

**CAPACITY BUILDING OF THE LAW ENFORCEMENT AGENCIES FOR APPROPRIATE
TREATMENT OF DETAINED AND SENTENCED PERSONS**

Funded
by the European Union



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Joint Programme

**“Capacity Building of the Law
Enforcement Agencies for
Appropriate Treatment of Detained
and Sentenced Persons”**



This project is funded by the European Union



Joint Pro

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The Joint Programme “Capacity Building of the Law Enforcement Agencies for Appropriate Treatment of Detained and Sentenced Persons”, funded by the European Union, was implemented by the Council of Europe in close partnership with the final beneficiaries, namely the Ministry of Justice and the Ministry of Internal Affairs. The programme was implemented in the period 01 December 2012 – 30 November 2015, with a total budget amounting to EUR 2,100,000, where the allocation by the European Union was EUR 1,800,000, the Council of Europe contributed with EUR 100,000 and the national contribution by the Government was EUR 200,000.

The programme focused on two major components, notably on the police service and the penitentiary system in the country.

With respect to the police service, the programme aim was to develop the capacities and strengthen the professionalism in guaranteeing full observance of fundamental rights of the persons held in police custody, through an efficient and reliable regulatory and operational framework.

With respect to the prison system, the programme aimed at strengthening the organizational and management capacity of the penitentiary with a view to ensuring full protection of human rights in the treatment of detained and sentenced persons.

Council of Europe consultants provided expertise on a regular basis, as coordinating consultants, or on an *ad hoc*, short-term basis for individual activities requesting specific expertise. During the programme lifespan, more than 50 consultants and experts, both international and national, have been involved and contributed towards the achievement of the results.

Key results in the **police component** include the following: the Human Rights Concept was adopted by the Ministry of Internal Affairs (MoIA) and the regulatory and operational framework of the Sector for Internal Control and Professional Standards (SICPS) was revised. The Council of Europe provided expertise on the development of three modules for in-service training of police officers, and adequately supported the implementation of the training-of-trainers and cascade training sessions. The co-ordination between the police and external stakeholders involved in the observance of the treatment of the persons in police custody, and among internal inspection bodies and external institutions observing human rights, was strengthened through organization of workshops and adoption of recommendations for joint actions. An Action Plan on improving MoIA's communication with citizens has also been developed and public awareness campaign for protection of human rights in police proceedings was conducted.

Under the **prison component**, a National Strategy for development of the penitentiary system (2015-2019) has been drafted and adopted by the Government. A general treatment programme and operational manual were developed, selected staff trained and the programme was piloted in two prisons.

A detailed training strategy and action plan were presented, accordingly three training modules were developed: on prison management, sentence planning and conflict resolution; and adequately training-of-trainers and cascade training sessions were carried out. The work of the internal prison inspection system was strengthened through organization of joint workshops with external stakeholders and development of a Prison Inspection manual.

A total of **six study visits** were carried out under the auspices of the Programme. The visits provided the participants and the final beneficiaries with first-hand practical experience to complement their theoretical knowledge; it helped them to understand better the application of CoE and other European standards and examine possible changes in their methods and attitude, as well as facilitated networking between peers.

Under the **procurement component**, 5 vehicles and IT equipment were procured for the Sector for Internal Control and Professional Standards (SICPS) with aim to increase their effectiveness and efficiency. Furniture and equipment for detention cells and interview rooms in 21 police stations and specialized alarm system for detention cells in 6 police stations was purchased. The Prison Staff Training Centre in Idrizovo was completely furnished with IT and conference equipment, kitchen and furniture, including the accommodation facilities for the trainees.



COMPONENT I: POLICE

Human Rights Concept for the Police

The Concept, being a long-term strategy and a reference document on human rights, offers a strategic direction for the police service for the next 10-year period. The document is used as a reference for future police training and awareness raising activities.



It is to serve as a basic referential document for the Ministry of Internal Affairs and the police with regard to the policies and procedures on human rights. The Concept defines the vision and mission of the police with regard to human rights, and clearly sets out the Ministry's main values and commitments towards the citizens, the communities and the public, including the mechanism for following its implementation. The Concept should be used as a valuable tool by the Ministry for strengthening its capacities in order to reach the maximum level of protection of the fundamental human rights and freedoms, as guaranteed in the Constitution and the ratified international treaties.

