

COUNCIL OF EUROPE CRIMINAL LAW CO-OPERATION



Thirty three countries benefited from technical assistance co-operation in the prison, probation and police field

2015
Highlights

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List of abbreviations

CDPC	European Committee on Crime Problems
CLCU	Criminal Law Co-operation Unit
CM	Committee of Ministers
CoE	Council of Europe
CPT	European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment
DGPDH	Directorate for Prisons and Detention Houses
ECtHR	European Court of Human Rights
EM	Electronic Monitoring
EOM	External Oversight Mechanism
EU/CoE JP	European Union and Council of Europe Joint Programme
HF SEE	Horizontal Facility for South East Europe
MoH	Ministry of Health
MoIA	Ministry of Internal Affairs
MoJ	Ministry of Justice
NORLAM	Norwegian Mission Experts of Rule of Law Advisers
NPM	National Preventive Mechanism
ODGProg	Office of the Directorate General of Programmes
OPCAT	Optional Protocol to the Convention against Torture
PC-CP	Council for Penological Co-operation
PCF	Programmatic Co-operation Framework
SICPS	Sector for Internal Control and Professional Standards
SPSU	State Penitentiary Service of Ukraine
STDC	Short term detention centres
TDI	Temporary detention Isolators
ToT	Training of Trainers
VC	Voluntary Contribution

Criminal Law Co-operation Unit

1 SUMMARY

Thirty three countries benefited from technical assistance and co-operation in the prison, probation and police field. Multilateral meetings and regional events provided important fora for exchanging good practices and developing co-operation.

During 2015 three new projects started under the Programmatic Co-operation Framework (PCF) in Armenia and Ukraine and PCF Regional dealing with the issue of overcrowding in prisons in Armenia, Georgia, Republic of Moldova and Ukraine.

The JP “Capacity Building of Law Enforcement Agencies for Appropriate Treatment of Detained and Sentenced Persons” in “the former Yugoslav Republic of Macedonia” (PRISPOL), was completed in November 2015 and was immediately continued with the VC “Support to the establishment of an External Oversight Mechanism” based on the results of the PRISPOL and the explicit request of the Macedonian Ministry of Internal Affairs (MoIA).

The JP “Promotion of Human Rights and Healthcare in Prisons and Other Closed Institutions” in Georgia will finish in February 2016 and the authorities have already signalled a need and wish to continue the Council of Europe (CoE) support for further improvement of the provision of health care in prisons and other closed institutions. To that extent the CoE has started negotiations with the EUD Tbilisi on redrafting one of the components of the PCF Georgia in order to oblige this request.

New project proposals were finalised and 7 projects are expected to start in 2016 under the European Union/Council of Europe Horizontal Facility for South East Europe (HF SEE) (Albania, Bosnia and Herzegovina, Montenegro, Serbia, Kosovo* and “the former Yugoslav Republic of Macedonia”) and the EU/CoE JP “Further support to the penitentiary reform of Azerbaijan”.

Communication and visibility: Among project deliverables, 11 publications in 9 languages saw light during 2015.

2 COUNCIL OF EUROPE BUDGETARY PROGRAMMES

PRISONS AND PROBATION

2.1 Multilateral meeting on combating ill-treatment in prison

The multilateral meeting (Strasbourg, 23-24 April 2015) contributed further to bring prison conditions and the treatment of prisoners to the level required by the standards of the CoE and of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT). The exchange of experiences and good practises among high-ranking officials from Ministries of Justice (MoJ)/Prison Administrations (PA) and professionals from 33 member states focused on an important aspect of the protection of prisoners' human rights: the prohibition of ill-treatment in prison, with particular reference to the relevant Committee of Ministers (CM) Recommendations, the case law of the European Court of Human Rights (ECtHR) and the findings of the CPT during country visits.



The strong message that ill-treatment in prison should not be tolerated and that combating such a violation of prisoners' human rights needs all-out efforts in every aspect of prison life, was reinforced with acquired knowledge on effective, independent, thorough and comprehensive investigations into allegations of ill-treatment which can lead to the identification and punishment of those responsible; the strengthening of dynamic security in prison; the ways of overcoming situations with violence in institutions for juvenile offenders (with reference to the report on Violence in Institutions for Juvenile Offenders prepared under the auspices and approved by the Council for Penological Co-operation (PC-CP) of the European Committee on Crime Problems (CDPC) of the CoE, (PC-CP (2014)13 rev 2), the use, as a last resort, of force, means of restraints and solitary confinement as a

disciplinary punishment and the establishment of safeguards against ill-treatment: complaints mechanism, inspection and independent monitoring.

The meeting resulted in a substantial [report](#) which will be published as a handbook for practitioners working in prison. The text is conceived as a policy guide and a management tool focusing upon what the prohibition of ill-treatment entails and the responsibilities of prison services towards those entrusted to its care.

