

**GUIDELINES FOR MANAGEMENT, EDUCATION AND
PROFESSIONAL DEVELOPMENT OF STAFF WORKING WITH
VIOLENT AND EXTREMIST PRISONERS (VEPs)
IN BOSNIA AND HERZEGOVINA**

„Guidelines for management, education and professional development of staff working with violent and extremist prisoners (VEP) in Bosnia and Herzegovina“ has been produced within the framework of the project „Structured Sentence Management for Violent and Extremist prisoners in Bosnia and Herzegovina“ which is implemented in cooperation with Ministry of Justice of BiH, Ministry of Justice of the Federation of BiH and Ministry of Justice of Republika Srpska and funded by the generous contribution of the British Government and USAID office in Bosnia and Herzegovina. The views expressed herein are those of the national and international consultants that developed the document and do not reflect the official views of the British Government, USAID office in Bosnia and Herzegovina or the Council of Europe.

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LIST OF ABBREVIATIONS

BiH	Bosnia and Herzegovina
CoE	Council of Europe
CMS	Case Management System
CVE	Countering Violent Extremism
EPR	European Prison Rules
FTF	Foreign Terrorist Fighter
IS	Islamic State
MDTT	Multidisciplinary Treatment Team
NVO	Non-governmental Organisation
RAN	Radicalisation Awareness Network
UNODC	United Nations Office on Drugs and Crime
UK	United Kingdom
USAID	United States Agency for International Development
VE	Violent Extremist
ZNEP	Violent Extremist Prisoner

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I. INTRODUCTION

The Working Group for drafting the “Strategic guidelines for management, education and professional development of staff working with violent and extremist prisoners (VEPs)” was established under the framework of implementation of the project “Structured Sentence Management for Violent and Extremist prisoners in Bosnia and Herzegovina”. The project is implemented in close cooperation with the Ministries of Justice of Bosnia and Herzegovina (BiH), Federation BiH and Republika Srpska, and their respective partners from the state and the entity law enforcement agencies, social welfare services, as well as with the civil society organisations and other relevant stakeholders. The project is financed thanks to the generous contributions of the Foreign and Commonwealth Office of the United Kingdom (UK) and the United States Agency for International Development (USAID).

The Strategic document was drafted with the involvement of all Working Group stakeholders, supported by the international experts. The strategy was designed based on expressed needs by the BiH counterparts and conducted external assessment “Assessment Report on the Human Resources dealing with violent and extremist prisoners in Bosnia and Herzegovina prison facilities”, as well as other relevant documents. In order to approximate domestic policies and legislation in the field of execution of criminal sanctions regarding radicalisation and violent extremism, this strategy is aligned with the relevant international instruments.

I.1. Summary

Issues related to the imprisonment of Violent and Extremist prisoners have been on the agenda of the Council of Europe and other organizations since number of years. VEPs represent a challenge for many prison services and recent developments have increased the necessity to develop specific approaches towards VEPs. Radicalization and extremism risks in prison remain high and their prevention requires special attention and action in a number of directions.

In the past few years dozens of people have been deprived of their liberty for terrorism related offences, many of whom are deeply radicalised and have, often traumatic, battlefield experience. According to the latest estimates, approximately 240-250¹ adult people left the country to fight mainly in Syria and Iraq. Since 2014 the participation of foreign armed conflicts is considered as a criminal act and people who return from war zones have to undergo criminal investigation, the outcome of which in most cases is incarceration. The imprisonment of this particular group is very complex and can have serious consequences for mainstream society.

Radicalisation can certainly take place or further develop in penitentiary setting as Mark S. Hamm describes it in his book “The Spectacular Few” in order to understand radical extremism, the social networks, the “personal turning points” and finally the pathway to violence one should understand how prisoners are treated in the prisons as well. The aim of the current document is, to provide a tool for managing staff in a more efficient way, a way which could contribute to the successful reintegration of this rather special group of inmates. Radical inmates are commonly categorised as leaders, followers and opportunists, but apart from these categories very different people with different personalities, backgrounds and motivations can be identified. Consequently, the approach has to be individual in each case as well. It has to be underlined that there is no one-size-fits-all solution for this very complex problem.

¹ Extremism Research Forum Bosnia i Herzegovina Report, Edina Becirevic, April 2018

Radicalisation in itself is a much more compound issue that requires a complex and multi-disciplinary tackle by the prison authorities. It has to be underlined that there is a need for close cooperation with the NGO sector, with peer supporters, the religious community and with the families of the inmates.

As a result of the 2015 periodic visit to BiH, the CPT provided number of specific recommendations related to the staff of the prisons and their operation. The CPT emphasized that, along with increasing the number of staff, it is essential that a greater emphasis be placed upon ensuring that staff are provided with appropriate knowledge and skills to carry out their tasks.

The CPT reiterated its recommendation that the FBiH institutions, in cooperation with the RS institutions, put in place a comprehensive human resources policy for prison staff in both Entities, which comprises initial training, regular refresher and specialist courses and on-going support.

I.2. Aim of the document

The overarching aim of this document is to improve management capacities and the education and professional development of prison staff, where:

Overall Mission: Enable prison staff to successfully treat and rehabilitate VEPs in line with the existing National Strategy for the benefit of public safety and security.

Management: Enhance the human capacities, integrity and motivation of the prison staff in order to support activities aimed at the processes of preventing radicalisation and renouncing violent extremisms (disengagement) of inmates sharing extremist views.

Education: The Ministry of Justice of BiH should develop its own education system and training curricula which corresponds to the role and tasks of the different categories of its staff and to the aim and purpose of their work. The education process must be standardised within the existing jurisdictions and regularly updated in order to follow international trends and best practices.

Professional development: To ensure that prison staff maintains and enhances knowledge and capacity and is aware of the latest trends relevant to their work. Professional development is of key importance for maintaining motivation, and may include: internal and external trainings, trainings with other agencies, continuous trainings that can ensure sufficient knowledge for the prison staff, as well as career promotion opportunities.

I.3. Background rationale

Currently, in prisons in Bosnia and Herzegovina there are dozens of prisoners believed to belong to the group of violent extremist prisoners (VEPs), which are placed in Zenica prison but also in other prisons across the country. BiH authorities expect that some ISIS members will be repatriated and imprisoned. If the newly admitted persons are categorised as VE prisoners then the number of VE prisoners will be significantly increased.

On top of the above issues, the prison system in BiH is facing many shortcomings and challenges regarding radicalisation and general staff management, such as:

- lack of consistency in the application of procedures and protocols related to such prisoners,
- lack of will and motivation among prison staff to participate in the work with this category of prisoners,
- lack of knowledge about the phenomenon of extremism and the radicalisation process, and fear of the unknown,
- insufficient cooperation with external institutions (law enforcement agencies and social welfare centres),
- insufficient post-penal treatment and lack of a probation system,
- lack of motivation or rejection by the majority of violent extremist prisoners to participate in the treatment programmes,
- insufficient number of prison staff and not sufficiently trained staff members, and lack of material and technical means,
- opportunistic attitude among prisoners and staff, no strategic planning,

II. MANAGEMENT OF STAFF WORKING WITH VEPs

II.1. Current legal provisions and institutional framework in BiH

Employment in prisons in the Federation of BiH is governed by few specific Laws² and sub-legal acts³. Employment of civil servants and government employees in prisons is carried out based on public vacancy announcement and public vacancy procedure upon meeting the requirements and criteria stipulated by law.

Employment in prisons in Bosnia and Herzegovina is taken up indefinitely, via a public vacancy announcement or via an internal or external transfer of a civil servant or employee.

Employment in penal and correctional facilities of Republika Srpska is regulated by the Law as well⁴.

Legislation of all entities provides few similar requirements to be employed in the penitentiary system. More specifically, all candidates should be of legal age (above 18), have higher education degree, be healthy and physically fit for service.

For the employment on the level of Federation and Bosnia and Herzegovina candidates for the post should not be dismissed from civil service on any level of governance, as a result of a disciplinary measure, refusal to take the oath, arbitrarily leaving the civil service or providing false and incorrect information on entry into the civil service, in the period of three years prior to the vacancy announcement, not to be the subject of an on-going criminal proceedings, not to be the subject of the provision of Article IX.1 of Constitution of Bosnia and Herzegovina.

The rest of the requirements are listed in respective Laws and provide some specific requirements for the candidates applying for the jobs in the security service of the prison. More specifically, employment in the security sector is regulated by the Law on execution of criminal sanctions in FBiH and the Law on government employees. A person employed to the security service for the first time is employed as intern-guard. Internship lasts six months, during which practical training in the form of courses, seminars and other forms of education is organised. Within three months following the end of the internship, an intern is obligated to take the qualifying exam for the vocation of guard. The qualifying exam is taken before a panel appointed by the Federation of BiH Minister.

