

PRI e-newsletter September 2015

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# E-newsletter

**September 2015**

## Welcome to Penal Reform

International's monthly e-newsletter, a round-up of PRI and other penal reform news from around the world and a variety of criminal justice and human rights resources.

*The views expressed in the news items below are not necessarily those of PRI.*

## In this month's edition

- [In the spotlight](#): the first UN report to address causes of overcrowding
- [Global advocacy](#)
- [Drug policies](#)
- [Alternatives to imprisonment](#)
- [Justice for children](#)
- [Pre-trial justice](#)
- [Women in the criminal justice system](#)
- [Torture prevention](#)
- [Death penalty](#)

## IN THE SPOTLIGHT



## United Nations report addresses the links between the overuse of detention and prison overcrowding for the first time

The UN High Commissioner for Human Rights has produced a report on 'Human rights implications of overincarceration and overcrowding'. This is the first time the UN Human Rights Council has addressed in a report the *causes* of prison overcrowding – identifying, for example, excessive recourse to pre-trial detention, lack of non-custodial alternative sentences, and disproportionate sentencing policies – and drawn a clear link between overincarceration and overcrowding and the violation of human rights.

An advance edited version of the report (UN doc: A/HRC/30/19) is available [here](#). PRI, along with other organisations, provided input into the report. [Our contribution can be found here](#).

### See also:

A blog earlier this year from Andrea Huber, PRI's Policy Director, [on why the overuse of imprisonment is a human rights issue](#).

[The fight against mass incarceration goes global](#) by Jennifer Turner, American Civil Liberties Union, welcoming the High Commissioner's report and its importance for US criminal justice policy.

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## GLOBAL ADVOCACY

### [PRI addresses the Organization for Security and Co-operation in Europe \(OSCE\) on the death penalty, violence against women and the Mandela Rules](#)

At the 2015 gathering of the Human Dimension Implementation Meeting (HDIM) of the

OSCE in Warsaw from 21 September to 2 October 2015, PRI [delivered three oral statements](#) regarding abolition of the death penalty, discrimination and violence against women in the criminal justice system and regarding the revised Standard Minimum Rules for the Treatment of Prisoners (the Mandela Rules).

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## DRUG POLICIES

### **New United Nations report: 'Study on the impact of the world drug problem on the enjoyment of human rights'**

This new [report](#) (see A/HRC/30/65) from the UN High Commissioner for Human Rights analyses the impact of the world drug problem on the enjoyment of human rights and focuses on the protection and promotion of human rights in the context of the world drug problem.

On Monday 28 September, the UN Human Rights Council held its first expert [panel discussion](#) on the relationship between drug policies and human rights. [PRI made an oral statement to the panel.](#)

The experts' perspectives and the High Commissioner's report will contribute to the United Nations General Assembly Special Session (UNGASS), to be held in April 2016.

### **NGOs meet in Geneva for informal consultation on criminal justice and drug-related policies**

On Tuesday 29 September 2015, PRI, the International Drug Policy Consortium (IDPC) and the Quaker United Nations Office (QUNO) held an informal consultation meeting for NGOs to discuss the UN General Assembly Special Session on drugs (UNGASS) in April 2016 and to gather civil society views on drugs and criminal justice and alternatives to incarceration.

Input collected during the meeting will now be fed into consultations organised by the UNGASS civil society task force (adding to an electronic Global Civil Society Survey Summary Report) and will inform its final report as the main civil society input into the UNGASS.

IDPC and PRI are members of the 26-member Civil Society Task Force formed by the Vienna NGO Committee on Drugs and the New York Committee on Drugs to facilitate civil society participation in the UNGASS.

### **New resources on drug policy and human rights**

Two new resources this month from the Americas:

## [A new report on the impact of drug policy on human rights in the Americas](#)



The Center for Legal and Social Studies (CELS) in Argentina has published a new report: [The impact of drug policy on human rights: the experience in the Americas](#). The report is a collaboration between 17 organisations from across the continent and focuses on the damaging effects of the 'war on drugs' on human rights, including in prisons, and reports on alternative approaches to the current model which have been developing in the region.

The report was presented at the UN Human Rights Council at a side event - 'Why is drug policy a human rights issue?' - on 28 September in support of the Human Rights Council panel discussion and hosted by [CELS](#) and [Corporación Humanas](#). Panelists included PRI's Policy Director, Andrea Huber, who emphasised why prisons are such an unsuitable environment for dealing with drug dependency and that governments focusing resources on prosecuting users and low-level offenders may fail to tackle serious organised crime.

For more information, see also a blog written earlier this year for PRI by Luciana Pol, senior fellow on security policy and human rights at CELS: [Failed drug policies in Latin America: the impact on prisons and human rights](#).