2.2 Multilateral meeting on the social reintegration of offenders to reduce reoffending – co-operation between prison and probation services

High-ranking officials and professionals from prison and probation services from 10 countries (50 participants, including 22 from BiH) benefited from a topical exchange of experiences and good practices at the multilateral meeting (Sarajevo, BiH, 29-30 September 2015).



The exchange revealed the diversity of the policies and practical arrangements for reducing reoffending and also the strong need that Prison Administration and probation services, whether or not forming part of the same organisation, should work in close co-operation in order to contribute to a successful transition of the offenders from life in prison to life in the community. The meeting contributed to a better understanding of the importance that when dealing with the same offender inside and outside prison, the prison sentence and the probation supervision are only different phases of the same process which needs co-operation between both services. The presentations and discussions focused on the

guidance and support to offenders as preparation for their release, restorative justice interventions and necessary access of probation agencies to prisoners' needs for planning their resettlement.

2.3 Albania

Officials and staff of the Prison Administration, prison governors and heads of security and social reintegration sections from all prisons in Albania benefited at a meeting on "Detention conditions and treatment of prisoners" (Tirana, 25-26 May 2015) from shared experiences and good practices in Slovenia, Estonia and the Czech Republic, represented by the CoE consultants. The authorities were encouraged to take forward the positive steps regarding the situation of juveniles and women and the establishment of safeguards against ill-treatment with the ratification of the Optional Protocol to the Convention against Torture (OPCAT) and the creation of the National Preventive Mechanism (NPM) and to address a number of shortcomings as a matter of high priority. Expert advice was focused on mental health care in prison, with emphasis on the need to recruit more psychiatrists and to establish a special institution for criminally irresponsible persons; development of a standardised risk assessment tool in order to define the prisoners regime based on a risk and needs assessment and the development of rehabilitation programmes, especially for drug addicts and sex offenders. The need to strengthen the co-operation between prison and probation services to support the reintegration of offenders was strongly emphasised.

2.4 Republic of Moldova

Since a number of years the CoE is supporting the Republic of Moldova to strengthen capacities to carry out reforms in the penitentiary field. The meeting on detention conditions and treatment of prisoners (Chisinau on 23-24 March 2015), provided expert advice on possible solutions to a number of issues, such as the situation of life-sentenced prisoners, kept in strict regime and segregated from other prisoners



without any individual risk assessment and in difficult detention conditions due to overcrowding. The authorities were supported with concrete advice and were encouraged to take urgent steps to conduct a proper risk and needs assessment of all life-sentenced prisoners in order to allocate those not dangerous in less restrictive regimes and to develop an individual sentence plan with rehabilitation programmes. Advice was also provided for improving the situation of vulnerable prisoners and for developing specifically designed treatment programmes. The authorities were strongly encouraged to establish safeguards against ill-treatment and to develop a comprehensive prison policy, focusing on amendments to relevant legislation, backed by concrete and effective measures.

2.5 Montenegro

The meeting on detention conditions and treatment of prisoners (Podgorica, 25-26 June 2015) focused on a number of important issues related to protection of the prisoners' human rights. The meeting took place at an important moment of reforms in the penitentiary field with the adoption of a new law on the enforcement of sentences of imprisonment, fines and security measures. The Minister of Justice and other authorities considered the meeting as an important opportunity for improving the detention conditions and the treatment of prisoners with reference to the newly adopted law and based on the CoE and CPT standards. Expert advice was provided regarding a number of issues of particular concern, such as: the situation of prisoners with mental problems, especially those with personality disorders; suicide prevention and the development of targeted rehabilitation programmes for different categories of prisoners with focus on drug addicts and sex-offenders. The Criminal Law Co-operation Unit (CLCU) Publication "Manual on prison health care and medical ethics" translated into the local language was suggested to be widely disseminated among health care and other staff in prison and to be used as a reference document while developing prison health policies.



2.6 Kosovo*

In July 2013 the prison health care in Kosovo* was transferred from the MoJ to the MoH through a Memorandum of Understanding between the two Ministries. However, guidelines and protocols to reflect the new structural changes needed to be put in place and the CoE was requested to provide support in this regard. At the time of the meeting on



* All reference to Kosovo, whether to the territory, institutions or population, in this text shall be understood in full compliance with United Nations Security Council Resolution 1244 and without prejudice to the status of Kosovo.

“Health care and medical ethics in prison” (Pristina, 2-3 November 2016) a new law on mental health care was under discussion and an Institute for Forensic Psychiatry had been established. Responding to the authorities’ request and further to the involvement of the CLCU in the preparation of a new programme with EU as part of the EU/CoE HF SEE, the meeting provided a good basis for the drafting of the guidelines and protocols and also for the CoE’s future support in this field. Expert advice was particularly focused on psychiatric care and treatment, prevention of suicide and the spread of transmissible diseases, psychoactive drugs and addiction etc.

At the meeting on **“Prison management” (Pristina, 4-5 November)** prison governors/deputy governors and other prison staff from all prisons in Kosovo* shared experiences and good practises with CoE consultants regarding the management of long-term prisoners. Expert advice was particularly focused on the development of a proper risk assessment tool in order to distinguish between dangerous and long-term prisoners and to improve allocation,

regime and individual sentence planning for reducing reoffending.



