 18.5 per cent in Armenia. Table 14 shows the type of assistance received.

**Table 14: Type of assistance provided to former women prisoners**

	Georgia	Armenia
<b>Total number of former prisoners</b>	<b>43</b>	<b>27</b>
<b>Number and proportion of assistance received</b>		
Legal advice	0	1 (3.7%)
Financial	4 (9.3%)	3 (11%)
Assistance with finding employment	2 (4.6%)	1 (3.7%)
Healthcare assistance	3 (7%)	3 (11%)
Housing assistance	2 (4.6%)	2 (7.4%)
Psycho social support	1 (2.3%)	2 (7.4%)
Counselling for mental health/ substance dependence	2 (4.6%)	0
Skills training	0	0
Education	3 (7%)	0
Other	0	2 (7.4%)

Considering the findings shown in Table 13 regarding obstacles, and Table 14 regarding assistance provided, it is evident that much more support is needed to help women prisoners build a new life and prevent reoffending. Efforts being made in Georgia in this regard appear extremely timely and necessary.

## 16. Pre-trial detainees

In Georgia seven per cent of women who participated in the survey were pre-trial detainees, in Armenia the proportion was 29 per cent.

Regionally, of the 62 pre-trial detainees who participated in the survey, most (76 per cent) had been detained less than one year, though there were women who had been detained over two and three years. (Table 15) All women held over two years were in Armenia. In Georgia, one woman was held over one year.

In Georgia the statutory limit for pre-trial detention is nine months, with the total period allowed for detention before the pre-trial hearing being 60 days.<sup>39</sup> Consequently, one woman in Georgia had been detained beyond the statutory time limit set by law.<sup>40</sup> In Armenia the statutory limit is two months, but can be extended up to one year.<sup>41</sup> Fourteen women had been detained longer than the law permitted. This represents just over half of the total number of women in pre-trial detention

in this country. Four of these women were held between one and two years, seven between two and three years, three between three and four years and one between four and five years.

In Georgia, 19 out of 21 pre-trial detainees had access to a lawyer and one woman did not respond. Most of the women had hired private lawyers either paid by their families or by themselves. The others were being assisted by a public defender or a court appointed lawyer.

In Armenia all 41 pre-trial detainees said that they had access to a lawyer. Around half of the women's lawyers were public defenders and half were private lawyers (20 and 22 respectively). Two women in Armenia had marked two options each. It is assumed that these women changed lawyers over the course of their detention.

The level of access to legal counsel in both countries is impressive, though comment cannot be made on the quality of assistance received free of charge – often an area of dissatisfaction in other countries.

**Table 15: Length of pre-trial detention of women prisoners**

	Georgia	Armenia	Total
<b>0-1 years</b>	20	27	<b>47 (76%)</b>
<b>1-2 years</b>	21	4	<b>5 (76%)</b>
<b>2-3 years</b>		7	<b>7 (76%)</b>
<b>3-4 years</b>		2	<b>2 (76%)</b>
<b>4-5 years</b>		1	<b>1 (76%)</b>

<sup>39</sup> Criminal Procedure Code of Georgia (2009), Article 205

<sup>40</sup> Since some of the 20 women who were identified as having been detained under one year could have been detained longer than nine months, thereby exceeding the statutory limit, the dates provided by the women for their pre-trial detention in each of the relevant questionnaires were checked by PRI. None of these women had been detained longer than nine months, thereby their detention was within the statutory time limits.

<sup>41</sup> Criminal Procedure Code of Armenia (1998), Article 138

## 4. Recommendations

The present research project does not extend to an assessment of the extent to which states have implemented the Bangkok Rules or to an appraisal of the conditions in the women's prisons in either country.

The recommendations set out below therefore do not include measures to improve the physical prison conditions.