In Bosnia and Herzegovina, the Law contains special provisions pertaining to employment in the security service, stipulating that a person being recruited for the first time to the security service is recruited as intern based on a public vacancy announcement.

2. Law on execution of criminal sanctions in the Federation of BiH (*Official Gazette of FBiH*, 44/1998, 42/1999, 12/2009 and 42/2011), Law on civil service in the Federation of BiH (*Official Gazette of FBiH*, 29/03, 23/04, 39/04, 54/04, 67/05, 08/06, 04/12), Law on employees in civil service bodies in the Federation of Bosnia and Herzegovina (*Official Gazette of FBiH*, 49/05) applies to employees with two-year university degree and lower level degrees.

3. Rulebook on internal organization defines the internal organisation of prisons and categories of posts for civil servants and civil service employees.

4. The Law on the Execution of Criminal and Misdemeanours Sanctions of Republika Srpska ("Official Gazette of Republika Srpska", No. 63/18).

To be recruited as intern in the security service, in addition to the general requirements for civil servants, one must meet the following special requirements:

- be under 27 years of age,
- have high-school education,
- meet the mental and physical health and fitness requirements stipulated for police officers.

Prior to starting employment with the security service, candidate's mental and physical abilities are assessed at a healthcare facility designated and contracted by the Ministry of Justice of BiH.

The Law on the Execution of Criminal and Misdemeanours Sanctions of Republika Srpska⁵ also contains special provisions which govern employment with the security service. It is precisely defined that the person who is being employed for the first time in the security service shall be employed as a trainee based on a public call.

A trainee⁶ in the security service may be a person who, apart from the requirements defined by law for employment with administrative bodies, also meets the following requirements:

- Not older than 27 years,
- Completed secondary vocational school (4 years of duration),
- Health and psychophysical conditions.

II.2. Relevant international standards and recommendations

The importance of careful recruitment and selection of prison staff is highlighted in a number of international instruments including the Nelson Mandela Rules⁷, Code of Conduct for Law Enforcement Officials⁸, Principles and Best Practices on the Protection of Persons Deprived of Liberty in the Americas⁹ and Kampala Declaration on Prison Conditions in Africa. On European level, European Prison Rules¹⁰ and the CoE Guidelines regarding recruitment, selection, education, training and professional development of prison and probation staff provide few important recommendations on the recruitment of penitentiary staff¹¹.

CoE Guidelines regarding recruitment, selection, education, training and professional development of prison and probation staff require recruitment processes to be fair and transparent. The entire process should be free of discrimination on grounds of gender, sexual orientation, race, colour, disability, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status. Same guidelines recommend that 'new recruits shall be subject to a trial/probationary period of employment where their competency and suitability to carry out the role is assessed before they are confirmed in post.

Another European body which provides set of standards also related to the staff recruitment, management and training is the European Committee for the Prevention of Torture (CPT).

5. The Law on the Execution of Criminal and Misdemeanours Sanctions of Republika Srpska ("Official Gazette of Republika Srpska", No. 63/18).

6. Trainee in the security service, for positions which require vocational college or university degree, may also be a candidate who is older than 27 but younger than 30 years. Before being employed in the security service, the candidate undergoes assessment of his/her psychophysical capabilities in accordance with the Instructions on the manner of assessment of psychological capabilities of the candidates for the security service, which is being adopted by the Minister.

7. SMR Rules 74-75.

8. Article 18

9. Principle XX

10. Rules 77 and 82

11. Guidelines regarding recruitment, selection, education, training and professional development of prison and probation staff, https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016809661fd

12. CPT Standards <https://rm.coe.int/090000168097c735> page 17

In the CPT's view the climate in a prison is largely dependent on the quality and resources of its personnel¹². The CPT Standards call upon national authorities to introduce a professional management career path within the prison system and to be prepared to invest adequate resources into the process of recruitment and training and to offer adequate salaries. This will also attract candidates from a wider pool and enhance the standing of prison staff in the community.

The integrity of staff is a prerequisite for keeping prisons safe. It should be acknowledged that prison staff fulfils tasks that make them likely targets for external pressure to traffic illicit items into a prison. A proper policy on staff integrity should address such risks and ensure guidance, when necessary. Other relevant issues such as recruitment, internal controls and supervision should be included. The CPT recommends that the relevant authorities devise a comprehensive staff integrity policy for prison staff.

The European Prison Rules state that salaries shall be adequate to attract and retain suitable staff¹³ and that benefits and conditions of employment shall reflect the exacting nature of the work as part of a law enforcement agency¹⁴.

The need for evaluation and appraisals is clearly stated in the CoE Guidelines regarding recruitment, selection, and education, training and professional development of prison and probation staff:

- A transparent system for annual appraisals of performance of all staff members should be developed, allowing their career advancement and professional development.
- The appraisal should indicate training needs at individual and service level, as required.
- Participation in training should be taken into consideration in professional development and in appraisal procedures.

European Prison Rules consider the professional development of prison staff to be one of the most important processes of human resource management that ensures a greater level of staff professionalism¹⁵.

In CPT opinion, training should be observed as a lifelong process and it should be practical and based on problems, not merely theoretical. It is very important that staff receive not only beginner's training, but also regular in-service training so as to be able to adopt new and updated skills. CPT recommend that the authorities give high priority to training development for prison staff, both beginner ones and regular ones. During such trainings, an important emphasis should be placed on interpersonal communication skills. Building positive relations with prisoners should be recognised as a key feature of the prison officer vocation. CPT finds it important that prison staff be provided with training programmes and refresher courses, such as courses in mental health, psychology, suicide prevention, violence prevention, cultural awareness, etc¹⁶.

However, taking into consideration that certain specific areas require special training programmes, continuous professional development for this category of staff may be implemented by engaging trainers specialised in those areas.

The need to regulate these aspects lies in the currently sporadic approach in the field of professional development of staff and, resulting from that, the staff is not prepared to respond promptly and correctly in certain circumstances. This impacts the overall process of enforcing the prison sentences by prison institutions.

13. EPR Rule 79.1

14. EPR Rule 79.2

15. Ovo je prepoznato Evropskim zatvorskim pravilima koja navode da će osoblje raditi u skladu sa visokim profesionalnim i ličnim standardima (72.4) i (81.2) da će Uprava osigurati da će, u toku svoje karijere, osoblje održavati i unapređivati svoje znanje i profesionalne sposobnosti pohađanjem obuka na radnom mjestu i usavršavanjem tijekom službe koje će biti organizirano u odgovarajućim intervalima.

16. Standardi CPT-a <https://rm.coe.int/090000168097c735>

Handbook published by the Commonwealth on Countering Violent Extremism in Prisons puts special emphasis on the quality of the prison staff working with VEPs as staff are crucial to the success of any Prison CVE Programme. Prisons should:

- Ensure sound selection and recruitment practices for Prison Staff;
- Ensure proper training of personnel, and specialist training for those dealing directly with violent extremist prisoners;
- Have sufficient staff for the size and nature of the prison population should be a priority
- Staff working with violent extremist prisoners require a good combination of personal qualities and technical skills;
- They need to be able to deal with all prisoners in an even-handed, humane and just manner, including the difficult, dangerous and manipulative prisoners;
- Female staff should be recruited and trained to work with women violent extremist prisoners and to design and deliver gender-appropriate interventions;
- Prison staff should also be representative of the ethnic, racial and religious profile of the prison population. Prisons should also have dedicated spiritual leaders available to minister to prisoners;
- In order to manage VE prisoners effectively, staff need to uphold the highest levels of professionalism and ethics;

There are also few clear guidelines that have been developed on a Council of Europe or United Nations level:

- CM/Rec (2006/2) on the European Prison Rules
- CM/Rec (2010/1) on the Council of Europe Probation Rules
- Guidelines for prison and probation services regarding radicalisation and violent extremism (Adopted by the Committee of Ministers on 2 March 2016, at the 1249th meeting of the Ministers' Deputies) programme
- Handbook for prison and probation services regarding radicalisation and violent extremism Document CM (2017) 21-add of 17 February 2017, examination by the Committee of Ministers on 22 March 2017 at the 1282nd meeting of the Ministers' Deputies
- UNODC Handbook on the Management of Violent Extremist Prisoners and the Prevention of Radicalization to Violence in Prisons
- Radicalisation Awareness Network (RAN) Collection of Approaches and Practices
- Council of Europe Guidelines regarding recruitment, selection, education, training and professional development of prison and probation staff.