### ['Sur' international journal on human rights issues a special edition on drug policy](#)

Brazilian human rights organisation [Conectas](#) has published a special edition of its Sur journal on drugs and human rights, with contributions from experts from the Global South.

### **Other news and resources**

[Indonesia plans remote island jail for drug offenders](#)

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## **ALTERNATIVES TO IMPRISONMENT**





### Georgia announces key changes to criminal justice sector

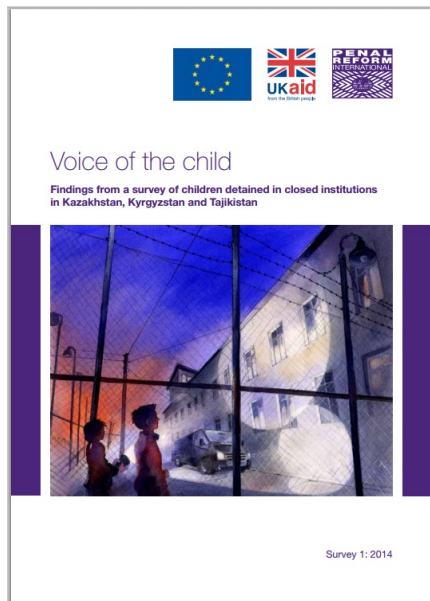
On 16 September, Georgia's Minister of Corrections, Kakha Kakhishvili, announced a new draft bill to abolish various fees in prison, including charges imposed on inmates' family and friends to visit their relatives. This is one measure in a range of recent developments aiming to bring Georgia's probation system up to European standards.

Previous developments include the introduction of GPS monitoring bracelets to reduce overcrowding in prisons and the training of staff to support rehabilitation of prisoners.

The announcements were made at a Probation Reform Working Group meeting, supported by PRI as part of 2-year [project](#) funded by the United Nations Democracy Fund (UNDEF) to promote the use of non-custodial sanctions in the South Caucasus. During the meeting, PRI presented a Probation Law Manual, developed as a joint initiative with the EU funded project 'Support to the Reform of the Criminal Justice System in Georgia'. The EU Ambassador, James Herman, and the UK Ambassador to Georgia, Alexandra Hall, were among those attending the meeting.

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## JUSTICE FOR CHILDREN



## PRI's new report 'Voice of the Child: Central Asia survey 2014' launched at the Human Rights Council on 16 September

On Wednesday 16 September, PRI launched the first of three 'Voice of the Child' reports from Central Asia at a side-event on violence against children co-hosted with the Permanent Representation of Norway and Defence for Children International.

The report contains the findings of a survey of 274 children held in closed institutions (policy custody, detention centres and social care institutions) in three Central Asian countries: Kazakhstan, Kyrgyzstan and Tajikistan. The objective of the survey was to estimate

the prevalence of violence against children in these institutions and to use the findings to highlight priority areas for policy-makers.

The report reveals a particular high rate of violence reported by children in police custody and failure to provide legal assistance to children at police stations. Children report physical and/or verbal abuse by staff in detention centres and or special schools. Staff interviewed as part of the survey felt underpaid and badly supported to deal with the children in their care.

## Coming up soon: New research into the situation of children of prisoners in Uganda

PRI and the Ugandan NGO Foundation for Human Rights Initiative (FHRI) conducted research during July-August 2015 on children of imprisoned parents in Uganda. The research assesses the extent to which the Article 30 of the African Charter, entitled 'Children of Incarcerated and Imprisoned Parents and Primary Caregivers', has been implemented in Uganda and will provide recommendations for improvements based on the findings. The report will be launched at the Conference on the Status of Children's Rights in Africa in Addis Ababa in November.

Initial findings found that prison budgets are not adequate to provide for the needs of children living with their mothers in prison; that children not living in prison are overlooked within the welfare system; and that whether or not a defendant is a parent or caregiver is not a factor that is systematically taken into account by the courts when sentencing and deciding on bail.

Keep an eye out for the report at [www.penareform.org/resources](http://www.penareform.org/resources) and in this newsletter.

## Other news and resources

Sudan: [Sudan's child welfare council aims to abolish child death penalty](#)

## PRE-TRIAL JUSTICE

### **Expert guest blog for PRI: [The European Supervision Order for transfer of defendants: why hasn't it worked?](#)**



Foreign nationals are often more likely to be committed to pre-trial detention - with all the disadvantages this can entail. The European Supervision Order of 2009 was a unique agreement between countries that would allow defendants to return to their home country to await trial whilst being supervised by the home authority. However, to date, three years after the deadline for implementation, there are no known instances of its use. In this blog Bruno Min of [Fair Trials](#) examines the history of the ESO and what it would take to make it work.