Both meetings were attended by representatives of a number of International Organisations (EULEX, WHO, UNHCR, OSCE, ICRC, EUD etc.) and local NGOs, who showed high interest in the meetings and in future co-operation with the CoE in the penitentiary field.

POLICE

The bilateral co-operation activities in the police field focused on a number of issues related to the protection of human rights of persons held in police detention centres with reference to the European Code of Police Ethics and the CPT standards. The appropriate treatment of detainees in police stations was the focus of the workshop in Danilovgrad, Montenegro (4-5 March 2015) where police officers got acquainted with the CoE and CPT standards related to the fundamental rights of individuals and discussed best ways of implementing the recommendations of the CPT country visit report; police approach to discrimination was elaborated at a seminar in Danilovgrad, Montenegro (14-16 April 2015) where the concept of non-discrimination was strongly emphasised and the existence of problems related to discrimination within the police was broadly discussed with a view to analysing the situation and taking necessary steps for improvements; the methodology on the treatment and complaints management against the police was elaborated at two workshops held in Mostar, Bosnia and Herzegovina, respectively, on 8-9 April 2015 and 5-6 May 2015, focusing on the handling of the existing complaints mechanism and the introduction of

necessary changes for improving the system based on good European models; good practices of democratic management of crowds were shared at a seminar in Chisinau, Republic of Moldova (20-22 May 2015), focusing on the methodology of managing public events, on operations prior to the events and the involvement of law enforcement bodies to protect human rights and ensure safety conditions for the parties involved.

3 COUNCIL OF EUROPE COOPERATION PROGRAMMES JOINT PROGRAMMES (JP) WITH EU VOLUNTARY CONTRIBUTIONS (VC)

3.1 Armenia

The VC Norway on “Support to the Establishment of Probation Service in Armenia” (March 2014 – April 2016), funded by the Ministry of Foreign Affairs of Norway, as a second phase



Meeting of the Minister of Justice of Armenia and a delegation from the Council of Europe on establishing Probation Service pilots February, Yerevan

of the CoE involvement into establishment of fully fledged probation service provided support to the Armenian institutions and authorities through the elaboration of a strategic document “Concept Paper on the establishment of the Probation Service in Armenia”, the provision of a legal opinion on the draft law on probation, the development of Guidelines on ethical standards of the use of the Electronic Monitoring (EM) and the submission of recommendations on technical aspects of introduction of EM.

Two pilot units were launched and their operation was regularly monitored, while an Action Plan for the establishment of the Probation Service was elaborated. Furthermore, a pre-and-post-release reintegration programme on working with offenders, a risk assessment tool, training modules and a training manual (available in English and Armenian) were developed; the first round of Training of Trainers was held and the staff of the pilot probation units was trained; different actors involved in the probation field: judges, prosecutors, lawyers, investigators and also volunteers were also trained on probation and EM; public awareness, including different Departments of Yerevan State University, was raised through a number of activities and publications at professional web platforms; a first-hand knowledge was obtained by MoJ officials in a study visit to United Kingdom. The positive attitude and determination of the Armenian authorities make us believe that in a short period of time the Armenian system of execution of criminal sanctions will benefit from its Probation service.



Training of trainers, December, Aghveran

3.2 Bosnia and Herzegovina

The EU/CoE JP “**Harmonisation of BiH sanctions policies and practices with European standards**” aims to **strengthen professional capacities of existing entity prisons** and to **improve prison management** in accordance with European and other relevant international standards. More specifically, it focuses on the enhancement of prison operational procedures from human rights and public safety aspects and on the improvement of professional capacities of prison management and staff in direct contact with prisoners.

The project was extended in June 2015 for another 12 months without additional costs. The request came from the local beneficiaries who were particularly satisfied with extensive training activities undertaken during the implementation period. Training on advanced competencies for daily operation of mid-management in prisons and on treatment of vulnerable categories of prisoners contributed to the implementation of the CPT recommendations in respect of BiH and assisted the local authorities to better comply with European standards and best practices. Two training manuals produced for this



*Training for prison staff on treatment of persons on mandatory treatment and security measure
June, Sarajevo*

purpose, respectively, “Training manual on advanced competencies for prison officers” and “Guidelines for developing treatment programmes and individual sentence plans for vulnerable prisoners” serve as a cross reference point between the good local practices and international guidance on these matters. Train the trainers sessions, dissemination of relevant publications and a series of conferences to promote the use of these training concepts in a wider professional community raised awareness of the need to professionalize prison management as an accountable public service that respects human rights in custody and at large.



Public debate on Introduction of the Probation Service, October, Mostar

The JP promotes also the introduction of **probation** in BiH, as one of the requirements on the European integration path, so that the supervision of offenders released earlier from prison and those sentenced to community service for less serious offences can reduce recidivism and imprisonment rates and combat overcrowding. A series of sessions involving key policy makers and prison professionals resulted in drafting law(s) on probation, the implementation of a pilot project on probation tasks in prison environment and public debates on

the need to engage professionals of various background: judges, social welfare authorities, justice authorities tasked with prisons, civil society and academic circles in establishing more humane and lower cost ways of offender management.