II.3. Recommendations for improving the institutional framework for selection, recruitment and employment and practical arrangements for assignment and management of prison staff dealing with VEPs and radicalisation in prisons

Recommendation Rec (2006)2 of the Committee of Ministers to member states on the European Prison Rules

Selection of prison staff

76. Staff shall be carefully selected, properly trained, both at the outset and on a continuing basis, paid as professional workers and have a status that civil society can respect.

77. When selecting new staff the prison authorities shall place great emphasis on the need for integrity, humanity, professional capacity and personal suitability for the complex work that they will be required to do.

The recruitment, selection, training and professional development of prison staff has to have key significance. The professional training of prison staff is vital in all circumstances, but it has an even more significant importance when it comes to VEPs. Prison staff has to have personal qualities and professional skills in order to deal with this rather demanding, dangerous and often manipulative prison population. Prison professionals need to have a thorough knowledge of the radicalisation process when dealing with VEPs and beware the dangers of them radicalising certain marginalised groups in prison e.g. population with very low income thus they can be targeted with financial rewards and incentives, or inmates with psychological and mental disorders.

A commonly used sub-categorisation with radicalised individuals is: *leaders, followers and opportunists*. These different groups require different approaches for intervention. Influential VEPs can be highly motivating for followers and influence others with their manipulative “religious” teachings. In order to be successful in their approach staff members should be aware of the basic motivation and drive of the inmates.

According to the RAN - Dealing with radicalisation in prison and probation context: *“Sensitivity and understanding of other cultural and religious norms, values and expressions has become increasingly important for building of good staff-offender relationships. Prejudices and fear of staff-members, leading to over-reporting and negative interactions with detainees, can undermine de-radicalisation/disengagement efforts. Staff dealing directly with convicted terrorists need specific skill sets and not all staff members will be suitable.”¹⁷*

In line with the Council of Europe’s Handbook for prison and probation services regarding radicalisation and violent extremism *“Evolving knowledge suggests that certain specific qualities and competencies may be particularly important working with this group. These include:*

17. Dealing with radicalisation in a prison and probation context RAN P&P-practitioners working paper

- *modelling anti-extremist attitudes and behaviour, for example being flexible, questioning, open-minded, tolerant and inclusive,*
- *adopting style which is resilient, collaborative, empathetic and sensitive to values, beliefs and background of others,*
- *an ability to engage individuals on a personal rather than on a political or academic level,*
- *an ability to empower individuals to re-examine and take steps to change their relationship with an extremist group, cause or ideology,*
- *being confident and competent to discuss issues related to seeking political change and human rights (such as freedom of expression) while recognising and being assertive when behaviours to bring about change are problematic and warrant intervention.”*

II.3.1. Assignment of prison staff

Different jurisdictions follow different methods when it comes to the management of VEPs, in most cases it is the most experienced staff members, who look after radical inmates, while in some countries it is decided to combine experienced staff members with newly recruited colleagues in order to maintain flexibility and keep the penitentiary system open for new ideas and perspectives. In the second instance initial training and professional preparation is vital.

In any solution the systemic multidisciplinary approach has to be the key element of any intervention, which can be adequately ensured by setting up a multidisciplinary treatment team. The multidisciplinary approach provides the opportunity for getting to know the different pieces of the “puzzle”, so not simply relying on the information coming from one prison segment, rather, exclusively on the basis of analysis and gathered information from all the offices inside and outside the institution.

The team members meet in regular intervals and also in the case when something irregular or unexpected happens in relation with the radicalised prisoners.

The key elements here:

- seamless flow of information,
- progress evaluation and assessment by all team members,
- more in-depth knowledge of the individuals,
- development of institution's database.

It is recommended that the institution's officers who have already gained adequate experience start to work with radicalised inmates. Their selection should include:

- affinity and willingness to work with this rather specific group of inmates,
- at least 2 years of relevant prison work experience,
- high level of personal integrity,
- regular psychological tests,
- good psychophysical health and condition,
- commitment towards offenders' reintegration and re-socialisation,
- regular security vetting focusing especially on signs of radicalisation and relationships with radical groups/individuals, membership in extremist groups or organised gangs¹⁸,
- specific linguistic skills that would enable them to ease the communication with the VEPs and gain their trust,
- openness for cultural, religious and racial differences,
- non-discriminatory attitude, sensitivity to cultural, religious and racial differences.

18. According to “Jihadist Radicalization in Italian Prisons: A Primer” In February 2019, Spanish authorities arrested a prison worker who was accused of smuggling mobile devices containing jihadist material in exchange for money. Also in January 2019, French media reported that two corrections officers in service in the towns of Lavaur and Seysses, in the outskirts of southwestern city of Toulouse, were suspected of being extremists and had been flagged by authorities in the Fiche S registry for radicalization and terrorism.

Source: <https://www.ispionline.it/it/pubblicazione/jihadist-radicalization-italian-prisons-primer-22401>

II.3.2. Management of specialised prison staff

Working in prison is a stressful and very demanding job, and especially when it comes to working with violent and extremist inmates, due to several additional stress factors:

- continuous psychological pressure from inmates,
- threat of staff members or members of their families being attacked or abused by other means by radicalised inmates or their circles,
- strong online propaganda with brutal images (torture, beheadings etc.) by radical groups,
- neglect and refusal to co-operate,
- some of them might have received combat training and gained military experience on battlefield,
- conditioning of staff by manipulative inmates.

In order that staff members could manage this extra psychological pressure, stress and avoid burnout, certain protective mechanisms should be introduced, such as:

- staff rotation schemes (enabling staff to gradually be withdrawn from these tasks and reallocated to different, less demanding work posts
- enable them to debrief on problematic situations, and if so required, provide psychological support and/or supervision
- organise regular formal and informal events to strengthen team identity and dynamics

II.3.3. Contact point – contact person as defined in the Case Management System (CMS)

In order to optimise the available resources, the appointment of contact points at the level of prisons and the responsible ministries of justice of BiH would be advisable.

The role of the contact person at the prison level

- participate in the work with VEPs,
- participate in the work of the local MDTTs,
- collect and evaluate all relevant information regarding VEPs,
- disseminate all necessary information and material coming from outside agencies and from the contacts from the responsible ministries of justice of BiH,
- organise specialised training courses,
- contact point with NGOs, job centres, family members and other relevant bodies.

The role of the contact person in the responsible ministries of justice of BiH

- coordination of training-related activities,
- facilitate the sharing of national, regional and international best practices,
- exchange and dissemination of specialised/classified information.

II.3.4. Key recommendations

Recommendations for improving the procedures concern the following issues:

- a. Setting multidisciplinary prison treatment/re-education teams (members: chief of the reception/observation unit, psychologist, social worker, educator and chief of the internal security unit), by introducing internal instructions in prisons that will define the composition and scope of work of this team.
- b. Appointing contact persons in every penal and correctional facility for the following needs:
 - External function: communication with the relevant justice ministries in BiH and other responsible institutions (law enforcement agencies, social work centres, NGOs, etc.),
 - Internal function: gathering, analysis and sharing of data supplied by staff and prisoners.
 - Education function: organising, updating, and facilitating trainings concerning violent and extremist prisoners.
- c. The prison staff should have at least 2 years of working experience with the general prison population in order to be able to work with the violent and extremist prisoners (mentorship programmes may be exception, when activities are supervised by experienced and trained staff).
- d. Carry out the process of security vetting of all staff working on tasks with violent and extremist prisoners in accordance with the law.
- e. Set up a staff rotation plan for those working with violent and extremist prisoners so as to avoid burn-out at work (*burnout syndrome*).
- f. Establish cooperation with responsible health institutions and NGOs concerning the provision of mental health protection services for the prison staff who work with the said category of prisoners. Prison staff (newly recruited and existing staff) will undergo a training on how to treat the violent and extremist prisoners. It is necessary to organise and implement trainings in individual penal and correctional facilities, as well as trainings for the purpose of multidisciplinary cooperation on the local level.

III. EDUCATION OF THE STAFF WORKING WITH VEPs

III.1. Current legal provisions and institutional framework in BiH

Currently no designated legal provisions exist in BiH regarding the education of staff working specifically with VEPs. The legal framework in force contains general provisions related to the training, education and professional development of individuals employed in the prison service under each jurisdiction. Provisions cover induction training as well as possibility of access to the continuous education.

On the level of Federation education and professional development of the prison staff is provided through 6 months internships supervised by the experienced staff members. Prison staff should also enrol in seminars, practical classes and other forms of education¹⁹. For the professional education of security officers and other officers working in the execution of prison sentences, the Federal Ministry may organize courses, seminars, counselling and other forms of professional development²⁰.

