

# **SUPPORT TO PENITENTIARY REFORM IN UKRAINE: WORKING TOGETHER TO FOSTER CHANGE**

**SWISS UKRAINIAN PROJECT:  
CONCLUSIONS AND RECOMMENDATIONS**

January 2009 – April 2012



Kyiv, 2012

Support to Penitentiary Reform in Ukraine: Working Together to Foster Change. Swiss Ukrainian Project: Conclusions and Recommendations (January 2009 – April 2012). Written by Julia Sedyk (with the contribution of Viktoria Sergeyeva for the chapter “Lessons Learnt”). – Kyiv, 2012. - 42 pages.

This publication was prepared in order to collect, analyse, and consolidate the results of the three-year Swiss Ukrainian Project *Support to Penitentiary Reform in Ukraine*, as well as the experience and knowledge of its key stakeholders. The publication also aims at communicating the main conclusions and recommendations of the project to a broad audience for further dissemination and use by the Ukrainian penitentiary system, other governmental agencies, civil society organizations, media, and any other institutions interested in improving the penitentiary system and ensuring the protection of human rights in Ukraine.

The Project *Support to Penitentiary Reform in Ukraine* was implemented by Penal Reform International (United Kingdom) in cooperation with the following Ukrainian partners: the Centre for Judicial Studies, Women’s Information Consultative Centre, Bila Tserkva Professional Training School for Prison Personnel, and the Civic Organization “Public Advocate”.

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# List of Acronyms

**BTTS** — Bila Tserkva Professional Training School for Prison Personnel

**CC** — Centre of Competence

**CES** — Criminal Executive System

**CJS** — Centre for Judicial Studies

**EU** — European Union

**IRF** — International Renaissance Foundation

**KHRG** — Kharkiv Human Rights Protection Group

**MoJ** — Ministry of Justice of Ukraine

**NGO** — Non-governmental organization

**PRI** — Penal Reform International

**SDC** — Swiss Agency for Development and Cooperation

**SIZO** — Pre-trial detention centre

**SPS** — State Penitentiary Service of Ukraine

**USAID** — United States Agency for International Development

**WICC** — Women's Information Consultative Centre

## SUPPORT TO PENITENTIARY REFORM IN UKRAINE: WORKING TOGETHER TO FOSTER CHANGE



# Acknowledgements



**Guido Beltrani**

*Country Director  
Swiss Cooperation Office  
in Ukraine*

I would like to express my sincere gratitude to everyone who has been involved in the preparation and implementation of the Project *Support to Penitentiary Reform in Ukraine*:

Alison Hannah, the Executive Director of Penal Reform International, PRI (London office) and Viktoria Sergeyeva, Project Director based in the Moscow office of PRI provided precious guidance in all project activities and managed to successfully achieve all its ambitious goals.

The Project Manager Alla Mukshimenko from Public Advocate (Kyiv) ensured jointly with the team of the local Project Office the smooth implementation of the project. Her energy and dedication allowed to bring together the efforts of all implementing partners, consolidate the results, help to improve the public awareness on the penitentiary system by working with the media, and create an excellent public image of the Project.

Olena Suslova, Natalia Kostiuk and other colleagues from the Women's Information Consultative Centre (Kyiv) cooperated successfully with eleven penitentiary institutions and contributed in this way to the improvement of detention conditions for imprisoned women and vulnerable groups of prisoners.

Vladyslav Stukanov, the Head of Bila Tserkva's Professional Training School for Prison Personnel — BTTS (Bila Tserkva, Kyiv Oblast), Vasyl Kostenko, the former Head of BTTS, Svitlana Shelest, the Head of the Centre of Competence at BTTS and their colleagues managed to create a unique research and training unit within the Penitentiary Enforcement System which is able to collect, analyse, and summarize trends and problematic areas in the penitentiary system, and develop training programs based on real life data and survey results, responding in this way to actual needs in training.

Natalia Vereshchynska and Andriy Alekseev from Centre for Judicial Studies (Kyiv) worked closely together with judges, prosecutors, and militia, and significantly contributed to the improvement of the conditions of pre-trail detainees and the decrease of their number.

Many other colleagues in Ukraine and in other countries worked hardy and professionally within the framework of the project to achieve these tangible results. I would like to extend my gratitude to all of them.

I wish also to thank all employees of the State Penitentiary System of Ukraine, judges, prosecutors, policemen and -women, and journalists who participated in surveys, trainings, and discussions, and supported the improvement of the penitentiary system in Ukraine.

A special thank goes to Oleksandr Lisitskov, the Head of the State Penitentiary Service of Ukraine for his support and the very good cooperation.

I hope that this summary of project results, its conclusions and recommendations will help to continue the work of the three-year Swiss Ukrainian Project *Support to Penitentiary Reform in Ukraine*, and that the information included in this report will be useful to governmental agencies, civil society activists, media, donor community, and every person interested in the penitentiary reform in Ukraine.