The VC Project “**Support to prison staff training in BiH**” continued to provide support to six selected prisons in BiH to enhance the level of staff performance and to adopt improved management practices in line with CoE and other international standards. Two comprehensive training programmes on core and management competences were developed to promote the implementation of standard operational procedures and to ensure treatment of prisoners with respect for their rights. In 2015 a total of 278 prison officers and managers were trained.

Local ownership and sustainability remained among the priorities of the project. Local prison professionals and policy makers participated actively throughout the stages of the project implementation. A Training Manual on core competences was developed and the process for the publication of the Training Manual on management competence started. Both Manuals are included in the training



Piloting 'Building on Competences for Prison Managers' development programme, September, Sarajevo

package that will be handed over to the local authorities after the completion of the project.

The training activities organised in the framework of the project facilitated the efforts for ensuring wider country-specific prison reform and to support a systematic and sustainable approach for the training of prison staff and for increasing their professional knowledge in the penitentiary services across all three jurisdictions in the country.

3.3 Georgia

The EU/CoE JP “**Promotion of Human Rights and Healthcare in Prisons and Other Closed Institutions**” continued to assist the Georgian relevant institutions to bring the regulatory framework and practices closer to the European standards and to strengthen the capacities of staff through the elaboration of important documents, standards and policy advice and through various capacity building and awareness raising activities.



Closing of the six month training programme for prison regime officers, September, Tbilisi

The JP contributed to the improvement of the **provision of healthcare in prisons and police detention facilities**. For the first time in Georgia unified standards of prison health care services were established; professional requirements for improving the quality of services were adopted; templates of job descriptions and the draft code of ethics were developed; instructions on hunger strike management at temporary detention isolators and on the transfer of medical files from temporary detention isolators of police to pre-trial detention in prison were finalised; awareness was raised through the compilation and dissemination of summaries of the case law of the ECtHR on health care related issues in prisons (printed in 500 copies).



Workshop on health care standards, March, Tbilisi

The protection of **human rights of the persons receiving mental health care** in prisons and other closed institutions was strengthened. A Strategy and a communication plan on awareness rising on Mental Health were developed; policy advice on improvement of legislation and establishment of complaints mechanism, forensic regimes and prisoner's rehabilitation was provided. Through training of multidisciplinary teams of more than 800 prison staff the project contributed to a reduced suicide rate in prison. The provision of mental health care in psychiatric institutions is expected to be improved following the training of 300 personnel, including directors and their deputies of the psychiatric institutions throughout Georgia on ethical standards and human rights approach to mental health care. The capacity of the external monitoring mechanism, the NPM, was also strengthened through the elaboration of guidelines on monitoring psychiatric institutions.



Workshop on Mental Health Care Legislation, July, Tbilisi

The project contributed also to the **strengthening of the monitoring and investigative functions of the State to combat ill-treatment and impunity**. The Georgian Prime Minister thanked the EU and CoE on Twitter, stressing that the JP was a success against ill-treatment and impunity in Georgia. The main document adopted in this regard is the Action Plan on the Fight against Torture and Impunity 2015-2016. An assessment of the draft law on independent investigative mechanism with recommendations was provided; awareness was raised among 10 judges and 21 prosecutors; new advanced forms for documenting injuries of detainees to investigate allegations of ill-treatment were prepared; 49 prison regime staff got acquainted with core competences to perform high level professional work in prison and the whole staff of all the Temporary detention Isolators (TDI) (230) throughout Georgia have a better understanding of the proper treatment of detainees and the standards and of what is considered to be a violation of the ECHR and the CPT standards. Through the JP advice was provided to the Ministry of Corrections on the reform of the internal inspection body. Over 30 staff of the General Inspection and the Legal Department got acquainted with planning and conducting inspection visits and on structuring and developing reports.

3.4 “The former Yugoslav Republic of Macedonia”

The implementation of the EU/CoE JP “Capacity Building of Law Enforcement Agencies for Appropriate Treatment of Detained and Sentenced Persons”, was completed in November 2015. The project assisted the national authorities to overcome identified shortcomings, systematic weaknesses and practical deficiencies related to the treatment of the detained and sentenced persons. The Project comprised of two components covering police and prison related issues.

The key results under the Police component include, among others, the revision of in-service training for police officers upon adoption of the Human Rights Concept for the Police, in order to ensure compliance with human rights standards. Accordingly, three training modules were delivered, a network of national trainers was established and a total of 1450 police officers were trained at cascade sessions. In 2015 the project assisted the authorities



Specialised Training for members of the police internal control sector, September, Ohrid

of the Ministry of Internal Affairs (MoIA) with the revision of the Rulebook on the operations performed by the Sector for Internal Control and Professional Standards (SICPS) and the development of two Standard Operational Procedures (SOPs), including one on carrying out inspections to police stations for investigating cases of allegations of ill-treatment by the police and examining cases of the use of means of coercion by police officers.