Legislation of Bosnia and Herzegovina regulating execution of criminal sanctions provides number of provisions related to the professional development and training for the persons working in the prison system. More specifically the Law provides for the organization of internships, including provision of education accomplished with obligatory exam, provision of special courses, seminars, counselling as well as special trainings for the prison staff working with foreign prisoners²¹. Same issues are addressed in the Rulebook on program of professional education, organization and conditions of conducting practical training and conditions, manner and program of taking the professional exam of prison officials in prisons for execution of criminal sanctions, detention and other measures of BiH.

Legislation of Republika Srpska sets special approach for the professional development and training of the prison staff members. In accordance with RS Legislation staff working in prisons should continuously professionally develop and be trained.

Legislation provides for a broad range of tools and mechanisms for achieving those goals, including through seminars, counselling and other forms of professional development. Training and education programs should be based on applicable international standards, international treaties, local legislation as well as other relevant materials. Ministry of Justice should adopt the framework plan and program of professional development and vocational training²², while Directors of the relevant Institutions should provide annual plans for professional training and development for their employees²³.

19. Law on Execution of Criminal and Misdemeanours Sanctions of Federation BiH (OG FBiH 44/98, 25/09, 42/11), Article 138.

20. Ibid, Article 142.

21. Law of Bosnia and Herzegovina on the execution of criminal sanctions and other measures (BiH OG 22/2016), articles 25, 38, 39.

22. Framework plan and program of professional development and vocational training in Establishments for Execution of Criminal and Misdemeanours Sanctions („Official Gazette RS“ 66/19)

23. Law on Execution of Criminal and Misdemeanours Sanctions of Republika Srpska („Official Gazette RS“ 63/18), Article 34.

III.2. Relevant international standards and recommendations

Recommendation Rec (2006)2 of the Committee of Ministers to member states on the prison rules (European Prison Rules)	
<i>Training of prison staff</i>	
81.1	<i>Before entering into duty, staff shall be given a course of training in their general and specific duties and be required to pass theoretical and practical tests.</i>
81.2	<i>Management shall ensure that, throughout their career, all staff maintain and improve their knowledge and professional capacity by attending courses of in service training and development to be organised at suitable intervals.</i>
81.3	<i>Staff who are to work with specific groups of prisoners, such as foreign nationals, women, juveniles or mentally ill prisoners, etc., shall be given specific training for their specialised work.</i>

The European Prison Rules (EPR) is very clear regarding the need for systemic initial/induction training structures. Currently the BiH system doesn't fulfil this requirement e.g. the prison system doesn't have a systemic solution for induction trainings, the training is carried out more on an ad-hoc basis, leaving room for the individual penitentiary institutes. The Prison Service doesn't have dedicated full-time trainers, whose only assignment is to design and implement staff training activities and a designated training centre. In order to overcome this shortcoming strategic steps are required.

The EPR is also very precise regarding in-service training as well. Although in the beneficiary country each prison develops its own Annual Plan and Programme for Professional Development and Vocational Training Plan (further referred to as: Annual Plan), but in reality these Annual Plans are not operational. The Annual Plans should be based on real needs and the necessary resources should be allocated.

Furthermore, in line with the Council of Europe Guidelines regarding recruitment, selection, education, training and professional development of prison and probation staff:

In-service education and training should be provided to all staff and should include refresher courses on different priority topics and/or additional training on newly emerging topics.

Radicalisation in prison is a relatively new phenomenon, thus the available data is rather limited, but as more and more information is gathered from the field new solutions appear, which should be made available for prison staff. This process should be facilitated through the experience gathering and exchange mechanisms.

Inter-agency work has been repeatedly appearing in the different documents as one of the key factors of tackling radicalisation. Prison staff should understand their role in the criminal process and should have a knowledge of key practices applied by other agencies.

The issue of specialised training is also highlighted in the Council of Europe Guidelines regarding recruitment, selection, education, training and professional development of prison and probation staff under 7.2 b) *All specialist staff working in prisons should also receive elements of basic training required to perform their tasks.*

Consequently, all staff members who are assigned to deal with violent and extremist inmates should receive a specialised training.

More specifically prison staff members should have access to education related to the detection and prevention of violent extremism including political and religious types. This should enable prison staff members to detect any signs of radicalization at an early stage and take preventive measures. To make this work, joint and harmonized curriculum, plan and training programme for prison staff should be put in place at each administrative level.

III.3. Recommendations for improving the legal requirements for education and trainings with focus prison staff dealing with VEPs and radicalisation in prisons

The update of the existing plans and programmes is necessary. The Annual Plan and Programme for Professional Development and Vocational Training Plan serve as a basis for the Annual Training Plan for the individual prisons should be changed and adjusted to meet the needs for basic and specialized training of the prison staff.

Basic training: all prison officers should receive an introductory training course on signs of radicalization and the general management of VEPs upon admission and later specialised trainings should be arranged pursuant to the service.

Specialist training: at the same time those staff members working regularly with the VEP population should receive a more in-depth and continuous professional training (including religious social and ethnic background, risk and needs assessment, disengagement, de-radicalisation, interventions, etc.)

III.4. Recommendations for improving the institutional framework and practical arrangements for education and training of prison staff dealing with VEPs and radicalisation in prisons

Due to the lack of institutional capacities for training the prison staff (a training centre for prison staff and permanently employed educators), the responsible justice ministries of BiH should establish cooperation with the responsible ministries of internal affairs where training centres/training academies for police officers are located, with the aim to use those resources for the need of training/educating the prison staff.

III.4.1. Basic training (all staff)

Within BiH prison staff continues to be provided with only irregular training courses and there is no clear focus and strategy in place concerning VEPs. In some prisons staff is not receiving any general training for long periods of time and opportunities for specialized training are limited as well.

Also, the staff, which is in direct contact with VEPs, has not been trained to act in line with the principles of dynamic security. In addition to the staff that is in direct contact with this population, it would be good if all prison staff went through a general training module in order to raise their awareness of the radicalization process, including the basic identification techniques for signs of radicalization and extremist behaviour.

The training should be provided for all staff members regardless of their role in the individual penitentiary facilities. According to the Council of Europe Handbook for Prison and Probation Services regarding Radicalisation and Violent Extremism the training curricula should include:

"175. In terms of training, different training schemes should be offered to different groups of staff:

a. In general, staff should be trained (either within the basic staff training programme or education or in addition to basic staff training) on cultural sensitivity, tolerance and non-discriminatory behaviour;

The training should form part of the general induction training for new recruits, but all the staff members should receive it (including staff members in remand facilities) regularly as part of the Annual Training Plan (in-service training).

b. It is recommended that all staff receive general awareness training on radicalisation including basic identification techniques. This training package should consist of:

- General knowledge about the phenomenon of radicalisation and why this is a problem in the prison and probation context and for staff members themselves;

Apart from general trends, staff should be aware of the basic characteristics of the local cultures and customs. What is also very important here is to find the right balance and avoid stigmatizing those who follow traditional religious practices.

- Information concerning definitions that are used within the relevant member state and how to use these terms;

- General knowledge of different ideologies and extremist worldviews;

A document should be developed with the contribution of the religious representatives.

- General knowledge about images, symbols, words/phrases, slogans and other visible or verbal expressions relating to these ideologies;

A simple and easy-to-understand hand-out should be developed, based upon the previous experience and findings.

- Information related to the difference between moderate religious behaviour and indications of radicalisation;

It is exceptionally important that staff should be able to differentiate between moderate religious practice and radical views. Otherwise it can be staff members who stigmatize inmates and push them towards radicalisation.

- Indicators of specific or deviant behaviour that may indicate radicalisation;

Staff should have a general understanding of the radicalisation process, not just the signs of radicalisation. A broader understanding of the phenomenon would enable staff to interact more effectively in a timely manner.

- Case studies to support the understanding of different scenarios and situations in order to practice appropriate responses to these situations;

Prison staff with longstanding penitentiary career make interventions more authentic.

- Information about regulations and processes to follow when radicalisation and/or extremist behaviours have been observed, including the professional mandate of the staff member, lines of reporting and processes for feedback on the reporting;

It is very important that whenever signs of radicalisations are observed by prison staff members should know whom to report them to. The appointment of a contact point – person in line with the Case Management System (SCM) in each prison would be advisable.

In line with the Assessment report on the Human Resources dealing with violent and extremist prisoners in Bosnia-Herzegovina prison facilities this training is supposed to be aimed at:

- strengthening of prison staff capacities to identify signs of radicalisation, to communicate with violent extremist prisoners constructively in order to avoid confrontation and to respond to potential extremist threats,

- strengthening the staff capacity in early detection and prevention of radicalisation, as well as disengagement from violent behaviour,

- raising awareness aimed at better understanding of the radicalisation process,

- providing for tools for the staff to timely and efficiently respond to problem(s) of radicalisation and violent extremism.