***Guido Beltrani***

*Country Director  
Swiss Cooperation Office in Ukraine*

# Introductory Note



**Oleksandr Lisitskov**

*Head of the State Penitentiary Service of Ukraine*

It was a pleasure to actively participate in the three-year cooperative framework of the Swiss Ukrainian Project *Support to Penitentiary Reform in Ukraine*.

Today, the penitentiary service of Ukraine consists of the apparatus of the State Penitentiary Service of Ukraine, 25 territorial branches, 181 institutions, and 697 subdivisions of the criminal-executive inspection. More than 153,000 prisoners are currently held in these institutions, or 336 inmates per 100,000 inhabitants, which is one of the highest rates among the European nations.

That is why we had to work to improve the situation, and the support from our foreign colleagues in framing the project's work was an important element in the international activity of our institution.

International cooperation is a matter of great importance for the penitentiary system of Ukraine. A very substantial element of the international policy of our country is to promote international standards of human rights protection in the national legislation and everyday practice. Therefore, the State Penitentiary Service of Ukraine today supports international relations with different institutions in 36 countries around the world, and with international organizations such as the United Nations and the Council of Europe.

It is a pleasure to note that since 1999 there has been an active cooperation between the penitentiary service and the government of the Swiss Confederation. For example, during this period the Swiss Confederation contributed with over 3.2 million Swiss francs to the creation of the model establishment in the Bila Tserkva correction colony and the Center of Competence at the Bila Tserkva Professional Training School for Prison Personnel. In addition, more than 8 million Ukrainian hryvnia were allocated jointly by Ukrainian and Swiss parties for the construction of the women's facilities with a capacity of 180 places at Kyiv SIZO; and over 5 million Ukrainian hryvnia were jointly spent for the reconstruction of a house for children at the Chernihiv Women's Correctional Colony #44.

The last three-years phase of cooperation with the Swiss Government started in August 2009 and included five components: professional development of the personnel of the penitentiary system; reform of the system of pre-trial detention; improvement of the conditions of imprisoned women and mothers with children; improvement of the conditions of life-sentenced prisoners; and the provision of objective public information on the state policy of the execution of punishments.

Taking into consideration that the Swiss Cooperation Strategy with Ukraine for 2011 – 2014 doesn't include a cooperation in the area of penitentiary reform, we see it as a challenge for the State Penitentiary Service and for other Project partners to ensure the sustainability of the results of this work in our practice or other institutional transformations that will be for the good of the society in general.

Therefore, we, as one of the main partners of the Project, rightfully state that our future work will be focused on the following:

First, to consolidate the results, or, according to the popular expression, to “capitalize” the three-years Swiss-Ukrainian cooperation that took place within the *Support to Penitentiary Reform in Ukraine* Project;

Second, to discuss the possibility to use this “capital” in practice during the design and implementation of the state policy in the area of execution of criminal punishments;

Third, to develop recommendations for the further modernization of the institutions in charge of the execution of punishments and SIZO.

We value the results of our cooperation with the Swiss Government as one of the most valuable for the international activity of the State Penitentiary Service of Ukraine.

That is why this “pause”, until 2014, will serve as a stimulus for us to put all our efforts towards renewing our cooperation with the Swiss Agency for Development and Cooperation, while demonstrating positive trends in strengthening the legal and organizational framework of the design and the implementation of the state policy in the area of execution of punishments based on international norms and standards.

**Oleksandr Lisitskov**

*Head of the State Penitentiary Service  
of Ukraine*

# Executive Summary

This report provides an overview of the achievements of the *Project Support to Penitentiary Reform in Ukraine*. It focuses in particular on those main results that can be utilized in the future efforts of modernization and humanization of the penitentiary system in Ukraine. For this reason, the emphasis is put on **conclusions** and **recommendations** for the future in order to ensure a long-lasting success of **the reforms fostered by the Project**, in addition to the **factual information** about the activities undertaken by the project and the achieved results. The report includes a summary of activities, results, conclusions and recommendations in each of the following **five areas**:

- Improvement of the Legal Framework;
- Strengthening of Institutional Capacity and Professional Development;
- Better Protection of Human Rights and Improved Detention Conditions;
- Increasing Public Trust and Confidence through Public Awareness, Knowledge of Reform Processes, and Media Relations;
- Gender Equality.

*Improvement of the Legal Framework:* As a result of the project, a number of recommendations were provided to the State Penitentiary Service of Ukraine, the Supreme Court of Ukraine, and the Verkhovna Rada of Ukraine on how to improve the legal framework in the area of penitentiary services. Some of them were taken into consideration, some induced indirect changes, and some are still awaiting approval by the State Penitentiary Service for adoption. Still, there is a need for establishing an effective communication between the State Penitentiary System and other policy-making bodies and other branches of government in order to increase the influence of the State Penitentiary Service on the legislative process. Other recommendations could be provided to the State Penitentiary Service of Ukraine to broaden the involvement of the civil society and the international expert community, through work with technical assistance projects, into the development of the national Concept of Penitentiary System Reform that is due in the near future.