Under the Prison component, a **National Strategy for development of the penitentiary system (2015-2019)** was developed and adopted by the Government. A general treatment programme for offenders was developed, selected staff was trained and the programme was piloted in two prisons. A detailed training strategy and action plan were presented to the Directorate of the



Presentation of the National Strategy for development of the penitentiary system (2015-2019), September, Skopje

Department for Execution of Sanctions, three training modules were developed management, (sentence planning and conflict resolution) and ToTs and cascade training sessions for 280 persons working in the penitentiary system were conducted.

The work of the internal prison inspection system was strengthened through joint workshops with external stakeholders, through the development of a Prison Inspection manual and on-site coaching sessions for prison inspectors.

The VC **“Support to the establishment of an External Oversight Mechanism”**, funded by the CoE and the Ministry of Foreign Affairs of the Kingdom of the Netherlands and implemented by the CoE, started on 1st December 2015 and will be completed by 30 April 2016.

The CoE was directly approached by the Minister of Internal Affairs to provide technical assistance for setting up an external oversight mechanism. This was a strong signal that the Ministry recognised and appreciated CoE’s added value and expertise, and believed that the CoE’s assistance would improve the regulatory and institutional framework for the prevention of ill-treatment and for effective investigation of complaints regarding police operations.



Round table on strengthening coordination between internal and external prison inspection bodies, October, Skopje

Through this project national authorities are being supported in the process of identifying and introducing an independent and effective External Oversight Mechanism (EOM) over the work of the police in order to address the lack of effective investigation into alleged police ill-treatment cases, as pointed out in the judgements of the ECtHR and the CPT reports on the country visits, thus helping the national system to reach European standards in the area of police oversight.

3.5 Norway Grants

The Council of Europe supports the Norway Grants Projects by providing advice on their implementation, contributing to the planning and organisation of the outputs, organising the participation of CoE experts in project activities, providing information and advice on European standards and also by organising study visits for the beneficiaries to the CoE.

The CoE was chosen as Project Partner because of its recognised expertise in the field of the promotion of human rights and the rule of law and its experience in the conception and implementation of programmes of co-operation.



Visit to Olaine Prison in the framework of the Co-operation Committee Meeting, December, Riga

The CoE intervention is based on its standards, both conventional treaty law and recommendations of the CM. It focuses on areas of improvement identified in the judgments of the ECtHR, the decisions of the CM/CoE in respect of the execution of judgments and the findings and recommendations of the CPT.

3.5.1 Bulgaria

POLICE - The Project is implemented by the Academy of the Ministry of Interior of Bulgaria in partnership with the CoE. The CoE contributed to the implementation of the Project's expected results, focusing on Roma related matters, without creating a positive discrimination compared to other vulnerable groups, and meeting all the requirements under the Programme Area 30 which has a particular focus on Roma.

Two initial and in-service training curricula on the use of force and on the work of law enforcement officials in multi-ethnic societies with focus on Roma community and a training manual designed for initial and in-service training were developed and used for the training as trainers of 40 police officers coming from multi-ethnic areas with high density of Roma population; an action plan, an assessment report, a summary of relevant European and international standards related to the use of force and the treatment of detainees by police and a report with recommendations for amendments to the existing legislation and police practice were made available to the Project Promoter to facilitate the work for conducting a study on the Bulgarian legislation on legitimate use of force and its implementation; 70 police officers of various ranks and tasks were trained on Roma culture and values and on new techniques in working with the Roma community; 28 police officers working with Roma or in areas with high density of Roma population improved their knowledge on Roma values and antidiscrimination and on combating stereotypes against Roma.

PRISONS - The CoE was a Project Partner during the implementation of two Projects implemented at national level. In its capacity of a Project Partner, the CoE provided expert support and advice to the Project Promoter, General Directorate of Execution of Sentences of Bulgaria, in charge of the implementation of the Project at national level. The co-operation between the CoE and the Project Promoter was very good

Under the first project four additional prison establishments (Lovech, Trojan, Burgas, Stara Zagora) were included in the renovation and refurbishment plan and its compliance with European standards was assessed by two CoE experts. The General Directorate of Execution of Sanctions and other stakeholders involved in the process were supported with recommendations based on the CoE and other international standards in order to bring the material conditions in these establishments to the level of such required standards.

The positive results achieved under the second project were presented in Chiflik, Bulgaria, at a round table with representatives of the MoJ, the Norwegian Mission Experts of Rule of Law Advisers (NORLAM), private companies in the field of EM, judges, prosecutors and probation professionals, such as: the establishment of a pool of ten judges as trainers on EM in order to train their peers and the awareness raised on EM and on probation in different events. The results were highly appreciated by the Project Promoter and the other participants.