-strengthening the prison staff capacity for developing criminal offenders' resilience against violent extremism.

III.4.2. Specialist training

According to the Council of Europe Handbook for Prison and Probation Services regarding Radicalisation and Violent Extremism for specially designated staff such as those professionals who are working in MDTT (psychologists, team leaders, others) and who will work directly with violent extremist offenders, additional training should be provided and related to the role and background of the professionals.

Training should include:

- In depth knowledge about different ideologies, groups and causes;

Prison staff is required to challenge extremist views and also manage the pressure and manipulation coming from the extremist groups. In order to do that colleagues who regularly interact with violent and extremist inmates should have a thorough knowledge of the different ideologies, their background and key characteristics.

- General and targeted interventions;

Prison staff must understand their role in the overall reintegration process and staff members have to have a strong focus on the different interventions. They have to act as the main catalysts of change and push towards the disengagement of extremist ideas and views.

- How to deliver and correctly interpret risk assessment approaches specifically pertinent to violent extremism;

- Information sharing and use of appropriate sharing/reporting structures;

- Techniques that can be used for difficult conversations in order to facilitate disengagement and dissuasion from violence;

- Delivery of specific interventions for dissuasion from violence.

Positions and beliefs:

- Denying the order of the state, not recognising the law of the state, not observing the house rules, refusing to use the common bathrooms, marital visits by several wives, lack of respect for other religions, rejecting authority, not greeting the officers, indecent conduct towards the female members of the prison staff, improper conduct towards other inmates, disagreement with people from other religions, observing the prison staff (if they recognise signs of weaknesses, they attempt to radicalise them), investing in informal relations, concentrating solely on religious topics, convincing the prison staff that they are involved in dirty work, lifestyle, socialising with the like-minded, offering assistance to poor prisoners,
- Shorter trousers, improvised hats, clothes with covert symbolism, special tattoos,
- Exaggerated reactions, feeling of injustice, self-victimisation, books, brochures, signs, symbols,
- Clothes of visitors (visible signs),
- Special religious practices contrary to the practices of the traditional religious communities,
- In conflict with the official representatives of the religious communities.

The inclusion of the below examples might as well be considered as part of the specialist training:

- classification of VEs,
- characteristics of returning foreign terrorist fighters,
- information sharing/flow of sensitive information,
- case management principles,
- the practice of dynamic security,
- the role of prison contact points for information exchange,
- specific group of offenders (children, juveniles, females),
- the role of friends, families and communities
- the role of NGOs or religious representatives

III.4.3. Key recommendations:

- establishment of a designated staff training centre/academy,
- Systematization of work posts in the responsible ministries that will be in charge of developing, updating, analysing and coordinating with prison institutions concerning the implementation of a single basic and specialised training plan.
- signing of a protocol or memorandum of understanding between ministries of justice and “police training academies”.
- introduce a training module on VEPs and a general and specialist training in the Annual Plan and Programme for Professional Development and Vocational Training Plan,
- the curricula of the VEP induction training is developed at the level of responsible ministries,
- regular and additional training activities are organised throughout the professional career,
- include competent institutions in the induction training (social work centres, mental health protection centres, law enforcement agencies, etc.),
- the selection and appointment process should be free from political influence and favouritism.

IV. SUPPORT MECHANISMS FOR THE STAFF EMPLOYED IN PRISONS

IV.1. Current legal provisions and institutional framework in BiH

Legislation in force on all levels of BiH provides number of provisions regulating access of prison staff to social and healthcare protection and other support mechanisms established in different legal acts. While each administrative level offers partly different approach there are lots of similarities as well.

On the level of the BiH Federation, prison staff members benefit from the same healthcare, pension, disability schemes as well as other rights arising from employment, as judicial police and the police of the Federal Ministry of Interior in pursuance of the federal law²⁴. According to the legislation, owing to special condition of work, prison staff members in direct contact with the inmates are entitled to higher salaries than employees of other Federal bodies. In addition, they benefit from increased length of service²⁵.

Prison staff is also entitled to the following allowances/remunerations²⁶:

- Salary supplement based on special working conditions for prison police officers – guards up to 30% of the basic salary
- Allowance in case of death and the right to insurance against the consequences of an accident
- Allowance in case of sick leave up to 42 calendar days in the amount of his/her net salary paid for the previous month.
- Nutrition allowance in the amount of 1% of the average net salary paid in the Federation
- Based on the extraordinary and objectively evaluated work results, the head of the body may reward the prison police officer with a one-time financial assistance in the amount of 30% of his salary, and only once a year for one month.
- Retirement severance pay in the amount of 5 average net salaries
- Holiday allowance in the amount of 50% of the average net salary paid in the Federation
- One-time financial assistance in the amount of two average net salaries paid in the federation in case of injury at work, serious illness and disability of a civil servant, employee or a member of his immediate family

24. Ibid, Article 130.

25. *By the Decree of the Government of the F BiH (by-law), civil servants and employees who work directly with convicted persons have the right to work with increased duration (benefited length of service): 4 months to 1 year of effective work.*

According to the Collective Agreement for Civil Servants of Administrative Bodies and Judiciary in the FBiH, based on the nature of work, annual leave is increased to 5 working days: work on jobs with difficult working conditions for 3 days, for work in shifts an additional two days of annual leave.

26. Law on salaries and allowances in the government bodies of Federation BiH

As to health and psychophysical abilities, the institution which covers insurance policy of the staff should provide check-up at least once a year²⁷.

As to support mechanisms, their range is rather broad and provides prison staff directly working with prisoners with better social package, including health and disability insurance, pension and number of other labour related matters²⁸. Legislation also provides possibility of paying up to 30 % of salary supplement to the prison staff²⁹.

Legislation of Bosnia and Herzegovina regulating execution of criminal sanctions provides number of provisions related to the support mechanisms for the persons working in the prison system.

As to support mechanisms, their range is rather broad and provides prison staff directly working with prisoners with better social package, including health and disability insurance, pension and number of other labour related matters³⁰. Legislation also provides possibility of paying up to 30 % of salary supplement to the prison staff³¹.

Order of the Minister of Justice of BiH provides different approach for the prison staff when calculating their effective length of service³². Special provisions are also applicable for the calculation of the annual leave covering prison staff³³.

As to health and psychological condition, prison staff should be checked once a year as they should fulfil certain established health and psychological conditions³⁴.

The methodology of determining the special mental and physical ability of prison officials (regular, extraordinary, as well as additional examinations and tests) is determined in the regulations³⁵.

Legislation of Republika Srpska sets special approach and provides range of support mechanisms applicable to the employees of the prison system.

Range of applicable support mechanisms covering prison staff of RS is rather broad and provides numerous mechanisms including increased years of insurance³⁶, up to 35 % of special allowances for special conditions of work³⁷, as well as following privileges/rights³⁸:

27. Law on execution of criminal sanctions and misdemeanour sanctions of Federation, Article 129.

28. Ibid, article 30.

29. Law on Salaries and Compensations in the BiH Institutions (BiH OG 50/08,35/09,75/09,32/12,42/12 i 50/12), article 26

30. Ibid, article 30.

31. Law on Salaries and Compensations in the BiH Institutions (BiH OG 50/08,35/09,75/09,32/12,42/12 i 50/12), article 26

32. Point III of the Decision of the Minister of Justice of BiH on determining the jobs in which the length of insurance is calculated in increased duration and the degree of increase of length of insurance in penitentiaries, detention and other measures of Bosnia and Herzegovina (twelve months of effective length of service is calculated as sixteen months insurance) is calculated on certain transactions provided for in point II of this decision.

33. Article 5 Paragraph 3 – Decision of the Council of Ministers of BiH on the criteria and manner of using the annual leave for civil servants in the institutions of BiH (Council of Ministers Decision Number 2/20 from 23.01.2020) the head of the institution is authorized to determine the list of certain jobs with specific working conditions on which increased annual leave is referred to i.e. to determine the number of working days (maximum up to three) by which the annual leave is increased- which is determined by the Rulebook on job systematization - this document is of a confidential nature.

34. Law of Bosnia and Herzegovina on the execution of criminal sanctions, detention and other measures, Article 30.

35. Book of Rules on the criteria and manner of determining the medical fitness of authorized prison officials (BiH OG 5/11), Article 6-8.

36. Law on Execution of Criminal and Misdemeanours Sanctions of Republika Srpska („Official Gazette RS“br. 63/18), Article 31

37. Law on salaries of employees in judiciary institutions in Republika Srpska („Official Gazette 66/18, 54/19), Article 8.