### 1. Georgia

The considerable and visible efforts being made in Georgia to reform the prison system under the new administration are important steps towards a fair and effective criminal justice system. Plans and activities include: steps to reduce the prison population (though PRI must emphasise that the impact of amnesties are usually short-term and must be followed by other systemic measures); improving the training of staff, with a focus on human rights topics, special groups and women prisoners; plans to improve healthcare services in prisons; prisoners' preparation for release and post-release support. Plans announced to reform Georgia's drug laws, and introduce a more lenient approach to users, would bring penal policy in line with the current understanding that drug use is a health rather than a criminal justice issue. The following recommendations should inform current and future policies and programmes for women prisoners:

- Steps should be taken to reduce the imprisonment of women taking into account women's history of victimisation and caretaking responsibilities, by:
  - Using non-custodial measures instead of pre-trial detention, wherever possible. (Bangkok Rules, Rule 57)
  - Giving Courts the authority to consider mitigating and gender-specific factors when sentencing women offenders. (Bangkok Rules, Rules 57 to 61)
- Acknowledging the plans included in the *Prison Healthcare Reform Strategy for 2013-2014 ½* (Prison Healthcare Strategy), the need to improve healthcare services has to be emphasised. In particular, gender-specific healthcare services in the women's prison should be addressed as a priority. (Bangkok Rules, Rules 6 to 18 and 48)
- While welcoming the plans included in the Prison Healthcare Strategy to expand the methadone treatment programme to the women's prison, it is

also acknowledged that this programme is designed for opioid dependence and is not effective in other types of dependence. It is therefore recommended that other evidence based drug treatment programmes, which take into account women's gender specific needs, are also established in the women's prison. (Bangkok Rules, Rule 15)

- Despite the high level of mental healthcare needs, women's access to psychologists and psychiatrists has been very limited or non-existent during the previous administration in Georgia. The current efforts to improve psycho-social services in all prisons therefore meet an urgent need and should be pursued as a matter of priority. High-quality, individualised psycho-social services should be provided, which take a multi-disciplinary approach and do not rely on medication alone. (Bangkok Rules, Rules 6, 12, 13 and 16)
- It is recommended that a strategy is developed to improve the rehabilitation programmes provided to women prisoners and that funding is allocated to ensure that the programmes are sustainable and long-term. Such programmes can be conducted in partnership with civil society organisations. Programmes to build confidence and life skills, vocational training and education were particularly high among the support requirements listed by women who participated in the survey in Georgia. (Bangkok Rules, Rule 42)
- The need to introduce rehabilitation programmes is particularly acute in the case of women who are serving long sentences, including life sentences, not only to prepare them for eventual release but also to protect their mental health. (Bangkok Rules, Rule 42)
- Taking into account that only 21 per cent of women who had previously been imprisoned had received any support on release, and the number of women who have been released at the time of writing, the authorities' efforts to improve support to former prisoners is extremely timely, as well as challenging. It is recommended that funding for strategies to improve the post-release assistance services to former women prisoners be increased and sustained to enable the women to build a new life following release. In this context, it is recommended that the findings of this survey be taken into account. (Bangkok Rules, Rules 46 and 47)

## 2. Armenia

In Armenia plans and initiatives to reform the prison system were limited, focusing on the construction of a new prison to offer better conditions to up to 1,400 male prisoners, reforming legislation to increase alternatives to detention and imprisonment, reforming the early conditional release system, and establishing a probation service. Plans to increase the use of alternatives to detention and imprisonment and improve early conditional release mechanisms are particularly welcome as long-term strategies to reduce prison overcrowding. It is hoped that the findings of this research may help the Armenian authorities to develop policies and strategies that focus particularly on the social reintegration needs of women prisoners, as well as to reduce their imprisonment. The following recommendations should inform such policies and strategies:

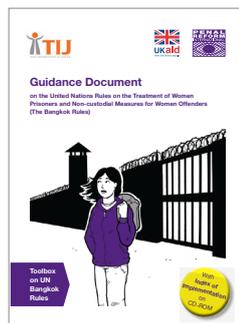
- Steps should be taken to reduce the imprisonment of women taking into account women's history of victimisation and caretaking responsibilities, by:
  - Using non-custodial measures instead of pre-trial detention, wherever possible. (Bangkok Rules, Rule 57)
  - Giving Courts the authority to consider mitigating and gender-specific factors when sentencing women offenders. (Bangkok Rules, Rules 57 to 61)
- Taking into account the high proportion of women pre-trial detainees who had been held well beyond the statutory time limits set out in law, it is urgently recommended that the cases of these women are expedited and, wherever possible, the women be released pending trial. (International Covenant on Civil and Political Rights, Article 9(3), Bangkok Rules, Rule 57)
- A large majority of women indicated healthcare as their most urgent need and reports suggest that healthcare in the women's prison, particularly gender-specific healthcare, is not adequate to meet the needs. Improvement of healthcare services, in line with the provisions of the Bangkok Rules, is recommended. (Bangkok Rules, Rules 6 to 18 and 48)
- It is recommended that the current psycho-social support services provided to women be reviewed and improved to provide individualised, multi-disciplinary mental healthcare to those in need. A complementary strategy would be to ensure that women are engaged in positive and meaningful activities, in order to promote and protect mental health. (Bangkok Rules, Rules 6, 12, 13 and 16)
- The lack of work, education, skills, training activities and other rehabilitation programmes in the women's prison is a significant concern expressed by stakeholders. It is recommended that a strategy is developed to introduce rehabilitation programmes for the women prisoners and funding is allocated to ensure that the programmes are sustainable and long-term. Programmes to build confidence and life skills and vocational training were particularly high among the support requirements listed by women who participated in the survey in Armenia. (Bangkok Rules, Rule 42)
- It is recommended that post-release support mechanisms be developed, to assist released women prisoners with their social reintegration, taking into account the findings of this survey and bearing in mind that only 18.5 per cent of women who were previously imprisoned had received any support on their release. (Bangkok Rules, Rules 46 and 47)
- The probation service, which is planned to be established in 2014, should develop services and programmes to meet the gender-specific needs of women offenders, taking into account the findings of this survey. (Bangkok Rules, Rules 60 and 62)

# Toolbox for implementation

**PRI has developed a range of practical resources to assist in putting the UN Bangkok Rules into practice.**

## Guidance document:

A guide to each Rule, suggested measures for implementation at policy and practical level, with examples of good practice to inspire new thinking.



## Index of Implementation:

A comprehensive checklist for an assessment of implementation of the Rules, structured for different actors. Can be used in developing policies and strategies.

Both documents jointly published with the Thailand Institute of Justice.

## Online course: Women in detention – putting the UN Bangkok Rules into practice:

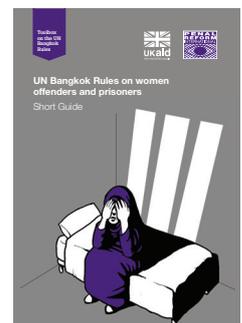
A self-paced, free online course combining analysis of the Rules, interactive assessments and application of the Rules to real life situations, with a certificate issued at completion.

## A guide to gender-sensitive monitoring:

A guide to help bodies monitoring places of detention incorporate a gender perspective into their work and address violence against women and girls in detention. Jointly published with the Association for the Prevention of Torture.

## Short Guide to the Bangkok Rules:

A short illustrated guide to the Bangkok Rules, providing an overview of the typical profile of women offenders and their needs, and what the Rules cover.



## Access to justice – discrimination against women in criminal justice systems:

This briefing paper maps concerns relating to the discrimination of women as alleged offenders in the justice system.

## Neglected needs: Girls in the criminal justice system:

This briefing paper highlights the particular issues facing girls involved in criminal justice systems and makes recommendations for strengthening the protection of their rights. Jointly published with the Interagency Panel on Juvenile Justice (IPJJ).

## E-bulletin:

A quarterly round-up of information on women in the criminal justice system, the Bangkok Rules and activities by PRI and others on the Rules. Sign up by emailing [info@penalreform.org](mailto:info@penalreform.org)

Please visit: [www.penalreform.org/priorities/women-in-the-criminal-justice-system/](http://www.penalreform.org/priorities/women-in-the-criminal-justice-system/)

Tools are available in multiple languages.



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