3.5.2 Latvia

POLICE - The Project was implemented in partnership with the State Police of Latvia. The CoE contributed to the implementation of the Project's expected results by providing advice on the overall implementation of the Project with reference to international best practices and standards. The Latvian legislation related to short term detention centres (STDC) was assessed and three training programmes for police officers of these centres were developed with the assistance of CoE experts; two reports with recommendations, particularly referring to the case law of the ECtHR, the CPT standards, the European Code of Police Ethics and best European practices were submitted to relevant authorities;



a final report with recommendations for amending the Latvian legislation regarding STDC was also made available to the Latvian State Police; fifteen representatives of the Latvian State Police and State College got acquainted with the case law of the ECtHR, the execution of judgments of the ECtHR and the CPT standards in a study visit to the CoE, which facilitated the work for developing a handbook/guide on human rights for police officers working in STDC.

3.5.3 Romania

POLICE - The CoE is a Project Partner to the General Inspectorate of the Romanian Police, the main implementing partner, for the Project The CoE contributed to the implementation of the Project's expected results by providing advice on its overall implementation and through the training of police officers working in police pre-trial detention centres on protection of human rights; 52 police pre-trial detention centres endowed up to CPT

standards; an assessment report with recommendations based on European standards (in particular the CPT standards and ECtHR case law) was made available to the General Inspectorate of the Romanian Police in order to improve the material conditions in police pre-trial detention centres in line with these standards; training material on police leadership was developed and used as a basis for the training of 64 high ranking police officers working in pre-trial detention centres, focusing on police leadership, ethics and management issues; two guidelines on human rights and antidiscrimination for police officers working in pre-trial detention centres and two leaflets on human rights and antidiscrimination for persons deprived of the liberty in police facilities were drafted and will be finalized in 2016.

3.6 Projects under the “programmatic cooperation framework” (PCF) Eastern Partnership Countries: Armenia, Georgia, Republic of Moldova, Ukraine

In April 2014, the EU and the CoE signed a statement of intent to strengthen the Council of Europe’s capacity to make the best use of its expertise to accompany EU partner countries in the implementation of the provisions of the Council of Europe’s conventions, other legal instruments and monitoring body’s results.

It was agreed that cooperation with the EU’s Eastern Partnership countries (Armenia, Georgia, Republic of Moldova, Ukraine) should be structured under a PCF with a jointly agreed result framework and successive annual programmes of activities. The PCF was signed in December 2014 and

will be implemented in two phases 2015-2017 and 2018-2020, with a mid-term independent evaluation in 2017. The budget for the first implementation phase is €33.8 million.

The PCF builds upon CoE country-specific Action Plans and monitoring recommendations which led to the agreement for five programmatic priority areas of cooperation with the European Union:

- protection and promotion of human rights;
- ensuring justice;
- combating threats to the rule of law;
- addressing challenges of the information society;
- promoting democratic governance.

Under these five themes there are sub-themes which in practical terms equal 50 country and regional projects.



Working meeting to discuss a draft questionnaire for conducting a study on prison overcrowding in the Eastern Partnership countries, October, Kyiv

The CLCU implements 4 projects under the chapter II – Ensuring justice; a regional project (Armenia, Georgia, Republic of Moldova and Ukraine) and three individual projects in Armenia, Ukraine and Georgia respectively, with combined value of €2 755 000.

3.6.1 PCF Armenia

The project on “Strengthening Healthcare and Human Rights Protection in Prisons in Armenia” was launched in June 2015. The assessment carried out by a team of local and



Launching event, June, Yerevan

international experts of the legal/institutional framework of health care in penitentiary institutions, reviewed the legal and institutional arrangements of prison healthcare, the material conditions in the primary health care units, prison infirmaries and hospitals, the application of medical ethics and protection of prisoners’ human rights and the training needs for health care professionals and non-medical staff, thus creating a sound basis for the implementation of the project. Following the endorsement of the assessment report by the Armenian MoJ, two working groups were established, respectively, to draft a Concept Paper on necessary legislative reforms in the field of prison health care and revise legislation (including secondary legislation) and to develop training modules (curricula) for prison medical and non-medical staff on health promotion and prevention activities in prisons and medical ethics and human rights. The first-hand knowledge received by officials from the MoJ and the Penitentiary Service in a study visit in Spain will further facilitated the implementation of the project. The Manual “Prison health care and medical ethics”, translated into Armenian language, is a useful reference document throughout the implementation of the project.