38. Law on salaries of employees in judiciary institutions in Republika Srpska („Official Gazette 66/18, 54/19) and Article 51: Special collective agreement for employees in RS judicial institutions („Official Gazette“ 69/19), Article 30.1

- a) severance package upon retirement and termination of employment in case of economic, organizational and technological reasons for which it is necessary for employees to stop working,
- b) reimbursement of transportation costs for arrival and return to work,
- c) jubilee award,
- d) one-off financial remuneration for special work results,
- e) financial remuneration for birth of a child,
- f) financial assistance in case of disability and long-term illness,
- g) financial assistance to the family in case of death of the worker,
- h) financial assistance in case of death of family members and
- i) remuneration for engagement to the position of the president or commissioner at the trade union organizations.

Employees of judicial institution based on the objective assessment by the supervisor can be also paid one-off cash reward for good results in their work. One-off payment can be in the amount of 50 to 100 % of the employee's salary earned in the previous month. Such payments can be made no more than once per month³⁹.

The Law also contains provision regulating the annual leave and its application. Annual leave days are increased based on special working conditions and length of service as well as disability and dependants with special needs⁴⁰.

An officer who achieves outstanding results and demonstrates exceptional application of ability to work may be extraordinarily promoted to an immediately higher rank provided⁴¹:

- a) that he/she had spent at least three years in the previous position/rank
- b) that his/her work during that time was rated very good or excellent

As to physical fitness and mental conditions of the prison staff, legislation of RS sets certain requirements to make sure that health capacities of the prison staff are ensured.

Physical fitness and mental and physical capacities of employees working in security duties shall be checked once in two years, and when needed, they may also be referred for a check over shorter periods of time, as specified by the establishment director.

Physical fitness of employees working in other positions with increased years of service shall be checked once in three years, and if necessary, they may also be referred for a check over shorter periods of time, as specified by the establishment director⁴². The physical fitness of employees set shall be checked by a medical institution authorized to issue medical certificates for employees in positions with special working conditions. If the employees develop mental changes or changes in their overall health status making them incapable of performing these duties, the employees shall be sent to the competent body for assessment of work ability, in accordance with the law regulating rights from pension and disability insurance. If the competent authority ascertains the existence of residual functional capacity, the employee shall be reassigned to other positions in accordance with capabilities of the establishment or provided with retraining. If there is no possibility of reassignment to other positions, then shall have his employment terminated. The decision on termination of employment shall be issued by the establishment director⁴³.

39. Ibid, article 51.

40. Ibid, article 19.

41. Rulebook on titles of ranks of the security service, conditions of their acquisition, uniforms and insignia („Official Gazette RS “65/19), Article 12.

42. Law on Execution of Criminal and Misdemeanours Sanctions of Republika Srpska („Official Gazette RS “63/18), Article 35.

43. Ibid.

IV.2. Relevant international standards and recommendations

While international standards do not provide specific details on the remuneration of prison staff, types of social packages offered to employees as well as support mechanisms, they are explicit regarding the necessity of recruiting prison staff of the right profile through a transparent system, provision of initial and continuous training, provision of adequate remuneration, protection from burnout and many other important components required for the maintenance of professional prison service.

As mentioned above, the European Prison Rules consider that the professional training of prison staff is one of the most important processes of human resources management that ensures the higher level of professionalism of the staff⁴⁴.

EPR state that salaries shall be adequate to attract and retain suitable staff⁴⁵ and that benefits and conditions of employment shall reflect the exacting nature of the work as part of a law enforcement agency⁴⁶.

In addition, Recommendation of the Committee of Ministers (97)12 on staff concerned with the implementation of sanctions and measures recognise the importance of prison staff and emphasise that it is the responsibility of management to ensure working conditions not conducive to symptoms of stress amongst staff—appropriate systems of physical safety, a reasonable number of working hours, freedom of decision making, open communication and working environment providing for physiological support in every unit.

According to the Recommendation, where staff have been exposed to traumatic incidents in the course of duty, they should be offered immediate assistance in the form of debriefing sessions followed, if necessary, by personal counselling and any other necessary long-term measures⁴⁷.

Staff welfare policies should be instituted to provide help to staff with personal and private problems likely to affect their work. Full information should be made available to staff about the nature of the help which can be offered⁴⁸.

Legal framework of BiH on any of the levels does not provide specific provision for the continuous stress management and psychological assistance for the prison staff working in difficult environments. However, legislation of RS provides possibility for checking physical fitness and mental and physical capacities of employees working in security duties when needed based on a decision of the institution's Director⁴⁹.

44. This is recognised in the European Prison Rules which states that Staff shall operate to high professional and personal standards (72.4) and (81.2) Management shall ensure that, throughout their career, all staff maintain and improve their knowledge and professional capacity by attending courses of in-service training and development to be organised at suitable intervals.

45. EPR Rule 79.1

46. EPR Rule 79.2

47. RECOMMENDATION No. R (97) 12 of the Committee of Ministers to Member States on Staff Concerned with the Implementation of Sanctions and Measures, paragraph 4344

48. Ibid, paragraph 44.

49. Law on Execution of Criminal and Misdemeanours Sanctions of Republika Srpska („Official Gazette RS “63/18), Article 35.

IV.3. Recommendations for improving the legal provisions with regards to professional development and support mechanisms for staff dealing with VEPs and radicalisation in prisons

Legal framework enacted on all levels of BiH contains provisions providing support mechanisms for prison staff. However, none of those provisions address needs and requirements specifically for the prison staff working with VEPs. Legal framework can largely benefit from introducing specific provisions related to the staff members assigned to work with VEPs. Those matters can be dealt in primary legislation as well as secondary one. The authorities should consider introducing following provisions in the relevant legal acts:

- Prison staff working with special categories of prisoners (VEPs) in high risk environments should be provided salary supplements as established in the legislation.
- The existing support mechanisms should be applied with special attention to prison staff working with VEPs,
- Clear rotation criteria should be set and establish maximum time periods and intervals prison staff member should work in such environments with VEPs.
- Prison staff working with special categories of prisoners (VEPs) in high risk environments should be provided with psychological assistance upon request.

IV.4. Recommendations for improving the institutional framework and practical arrangements with regards to professional development and support mechanisms for staff dealing with VEPs and radicalisation in prisons

Prison staff who work with this category of prisoners might themselves become stigmatised. In order to manage the prison staff effectively certain support structures have to be introduced, that might include:

- Introduction of stress management courses:
Staff members who work directly with radical inmates should be offered the opportunity for the participation on stress management courses either in small groups or individually.
The continuous work with this highly demanding group of inmates can speed up burnout and other stress related symptoms.
- Regular supervision and debriefing:
Staff should have the opportunity to discuss findings, concerns and sometimes fears with superiors, co-workers or specialist.
- Mentoring:
Experienced staff members can act as mentors for junior officers in the preparation of working with this category of prisoners.
- Manage staff burn-out:
Certain protective mechanisms are advised to be in place to prevent staff burn-out. They can include, but not limited to extra holidays, team building activities or support of specialist staff.
- Recreation:
Staff can receive extra holidays or can have regular access to state recreational facilities free of charge.
- Provide psychological support.

IV.5. Professional development

Prison services should ensure that all prison staff members who work with VEPs are provided with clear job descriptions, are well aware of their tasks and duties, as well as specifics related to the work with the inmates of that category. It goes without saying that members of the security service and treatment staff should be the main focus. The Rulebook should be sufficient to regulate those matters. As to VEPs and prison staff in charge of that category of inmates, there is no need to develop special staff units to deal only with that category of prisoners or establish a separate cluster of prison staff permanently working in high security environments with VEPs.

Professional development of prison staff, in terms of experience exchange and work enhancement, may include regular participation on:

- national and international conferences,
- regional initiatives,
- representation in professional associations, roundtables and seminars,
- study visits.

At the same time, there is the need for strategic long-term motivation, which may include, but not be limited to:

- monetary remuneration,
- shorter shifts, with longer intervals between shifts,
- additional vacation,
- combination of the above.

IV.6. Key recommendations

- regularly assess stress levels and conduct regular training in order to cope with stress and stress related medical conditions
- recruitment of psychologists a) introducing additional tasks to existing psychologists, and b) establishing cooperation with relevant health institutions dealing with mental healthcare to perform regular/additional medical check-ups in order to prevent burn-out.
- regular periodical rotation of prison police officers or treatment personnel to a lesser demanding position within the prison establishment.

ANNEX I.

Special Code of Conduct for dealing with violent extremist prisoners

Code of Conduct for the prison staff working with violent and extremist prisoners in the Prison Service

I. Definition of the scope and purpose of the Code

Scope

This Code applies to all prison staff, especially the ones dealing with violent extremist prisoners, in all prison establishments where this category of prisoners may reside.