Improving the efficiency of the Sector for Internal Control and Professional Standards (SICPS)

The programme provided continuous support to the Ministry of Internal Affairs in improving its internal regulatory framework for prevention of human rights violations, the provisions regulating the internal monitoring, and generally, in strengthening the overall professionalism of the police service. Accordingly, the programme provided for revision and amendments to the Rulebook on the operations performed by the Sector for Internal Control and Professional Standards (SICPS) and development of two Standard Operational Procedures (SOPs): SOP for carrying out inspections by SICPS officials in police stations in relation to the treatment of the persons deprived of liberty by the police and SOP for activities undertaken by the SICPS when carrying out inspections to police stations for investigating cases of allegations of ill-treatment by the police and examining cases of use of means of coercion by police officers.

In addition, the Programme provided the beneficiary with legal expertise on the amendments to the Law on Police introducing new means of coercion and assessed its compatibility with international standards and best practices from CoE and EU member states.



In order to improve the knowledge of the inspectors for conducting effective and efficient investigation upon the complaints submitted by citizens, a specialized training on human rights and police proceedings, fight against discrimination and hate speech was organized for the staff of the Sector for Internal Control and Professional Standards.

Human Rights Trainers' Network established in the Police

Based on the commitments undertaken by the Ministry of Internal Affairs with the adoption of the Human Rights Concept for the Police, the Programme established a human rights trainers' network within the police service and provided expertise towards the development of three training modules with focus on preventing and combating ill-treatment and impunity.



"The holistic and in-depth training needs assessment on execution of police powers and use of force pinpointed gaps between the daily policing and the existing training curriculum. These gaps were surpassed by three new training modules: "Ethical behavior and respect of human rights in police proceedings", "Apprehension and use of police force" and "Detention and prevention of ill-treatment of detainees", which incorporate contemporary national and international policing practices and trends. The training focused on the behavior and proceeding applied by the police officers instead of presenting a plain theory.

The module units are clearly defined and separated offering easy accessible answers. The set of questions after each unit clearly indicate that police in-depth education, skills, and permanent training are precondition for adequate response to the ever changing and demanding society.

That is why systematic and well organized in-service continuous training should be considered as a must for every police service which is aiming for progress and process excellence.

Aleksander Krebl, Council of Europe consultant

It is to be noted that 64 two-day cascade training sessions for patrol and intervention police officers on human rights, national legislation and police ethics, and 13 one-day cascade training sessions for police custody officers on European standards and national legislation for prevention and combating ill-treatment and torture, were delivered by 20 national police trainers, who had been previously trained within the programme framework. A total of 1.400 police officers were trained under the auspices of the programme in the period April-September 2015.



Three Training Modules for the Police developed

Support to the inter-institutional cooperation on improving the treatment of persons in police custody

The cooperation and coordination among the inspection bodies and the external institutions observing human rights and their cooperation with the police was improved as a result of the programme activities. One of the findings of the round tables, organized under the auspices of the programme, was that it is necessary to strengthen the investigation and to conduct a scoping study into the establishment of an independent and external oversight mechanism over the work of the police, in line with the Paris Principles. The main aim of setting up such a mechanism is to investigate any case which may involve serious human rights violations by police officials, in light of the obligations that arise in the context of the right to life (Article 2 of the ECHR) and the prohibition of torture and inhuman or degrading treatment or punishment (Article 3 of the ECHR).

“Through a series of external assessments, inclusive discourse, robust discussion and focused recommendations, the programme has impacted upon the strategic thinking across Law Enforcement Agencies (or MoIA) to include the development of external, independent oversight mechanisms. Implementation of such oversight will provide the basis for a system that mirrors the current best practice standards in European countries regarding independence in the investigation of complaints against the police and the appropriate treatment of detained and sentenced prisoners”.

William Priestley, Council of Europe expert



A Public Awareness Campaign for human rights protection was developed and implemented in cooperation with the Ministry of Internal Affairs



The aim of the campaign was to raise public awareness regarding the developments in the police service concerning the observance of human rights. Its purpose was to provide information to the citizens regarding their rights in relation to police proceedings and the functioning of the preventive and internal control systems, as well as the complaint mechanisms in place against alleged violations of human rights by police officers.

The campaign also provided leaflets for citizens, pocket-sized brochures aimed to raise the consciousness among police officers on the observance of the rights of persons deprived of liberty, and designed an e-learning module on “Police and Public Relations”.