3.6.2 Ukraine

The 3-year project “Further Support for the Penitentiary Reform in Ukraine” was launched in July 2015 under the EU/CoE PCF. The project provided support for improving prisoners’ treatment and rehabilitation and for strengthening procedures and practices related to prison inspection and handling of prisoners’ complaints in line with European standards and best practices. In 2015 the implementation of the project focused on increasing the



Launching event, July, Kyiv

capacities of prison staff in 6 pilot prisons in 4 regions of Ukraine and of policy and decision-makers at central level. Among concrete outcomes in 2015 were the preparation of an assessment report on the status quo of rehabilitation practices in the Ukrainian penitentiary service, containing 25 practical recommendations for possible actions, 11 of which were developed as mini-projects in pilot prisons (on Work on Release, Self-Harm and Suicide Prevention Policy, Ethical Code etc.); capacity building events, such as: a project management workshop and a conference on prison management; support to the work of the Parliamentary Sub-Committee on Penitentiary Matters and expertise to six draft laws introducing rehabilitative approach in prison; a new model “Four Tests of a Healthy Prison” (security, respect to dignity, meaningful activities, resettlement) was developed based on analysis of the current internal prison inspection system and was presented to the State Penitentiary Service of Ukraine (SPSU); a working group, established to adapt the model to the Ukrainian context, developed a set of 15 inspection standards, ready for testing; first-hand knowledge on inspection practices and principles was provided to senior officials of the MoJ and SPSU in a study visit to United Kingdom.



Study visit, November, United Kingdom

3.6.3 PCF Regional Project “Promoting penitentiary reforms (from a punitive to a rehabilitative approach)”

The implementation of the PCF Regional Project “**Promoting penitentiary reforms (from a punitive to a rehabilitative approach)**” started in August 2015. The Project has provided assistance to the Ministries of Justice of Armenia, Republic of Moldova and Ukraine and the Ministry of Corrections of Georgia to establish regional co-operation and to define ways of improving and ensuring progress in preventing/combating prison overcrowding.

In 2015 a study was conducted on the four targeted countries of the Eastern Partnership on combating prison overcrowding and an e-compendium of the CoE/CM recommendations and CPT standards related to the prevention/combating prison overcrowding was developed and disseminated in six languages of the Eastern Partnership countries. The Project succeeded in defining the progress achieved by the targeted countries and the areas which need to be further focused upon for preventing/combating prison overcrowding.

3.7 Other activities:

Bulgaria

Round Table on the implementation of CPT recommendations and the pilot judgment *Neshkov and others vs Bulgaria* (Sofia, 9-10 July 2015). The round table focused on a wide range of issues which also included prisons, probation and police and concrete areas of CoE support were identified. The Bulgarian authorities agreed to finalise an Action Plan which will be the basis for developing an already prepared programme outline into a fully-fledged project.

Greece

Meeting of a delegation from Directorate General of Human Rights and Rule of Law (DGI) and Office of the Directorate General of Programmes (ODGProg) with the Greek MoJ, Transparency and Human Rights on possible CoE assistance in implementation of CPT recommendations (Athens, 27 October 2015). The meeting was held further to an exchange of letters with the CPT Secretariat and at the invitation of the Greek MoJ. The discussion with the relevant Greek authorities focused on prison health care, prison staff training and complaints system in prison. Various possibilities for funding support programmes in these areas were discussed and OB funded co-operation activities were planned at the first place.

4 PIPELINE PROJECTS

4.1 European Union/Council of Europe Horizontal Facility for South East Europe (HF SEE)

The European Union/Council of Europe HF SEE (Albania, Bosnia and Herzegovina, Montenegro, Serbia, “the former Yugoslav Republic of Macedonia” and Kosovo*) is

developed by the CoE and the European Commission as a new method for co-operation between the two Organisations.

Under the HF SEE, CLCU prepared six Tri-Annual Plans of Action (2016-2018) aiming to provide assistance and support in the prison, probation and police field in order to protect the human rights of persons held in police establishments, on remand and in prison as well as those under probation supervision. The proposed interventions, which total up to €4.8 million, were designed based on the findings of the CPT during country visits and the recommendations in respective reports and prioritised according to the needs within the enlargement negotiations of the European Union.

The proposed Tri-Annual Plans of Action were discussed with the EU and EUD representatives. Currently, the framework contract is awaiting the signature between EU and the CoE to start the implementation in spring 2016.

4.2 Azerbaijan

EU/CoE JP “Further support to the penitentiary reform in Azerbaijan” focuses on health care and prison management and it is expected to start in September 2016.

The health care component will aim to align more closely the primary healthcare services in prisons to international standards and best practices and to introduce a wider range of non-pharmacologic mental health care services. A needs assessment study of the prison health care system in Azerbaijan will evaluate key institutional, legislative and practical challenges for improving prison health care and will lay down the basis for the implementation of this component of the project. The **Prison management** component will aim to improve the operating standards of security, rehabilitation and human rights in prisons towards international standards. A needs assessment study on security, rehabilitation and human rights in prison will provide background information and will identify the main priorities for carrying out necessary reforms.

4.3 Turkey

Together with the Directorate General for Prisons and Detention Houses (DGPDH) of the Ministry of Justice of Turkey, the CoE is working on preparation of two projects aiming to support improvement of the system of conditional release and prevention of recidivism, to strengthen the disciplinary and reward procedures for inmates and enhance the effectiveness of the civil monitoring boards.

These two project (Actions) were planned under the IPA II 2014-2020 instrument (Support to Judiciary component). In this regard, in September 2015 CLCU held several meetings with the MoJ and DGPDH and other relevant national stakeholders and discussed the beneficiary’s capacity building needs and priorities for improving their efficiency and effectiveness with regard to the above issues as identified under IPA II.