Purpose

Radicalisation and violent extremism is a very complex and demanding challenge. The possible outcome of terrorist attacks can be devastating for the whole society, consequently prison staff is expected to meet high standards of professional and personal conduct. All staff members are personally responsible for their actions. The main purpose of the present Code of Conduct is to provide a foundation for staff members in order to make ethical decisions both on and off duty, and protect all of those staff members who conduct their duties in a law abiding manner.

II. Objectives of the prison staff working with VEPs

The main objectives of the employees working with VEPs shall be to:

- carry out all their duties in accordance with national legislation and international standards,
- protect and respect the fundamental human rights and freedoms,
- ensure the safety and security of the prisons and all people deprived of their liberty,
- protect society from criminal activity,
- work towards the disengagement from extremist views and successful reintegration of violent extremist prisoners.

III. General provisions

1. Prison staff shall at all times respect and protect everyone's right to life.
2. In the performance of their daily tasks, prison staff shall respect and protect human dignity and the human rights of all persons.
3. Prison staff shall respect plurality and diversity and not discriminate against any prisoner or staff member on the basis of sex, age, race, colour, sexual orientation, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status, or the type of offence alleged or committed by that prisoner.
4. Prison staff shall carry out their tasks in a correct manner, with objectivity and consistency.
5. Prison staff shall maintain and promote high standards of personal honesty and integrity.

6. Prison staff at all levels shall be personally responsible for, their own actions, omissions or orders to subordinates.
7. Prison staff shall not allow their private, financial or other interests to conflict with their position.
8. Prison staff shall oppose all forms of corruption within the prison service. They shall inform superiors of any signs of corruption within the prison service.
9. Prison staff shall at all times treat prisoners, colleagues and all other persons entering prison professionally and with respect.
10. Prison staff shall conduct their duties in a politically neutral manner.

IV. Co-operation

12. Prison staff shall promote a spirit of teamwork, co-operation, support, solidarity, mutual trust and understanding among colleagues.
13. Prison staff shall co-operate appropriately with relevant institutions and individuals of the criminal justice system.
14. Prison staff shall facilitate co-operation with religious, governmental or non-governmental organisations and community groups working for the welfare of this category of prisoners.

V. The conduct of prison staff while on-duty

15. Prison staff shall maintain positive professional relationships with VEPs and members of their families in accordance with the dynamic security principles.
16. Prison staff shall carry out all orders and guidelines properly issued by their superiors, but they shall have a duty to refrain from carrying out any instructions which are seriously and manifestly infringing the law and to report such instructions.
17. Prison staff shall not inflict, undertake or tolerate any act of torture or other inhuman or degrading treatment or punishment.
18. Prison staff shall respect and protect the physical, sexual and psychological integrity of all prisoners, including against assault by fellow prisoners or any other person.
19. Prison staff shall not use force against prisoners except when it is essential and provided by law.
20. Prison staff shall be sensitive and offer assistance and support to the special needs of vulnerable group of prisoners.
21. Prison staff shall work towards facilitating the social reintegration of prisoners through a programme of constructive activities, individual interaction and assistance.
22. Prison staff shall apply objective and correct disciplinary procedures.

VI. The conduct of prison staff while off-duty

23. Prison staff represents the Prison Service at all times.

24. Prison staff shall not be engaged in any off-duty activity that affects the performance of his/her duties or the realisation of the objectives of the prison.

25. Prison staff shall, as a rule, not have contact with inmates while outside prison on prison leave or any other instances.

VII. Communication

26. Prison staff shall not extradite personal or other information about staff, prisoners or their friends and relatives.

27. Prison staff shall never comment or critic the personality, work, family, or other characteristics of a staff member or a prisoner.

28. Prison staff shall not provide or publish in the media classified information or information regarding their work without prior authorisation.

29. Prison staff shall not use social media or other internet platforms to extradite sensitive information or disclose comments or indecent photos (especially wearing uniform) that could discredit or damage the reputation of the Prison Service or provide the image that the personal opinion represents the opinion of the Prison Service.

30. Prison staff shall not use offensive or indecent language to staff members or prisoners.

VIII. Confidentiality and data protection

31. Information of a confidential nature in the possession of the prison staff shall be kept confidential, unless the performance of duty or the needs of justice strictly require otherwise.

32. Particular attention shall be paid to the obligation to respect principles of medical confidentiality.

33. The collection, storage, and use of personal data by the prison staff shall be carried out in accordance with data protection laws.

IX. Closing provisions

34. Failure to respect the present Code of Conduct shall mean the initiation of a disciplinary procedure according to the relevant primary and secondary legal provisions.

35. Prison staff shall respect the present code. They shall also, to the best of their capability, prevent and rigorously oppose any violations of it.

ANNEX II.

Best practices and comparative analysis

Most jurisdictions appoint only experienced staff to work with violent extremist prisoners, as it requires more specialized skills and a high level of personal integrity to work effectively with those prisoners. This means, first of all, that men and women who are to work in prisons holding violent extremist prisoners need to be carefully selected to make sure that they have the necessary additional qualities, knowledge, and experience⁵⁰.

A few jurisdictions have taken the policy decision to also use new staff in prisons holding violent extremist prisoners, in order to ensure that new perspectives are available, to breakdown more entrenched views displayed by longer serving staff, and to overcome problems of corruption among some current staff. These new staff will require comprehensive and in-depth training and support, as they will be new to working in the prison environment⁵¹.

Safeguards should be put in place to ensure that staff selected to work with violent extremist prisoners are not members of violent extremist groups, criminal gangs or associated with organized crime, and are not being used to infiltrate the prison. In post-conflict situations, in particular, it is important to provide effective vetting of people who will be working with violent extremist prisoners—both existing staff and new staff—to ensure that there are no pre-existing loyalties or any hostility between staff and violent extremist prisoners. Gender sensitive techniques should be adopted in recruitment, retention and promotion of women in prison administrations to correct any gender imbalance. Women staff should be recruited and trained to work with women violent extremist prisoners and to design and deliver gender-appropriate interventions⁵².

Furthermore, if a member of the prison staff shares the views and beliefs of a particular violent extremist group, he or she should not be allocated to work with prisoners from that group. Particular attention needs to be paid to the recruitment of specialist staff. These are likely to be individuals who are already trained in a specific profession. They will include faith leaders, teachers, instructors and health-care staff. Adequate numbers of specialist staff, such as psychiatrists, psychologists and social workers, should also be appointed to prisons holding violent extremist prisoners, given the requirement to address the complex needs of this group of prisoners. It should not be assumed that people who have had professional training will automatically be suitable to work in a prison environment. They also need to be selected carefully and there needs to be clarity about the role they are expected to carry out in the prison administration⁵³.

Recruitment and management of the prison staff is an issue falling under the authority of the State authorities. When adopting related legislation and relevant regulations the authorities should aim at aligning their regulatory framework and practices with best European standards and experience. It goes without saying that most of the States, when working on such policies have to take into account local specifics, needs and amount of available resources, economic situation as well as issues related to the criminal justice policy and number of other important aspects. Same applies to the VEPs and their management inside the prisons.

50. UNODC Handbook on Management of Violent and Extremist Prisoners and the prevention of radicalization in prisons, page 27.

51. Ibid, page 28.

52. Ibid.

53. Ibid, page 29.

Any prison system might have inmates falling under this category and staff should be prepared to handle them professionally, in accordance with local legislation and applicable international standards. While in Europe there are some exceptions, when particular type of prisoners are supervised by special category of prison staff members, BiH should not adopt same approach. It is not only about small number of VEPs held in the prisons of BiH, and entire prison staff should be sufficiently trained and capable of working with all types of prisons and prisoners. They should be able to rotate regularly to different institutions within administrative entities.

While there might be some limitations related to the prisons for women and juveniles, entire prison staff should be capable of being deployed in high security units and deal with VEPs on a condition that those staff members were properly trained and at initial are mentored by more experienced colleagues. All prison staff members should be subjected to proper regular background checks be in good physical and mental shape, have opportunities to develop professionally and be promoted.

As to remuneration, this is a matter falling under sovereign authority of the authorities in charge. Member states of the Council of Europe have no uniform approach when it comes to the salaries of the prison staff.

The goal should be obtaining personnel of the right calibre. To achieve this, the authorities must be prepared to invest adequate resources into the process of recruitment and training and to offer adequate salaries in some States prison staff members working in difficult environment might be paid more than other colleagues and this is usually regulated with internal sub-legal acts. The prison staff should have equal salaries based on their ranks/grades and have the capacity to issue bonus payments to the staff members working in difficult environment, like being permanently assigned to the isolation and segregation units, being in charge of violent and extremist prisoners posing extra threat, etc.