The programme also supported the development of an Action Plan for Promotion of the Internal and External Communication of the Ministry of Internal Affairs.

COMPONENT II: PRISONS



National Strategy for Development of the Penitentiary System

As part of this component, the Council of Europe supported the devise of a comprehensive National Strategy for Development of the Penitentiary System, a recommendation reiterated several times by the European Committee for Prevention of Torture (CPT). The National Strategy and the Action Plan for its implementation were drafted by a working group established by the Directorate for Execution of the Sanctions in close collaboration and guidance by Council of Europe experts.

The main objective of the Strategy is to provide for an efficient and professional approach in organization and supervision of the work of the penitentiary institutions and for establishment of a Probation system in the country by ensuring legal and safe execution of sanctions, protection of the rights of persons deprived of liberty and full respect of their personality and dignity in compliance with international standards, in order to enable them to live a more productive, crime-free life after their return to the community.



The document sets out 13 strategic goals for the period 2015-2019. These goals will be achieved through changes in the legislation, improved training of prison staff, better-quality healthcare services, stronger protection of juvenile offenders, and other vulnerable groups of prisoners. Ill-treatment and corruption by the prison staff will be dealt with in the framework of a zero-tolerance policy. The strategy clearly states that the setting-up of a separate probation service in the country and the introduction of adequate education opportunities and treatment programmes for sentenced persons, rather than building new prisons, are the way to solving prison overcrowding and helping former prisoners find their place in society.



General Treatment Programme for offenders developed and piloted

A General Criminogenic Treatment Programme and corresponding screening tool, aiming to improve the rehabilitation of the sentenced persons and their successful reintegration in society, was developed within the auspices of the Joint programme. Several training sessions were delivered to prison staff in order to improve their knowledge and practical application of the cognitive-behavioral programme for offenders, as well as to improve their skills on conducting risk and needs assessment and screening for potential participants in the programme.

The Treatment Programme was recognized by the national penitentiary system as very efficient and reliable and it was successfully piloted in prisons Bitola and Shtip.

"The project has been a testament to the philosophy that to work in partnership with others is to instill hope. To do that sometimes you have to be soft, at other times you have to be hard, but at all times you should have humanity in your midst. That is why the Council of Europe was established in 1949".

Catherine Creamer,
Council of Europe consultant



Support to the development of prison staff training structures

A well-conceived and sustainable training structure was established with emphasis on the two specified areas of training: human rights and management. The programme supported the development of **three training modules on: Prison Management, Sentence Planning and Conflict Management**. As part of the programme activities, a selected group of prison staff was trained in order to provide further training to their peers. In addition, 16 cascade training sessions on sentence planning and conflict management were delivered by the national prison trainers.

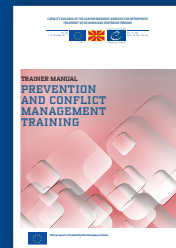
Approximately 220 persons from the areas of security and re-socialization in the penitentiary institutions were trained.

The trainer manuals have been explicitly designed to contribute to the aim of creating the optimal conditions and effective tools for resettlement and re-socialization of sentenced persons, as well as to help prison directors and senior prison staff to manage prisons in a way that acknowledges international standards and recognizes the individuality and dignity of all those incarcerated.



"The effective management of prisons is a vital part of any healthy criminal justice system. The development of managers and training programmes for future managers, put in place by this project, will provide a foundation for the national penitentiary system to build upon now and in the future".

Graham Johnson,
Council of Europe consultant



Strengthening of the internal prison inspection system

The internal inspection and supervision in prisons, including the procedures for monitoring and processing allegations for human rights violations, were improved by developing and presenting Manual on conducting effective prison inspection. An advanced on-site training for prison inspectors was delivered. The aim of the training was to improve participants' knowledge and skills on conducting efficient prison inspection and enhancing the inspection's impact during the follow-up phase, including the drafting of the inspection report. In addition, trainings for prison staff were conducted with aim to raise their awareness on the tasks and responsibilities of the prison inspectorate in light of the new Manual.



The international human rights instruments require establishing a functioning system of external monitoring and control of prisons. Having this in mind, series of round tables were organized within the programme in order to improve the coordination between the relevant inspection bodies and to strengthen the role and enable for synergies between the internal and external prison inspection mechanisms.

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