5 PUBLICATIONS AND VISIBILITY

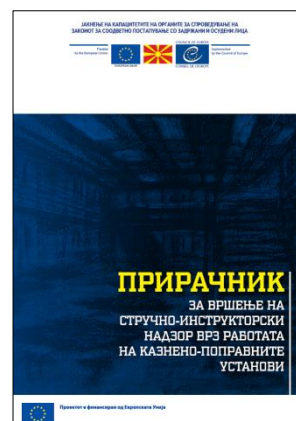
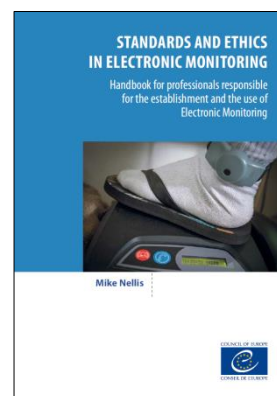
During 2015, the CLCU issued 11 publications in Print version and some of them on-line. Some of the Publications were translated into other languages.

The Manual on Prison Health Care and Medical Ethics was translated into [Armenian](#) and [Ukrainian](#).

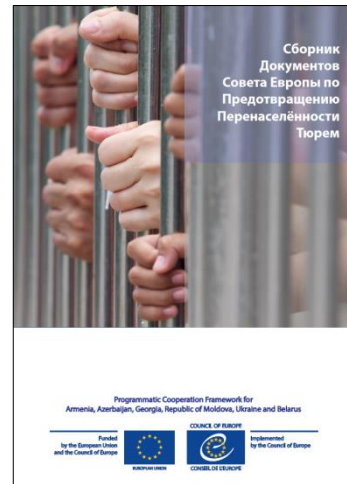
The Handbook “**Standards and ethics in electronic monitoring**” was published in [English](#) and [Bosnian/Serbian/Croatian](#). The handbook is conceived as a policy guide and a management tool for professionals responsible for the establishment and the use of EM. The text highlights important ethical standards in line with the CM/Rec (2014)4 on EM and other Recommendations in the field of prisons and probation and suggests responses to a number of ethical dilemmas.

Several specialised publications, intended for selected professional groups, were launched through the Joint Programme “Capacity Building of Law Enforcement Agencies for Appropriate Treatment of Detained and Sentenced Persons” in **Skopje**:

- Continuous training on Human Rights in Police Proceedings; Module 1: Ethical Conduct and Respect of Human Rights in Police Proceedings (Macedonian/[English](#));
- Continuous training on Human Rights in Police Proceedings; Module 2: Apprehension and Use of Police Force (Macedonian/[English](#));
- Continuous training on Human Rights in Police Proceedings; Module 3: Detention and Prevention of Ill-treatment (Macedonian/[English](#));
- Prevention and conflict management training (Macedonian/[English](#));
- National Strategy for Development of the Penitentiary System (2015-2019) (Macedonian/[English](#));
- Sentence Planning Training (Macedonian/[English](#));
- CBT Treatment programme Manual (Macedonian);
- Manual for Prison Inspection (Macedonian);
- Prison management training Manual (Macedonian).



Through the PCF Regional Project “Promoting penitentiary reforms (from a punitive to a rehabilitative approach)” the **Compendium of the CoE Documents on Preventing Prison Overcrowding** was published in 6 languages: [Armenian](#), [Azeri](#), [Georgian](#), [Romanian](#), [Russian](#) and [Ukrainian](#).



The visibility of the CoE action was ensured constantly through web publications, visual materials and media outreach.

Web publications covered all activities and were made available on the [CLCU website](#), the dedicated project websites and on partner institution websites. The key activities were equally reported on the [DGI website](#) and social media and on CoE field offices websites. A constant effort was made to provide the information in the languages most accessible to beneficiaries.

Visual material: CoE flags and stationery, roll-ups of the CoE and of specific programmes, leaflets and other materials were produced and used throughout project activities to ensure the largest possible reach as well as a clear recognition of the Organisation’s role and contribution.

Press releases, addresses to media and interviews strengthened the impact on targeted audiences and ensured a multiplier effect.



Project Final Brochure: “the former Yugoslav Republic of Macedonia”



Project Folder: Armenia



Project Leaflet: Ukraine

CLCU 2015

The Criminal Law Co-operation Unit at the Directorate General Human Rights and Rule of Law of the Council of Europe is responsible for implementing co-operation activities, EU/CoE JPs and VC Projects in the field of prisons, probation and police.

<http://www.coe.int/t/DGI/CRIMINALLAWCOOP/>



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The Council of Europe is the continent's leading human rights organisation. It comprises 47 member states, 28 of which are members of the European Union. All Council of Europe member states have signed up to the European Convention on Human Rights, a treaty designed to protect human rights, democracy and the rule of law. The European Court of Human Rights oversees the implementation of the Convention in the member states.