In order to have a clear view on the matters listed above it makes sense to look into the rules and policies implemented by few COE Member States regarding prison staff who might be working with challenging categories of prisoners.

Italy

Italy and its penitentiary system are often mentioned as special examples regarding staff recruitment management and training of the employees assigned to deal with so called 41-bis regime prisoners.

In accordance with the Circular No. 3592/6042 (which is itself incorporated into the Novara "41-bis" Prison Rules dated 30 November 2006), the "41-bis" regime continues to be characterised by a set of very significant restrictions affecting the whole of prison life⁵⁴.

54. The "41-bis" regime was introduced in 1992 as a temporary emergency measure and became institutionalised on a permanent basis in 2002, following an amendment to the Penitentiary Act. The regime exclusively applies to prisoners who have been convicted of or are suspected of having committed an offence in connection with mafia-type, terrorist or subversive organisations, and who are considered to maintain links with such organisations.

Unlike in majority of the Member States of the Council of Europe, Italy has a considerably large number of prisoners falling under the category of 41-bis prisoners, therefore being subjected to a special regime. Prison staff members assigned to those duties form part of a separate corps of the penitentiary staff and since 1997 are under the command of a General in charge of the “Gruppi Operativi Mobili – GOM” with headquarters in the Central Prison Administration of Italy in Rome. Prison staff employed in the GOM is considered to be the part of elite corps under a separate chain of command, with separate recruitment procedures, uniforms, privileges, vehicles and higher salary from the from the general prison staff of Italy. They rotate more frequently as they can serve only limited time in a particular 41-bis detention unit and being moved to another one to keep the necessary distance from inmates and not be identified also.

When deciding on the staff allocation, geography and origin of the staff member is taken into account. For example, GOM officer from Napoli should be assigned to supervise imprisoned mafia boss from the same region.

Inmates held in BiH prisons, categorized as VEPs, should not be as challenging as 41- bis prisoners held in Italy because of a number of reasons, including their number, historical background and dangerousness. With arrival of former foreign fighters, who might end up in BiH prisons, challenge might become more serious and prison staff should be prepared to accept that challenge and manage it effectively.

In any case every type of training and curriculum of prison staff is welcome in BiH due to its fragmented prison system.

Poland

Under Polish legislation, in 2010 an internal instruction on the principles of organization and conditions for conducting penitentiary activities to prisoners who posed social threat or serious threat to the safety of the establishment was issued. The instruction states that the officers and staff members of the prison service with appropriate psychological predispositions, possessing high qualifications and professional competences, as well as capacity to deal with emergency situations are eligible to work with dangerous prisoners. According to the same instruction the penitentiary staff should have a specialized education in pedagogy, resocialization or psychology and hold a minimum of three years working in penitentiary institutions. If possible, they should apply pedagogical approach on those prisoners from the moment of their admission into the institution. Prison staff serving in the unit for dangerous prisoners should be experienced, properly trained and professionally prepared for work with this category of prisoners.

Staff serving in detachments for dangerous prisoners are systematically participate in trainings, courses, course conferences, workshop classes and trainings on topics related to:

- organised crime;
- psychological mechanism of corruption and prevention of corruption;
- recognising threats from dangerous prisoners;
- techniques of releasing emotional tension and counteracting adverse effects of stress
- preventive measures and techniques of acting in situations of increased risk of threat
- self-defence and intervention techniques;
- methods of mediation and negotiation in individual contact with the prisoner;
- methods of dealing in difficult situations arising from work with aggressive, passive or so-called „withdrawn” prisoners
- methods and ways of caring for mental well-being.

Portugal

Portuguese prison system operates 3 types of regimes: common, open and security. Dangerous/problematic prisoners are only allocated in 3 prisons. The guards of these prison are normal staff members. According to the law every member of the prison staff can be placed in those areas if they wish. Salaries paid to the staff working in the places with security regime are same as for the staff working in other types of regimes.

All staff members working in the prison system receive same initial training before being assigned to their duties in different types of institutions. Anytime one of those prisoners has to go out of the prison /wings (v.g. to the court or to the hospital) they are usually escorted by a special unit performing national escorts, escorts of security prisoners, high risk security interventions such as riots, general searches and hostage rescue.

Finland

More or less same approach is present in the prison service of Finland. Those prisoners kept in high security units are supervised by the ordinary prison staff members. They have same duties as the rest of the prison staff. Their salaries are based on their position and length of the work experience. Prison staff is entitled to receive over-time payment when they have to work on weekends and in the night shifts. This approach is adopted to avoid creating institutions where no prisoner wants to be placed or no staff member wants to go for work.

Ireland

As to prison system of Ireland there is no separate command within a service to work with a special category of Inmates. Ireland has also experienced a special challenge with the members of the IRA being imprisoned in their penitentiaries. Those prisoners would represent an issue because of their background and behaviour in the prisons including lack of communication with prison staff, lack of motivation to participate in any type of organized activities and some other issues. Ireland does not differentiate prison staff members according to the place they are assigned to. All prison staff members should receive training and be able to work in all types of institutions including high security ones. This supports mobility of the prison staff members; they can rotate and work in different institutions. No one argues that staff should be trained on the matters specifically related to the work with special categories of prisoners, including VEPs.

However, in Ireland, administrative arrangement is in place to grant special environment allowance to the staff members working in challenging and complex prison environments including in high security units. Staff members assigned to such places should receive up to 3 additional working hours of pay weekly.

ANNEX III.

Table of VE fighters, who joined armed conflicts outside their home of origin⁵⁵

Western Balkans	Men in Syria/Iraq	Women in Syria/Iraq	Total
Albania	96	13	109
Bosnia and Herzegovina	177	63	240
Kosovo	255	48	303
North Macedonia	140	14	154
Montenegro	18	5	23
Serbia	37	12	49
TOTAL	723	155	878

55. Extremism Research Forum – Regional Report Understanding Violent Extremism in the Western Balkans 2018 June
*This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence

ANNEX IV.

Training modules for basic capacity building (training) of prison staff

It is necessary to provide the proposed training modules to all prison staff in prison institutions, through regular refresher trainings, as well as to all the newly recruited staff as part of their regular training. The proposed modules cover all areas, from understanding the concept of radicalizations and the concept of extremism, to direct treatment of violent and extremist prisoners. The following modules reflect the content of this handbook:

No.	Module	Title of the session
1	Understanding the concept of violent extremism	Radicalisation process Concept and definition of radicalism and extremism Radicalisation signs
2	International standards and national legal framework	International standards National legislation
4	Communication with violent and extremist prisoners	Professional communication and relations with violent and extremist prisoners Communication levels and scope
5	Cooperation between the individual services of the institutions	The role and the significance of institutions' services in the data exchange process Methods of gathering and analysing data and completing reports
6	Treatment of violent and extremist prisoners	Actions in crisis situations, decision making, problem and conflict resolution Application of the dynamic security principles Application of SOPs for the treatment of violent and extremist prisoners
7	Practical exercises	Case study analysis Role playing exercise

ANNEX V.

Recommendations for long-term professional development for staff dealing with violent extremist offenders (VEOs) in BiH

The current document sets a basic structure for the recruitment, selection, training and professional development of staff members, who work with the VEO population in BiH, however in order to establish a long-term and sustainable system certain elements have to be further elaborated. This Annex tries to provide further elements for the long-term staff management structure because of the strategic importance of the matter.

a. Selection

- Recruitment processes should aim towards encouraging diversity of staff to deal with the specific needs of diverse suspects and offenders. There may be a specific emphasis on recruiting staff based on linguistic abilities and inter-cultural skills, including an understanding of diverse religions and traditions
- All staff members are advised to undergo a detailed and systemic selection procedure, acknowledging that working with the VEO population requires extra skills and competences due to the high intensity of the work. Selection criteria might include, but not limited to: medical, psychological and physical testing, additional and regular security vetting, etc.,
- Development of general and specific risk factors related to security vetting.

b. Training and professional development

- All staff members should receive a centrally (at the level of responsible administrative jurisdiction) organised induction training upon admission (local initiatives are welcomed, but the central organisation could provide more weight and substance),
- All staff members should receive a general training on radicalisation as part of the induction training,
- All staff members, who work with the VEO population should receive a specialised training with regular in-service training,
- The establishment of a designated prison staff training academy would be advisable,
- Apart from the “general” VEO population the training should include special groups as well (females, juveniles, first time offenders),
- NGO’s and religious communities should be included to the special training activities.

c. Staff support structures

- Initiatives for the implementation of healthy work/life balance solutions,
- Introduction of a “one off” annual financial reward for those staff members, who work more than 180 days with the VEO population.