



Protocols for enhancing health care and human rights in closed environment

Ensuring justice

Enhancing human rights protection
for detained and sentenced persons
in Bosnia and Herzegovina

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**PROTOCOLS FOR ENHANCING HEALTH CARE
AND HUMAN RIGHTS IN CLOSED ENVIRONMENT**

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Framework training programme for medical staff in prison establishments

Thematic area	Module	Session title	Duration
Introduction to prisons	International standards and norms	Medical ethics	120min
Communication in prison	Efficient communication	Efficient communication between health care staff and prisoners	120 min
Safety and security in prison	Maintaining the level of security in custodial environment	Dispensing therapy	30 min
		Communicable and contagious diseases	30 min
	Emergency preparedness	Suicide	60 min
Human rights in prison and community safety	Treating persons deprived of liberty with respect for their human rights	Hunger strike	120 min
	Maintaining the level of security while respecting the human rights of persons deprived of liberty	Psychoactive substance users	120 min

Foreword

These Protocols were prepared for prison medical staff within the framework of the European Union/Council of Europe Horizontal Facility for Western Balkans and Turkey I project “Enhancing human rights protection for detained and sentenced persons in BiH”.

The purpose of the Protocols is twofold:

- they can be used to support initial training and raise the medical officers’ awareness of the closed custodial environment in Bosnia and Herzegovina, or
- to support the in-service training delivered to more experienced medical staff and harmonise procedures in the custodial environment further.

The Protocols and human rights standards contained herein do not aim to replace the good existing local practices but to complement and enrich them with recommendations of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT). The CoE, as the implementing partner in the project, believes that this material will directly contribute to upholding human rights of persons deprived of liberty and, that it will also be a valuable complement to the institutional training framework on human rights for prison staff in BiH.

Senior medical officers from individual prison establishments in Bosnia and Herzegovina (dr Stanko Blagojević, dr Diana Košarac, dr Mirsad Trnovljaković) made significant and highly appreciated contribution by commenting on the draft material and ensuring that it is aligned with the best current local practices and legal provisions. The drafting team benefited also from the expertise of the Working Group member appointed by the Federal Ministry of Justice (Miralem Duranović).

Assistant Ministers of Justice for execution of criminal sanctions in Bosnia and Herzegovina, Mustafa Bisić, Pero Dunjić and Hidajet Trako, as well as local consultants dr Hidajet Jabandžić and dr Jadranka Zmijanac-Milinković and international consultant Catherine Creamer contributed throughout the development of the Protocols.

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Notes

Some of the material used in these Protocols is based on the earlier prepared Training manuals on core and advanced competencies for prison officers and Guidelines for developing treatment programmes for vulnerable categories of prisoners.

The languages in which the material is drafted are Bosnian, Croatian and Serbian, in accordance with the individual preference of the authors. Likewise, contributions were written in Latin or Cyrillic, based on the authors' personal preferences.

All references to staff and prisoners in this material refer equally to male and female.

For the purpose of this text the protocol means a series of steps undertaken in sequential order with the purpose of responding to a particular situation.

Authors would like to thank the following interpreters for their contribution in drafting of this text: Amira Sadiković, Vojislav Boljanić, Amir Đuliman and Emir Muhić.

MEDICAL ETHICS

Basic concepts in the specific prison environment

Ethics is defined as a set of moral principles: theory or a system of moral values.

Medical ethics is based on the following basic principles:

- Access to a doctor. All prisoners need to be examined by the doctor as soon as possible following entry into prison.
- Equivalence of care. The prison health care service should be able to provide health care under conditions that are comparable to those provided to patients in the community outside the prison.
- The patient's consent and confidentiality of medical data. The patient's consent to treatment is provided based on proper information and the confidentiality of medical data which represent the basic rights of the individual and are a necessary integral part in the relationship between the doctor and the patient. This is especially important in prison given the fact that the prisoners are patients who are in a closed environment unable to freely choose their doctors.
- Preventive health care. Medical staff in prison have the obligation not only to provide treatment to sick patients, but also to exercise preventive medicine which includes supervising the hygienic conditions in prison, health counselling on communicable diseases, establishing protocols for recognising suicide attempts, preventing violence among and against prisoners and systematic recording of all injuries.
- Humanitarian assistance. Specific categories of prisoners such as mothers with children, juveniles, prisoners with personality disorders and prisoners whose detention is no longer purposeful (terminally ill, the elderly, persons with a high degree of disability) have specific needs to which the prison as a public service has to respond in order to respect their human and civil rights.
- Professional independence. The patient's status of a prisoner is in no way to influence the obligation of care for the patient. Medical staff in prison must not have any conflict of interest resulting from differences in opinion with the prison management and the security service over issues concerning care for patients.
- Professional ability. Medical staff in prison must possess the requisite expert knowledge to deal with special forms of prison pathology and to adjust their methods of treatment to conditions in prison.

The Protocols and human rights standards contained herein do not aim to replace the good existing local practices but to complement and enrich them with recommendations of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment of Punishment (CPT). The Council of Europe, as the implementing partner in the project, believes that this material will directly contribute to upholding human rights of persons deprived of liberty and, that it will also be a valuable complement to the institutional training framework on human rights for prison staff in BiH.

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