### **Blog: [Nigeria's lawyers have an important role to play in promoting a fairer and more equitable justice system](#)**

In this blog, PRI's Executive Director, Alison Hannah, reports on the Nigerian Bar Association annual conference, which highlighted the links between corruption and the country's overcrowded prisons.

### **Expert guest blog for PRI: [The pre-trial services experience in Mexico](#)**

Pre-trial services, a non-custodial alternative to pre-trial detention whereby defendants are monitored in the community, were first introduced in Mexico in 2011. In this guest blog for PRI, Philippa Ross, a researcher with the [Instituto de Justicia Procesal Penal \(IJPP\)](#), which has supported their development, says that while pre-trial services are making a positive contribution to addressing high rates of pre-trial detention, more can still be done to ensure the proper and proportionate use of bail by the courts.

## Other news and resources

**South Africa:** [Awaiting trial prisoner who claimed to have not eaten for weeks dies in court cells](#)

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## WOMEN IN THE CRIMINAL JUSTICE SYSTEM

### **ICPR publishes 3<sup>rd</sup> edition of the World Female Imprisonment List**

ICPR has released a new edition of the [World Female Imprisonment List](#), based on research by Roy Walmsley on women and girls in prison around the world. The report provides information on female prison populations in 219 countries and reveals trends in

female imprisonment.

The research indicates that the rate of women's imprisonment has grown much faster than male prison population levels since around the year 2000, with the number of women and girls in prison increasing by 50% in the past 15 years.

### **PRI is seeking a researcher to investigate women serving community service and probation orders in Kenya**

PRI is looking to contract a researcher to enquire into a) current practices and experiences of magistrates, probation officers and other stakeholders involved in community service and probation orders and b) experiences and recommendations of women offenders who have served community orders or been placed under probation orders in Kenya.

This research is part of a joint project between PRI and the Probation and Aftercare Service, Ministry of Interior and Coordination of National Government, Kenya (KPS), funded by the Thailand Institute of Justice.

Further details about the project are available [here](#).

### **DIGNITY: the Danish Institute against Torture publishes a new study on the situation of women in Jordanian prisons**

This [new study](#) examines the particular needs, issues and vulnerabilities of imprisoned women in Jordan and the prison system's compliance with international standards on the treatment of women offenders.

There is now a growing body of research from across the world on the specific profile and needs of women prisoners and the lack of provision in prison systems to cater for them. PRI has contributed to this research with four *Who are women prisoners?* survey reports now covering seven countries: [Jordan and Tunisia](#), [Kazakhstan and Kyrgyzstan](#), [Armenia and Georgia](#) and the latest, [Who are women prisoners? Uganda](#).

#### **Other news and resources**

**Sierra Leone:** [Advocaid win Namati Justice prize for their work with women prisoners in Sierra Leone](#)

**USA:** [Photographing America's pregnant prisoners](#)

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## **TORTURE PREVENTION AND CONDITIONS IN DETENTION**

### **Kazakhstan's new National Preventive Mechanism (NPM) publishes its first annual report**



The NPM was established in law in July 2013 and started carrying out monitoring visits in Spring 2014. This first yearly [report is available on our website in English and Russian](#).

PRI was engaged intensively in supporting the establishment and continues to support its development. See our [2013 annual report](#) for a useful summary.

### **European Committee for the Prevention of Torture (CPT) updates standards**

The CPT has published an [updated version of the CPT standards](#), pulling together substantive sections from its General Reports together into one document.

These updates cover: police custody, imprisonment, training of law enforcement personnel, health care services in prisons, foreign nationals detained under aliens legislation, involuntary placement in psychiatric establishments and juveniles and women deprived of their liberty.

### **Other news and resources**

The Human Rights Centre at the University of Essex has updated the [Torture Reporting Handbook](#), now in a second edition.

**Armenia:** [Armenian Prison Food Controversy](#)

**Cambodia:** [Revamp of torture prevention panel called cosmetic](#)

**Nepal:** [House panel calls for making prisons human-friendly](#)

**Malawi:** [Life in prison \(photostory\)](#)

**Macedonia:** [Macedonians Urge Amnesty to Ease Jail Overcrowding](#)

**Qatar:** [Qatar's human rights group urges government to tackle prison overcrowding](#)

**South Africa:** [4,200 inmates removed from 'inhumane' South African prison](#)

**Africa (general):** [Ten innovations that could change the face of Africa's justice sector](#)

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## **DEATH PENALTY ABOLITION**

### **News and resources**

India: [Law panel's report on death penalty reaches Home Ministry for final call](#)

Pakistan: [Execution of paraplegic Pakistani stayed by Punjab authorities](#)

USA: [Richard Glossip and the end of the death penalty](#)

USA: [Pope Francis urges global abolition of the death penalty in his address to Congress](#)

USA: [Seven-day execution window set for Georgia's only woman on death row](#)

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