*Strengthening of Institutional Capacity and Professional Development:* The main result of the Project has been the development of training programs to increase the professionalism of penitentiary system employees and their awareness on specific issues such as human rights protection, European standards on human rights, gender equality, health and health protection in places of detention, management in penitentiary institutions. Also, the capacity of the Bila Tserkva Professional Training School for Prison Personnel and its Center of Competence has been increased and provides now a solid basis for the further development of research and training programs for the Penitentiary System.

*Better Protection of Human Rights and Improved Detention Conditions:* The Project worked on improving the conditions of detainees, in particular, of women and mothers with babies, as well as those who are long-term and life sentenced. This work has been done through numerous training programs and tools developed for prison personnel as well as for the inmates, engaging student volunteers to provide social services, and through awareness campaigns among people in prison on rehabilitation options after their release. The Project supported the establishment

of the Mother and Child Unit at the Chernihiv Women's Correctional Colony # 44 where a joint accommodation of imprisoned mothers with their small children has been made possible for the first time in Ukraine. The tight cooperation not only with the State Penitentiary System of Ukraine, but also with judges and prosecutors ensured the success of this Project's component.

*Increasing Public Trust and Confidence through Public Awareness, Knowledge of Reform Processes, and Media Relations:* This Project Component promoted numerous publications that raised public awareness about the penitentiary system and also developed an innovative 2-days training program for journalists on how to cover issues related to the penitentiary system. There is still a need for the State Penitentiary System to develop a training program for its own employees on how to deal with media and to strengthen its public relations service.

*Gender Equality:* The issue of Gender Equality promoted by the Project was rather new for the penitentiary system of Ukraine. The result was an increased awareness on gender issues among the penitentiary personnel (human resource management including hiring policy and gender preferences in the selection of the staff) and in approaches towards the treatment of detainees. Gender audits, researches, and roundtable discussions created a basis for further work in this area, to ensure proper, equal treatment of men and women, better protection of women and mothers with babies, and to decrease the discrimination in the work environment.

*"It is my pleasure to state that the Council of Europe is already building up on the results of the Swiss project Support to Penitentiary Reform in Ukraine, which are related to preventing and combating ill-treatment of detainees. These are also the areas on which our Joint EU — Council of Europe project is focusing on. When we started our cooperation with the State Penitentiary Service of Ukraine in 2011, we already knew that the Swiss project was in place since a couple of years. Further collaboration with our NGO partners, such as the Centre for Judicial Studies and the Centre for Legal Assistance "Public Advocate", which were also tightly involved in the implementation of the Swiss project, only proved that good synergies can be achieved by taking into consideration the results and the potential of the Swiss project".*

**Bozhena Malanchuk**

Regional Project Officer  
Joint Project European Union – Council of Europe  
"Reinforcing the Fight Against Ill-treatment and Impunity"

# Background Information

The Ukrainian penitentiary system was inherited from the Soviet Union and has undergone significant reform steps since Ukraine achieved independence in 1991. The major challenges it faced and, partly still needs to address, are: the elaboration and subsequent implementation of a holistic and strategic reform package; a clarification in the division of tasks between different agencies involved in the criminal executive process; a better understanding of rule of law and human rights principles; the improvement of imprisonment conditions; a decrease in the high turnover of staff and the improvement of its professionalism; and the establishment of national standards of prison management and organisation.

To address at least some of these issues, the Swiss Confederation through its Swiss Agency for Development and Cooperation — SDC (represented in Ukraine by the Swiss Cooperation Office) has been providing support for more than a decade towards efforts to reform the penitentiary system in Ukraine. The first Swiss funded interventions date back to the late 1990s. Subsequently, the SDC has been one of the main donors and key partners in the area of criminal justice in Ukraine.

SDC's interventions covered several areas:

- reform of the execution of punishments;
- professional education of the prison personnel on the basis of the model prison in Bila Tserkva;
- reform of pre-trial detention conditions and practices aiming at the humanisation of preventive measures during pre-trial investigation and the reduction of the pre-trial detention population;





- strengthening the capacity of the State Department for Execution of Punishments (now the State Penitentiary Service of Ukraine) to conduct analytical work and develop modern and adequate concepts and methods for the reform of the penal system by establishing the Centre of Competence based at the Bila Tserkva Professional Training School for Prison Personnel (BTTS); and
- social assistance and improved living conditions for imprisoned women, with special attention paid to women accompanied in prison by their babies.

The situation in the criminal executive system in Ukraine with regard to detention conditions and quality of food and medical care, introduction of alternative sanctions, development of psychological and social services in penal institutions has notably improved. However, further improvements are needed, and an encompassing reform of the criminal policy framework remains of primary importance.

Based on the success of prior initiatives, in 2008 the SDC identified areas of support to the penitentiary reform in Ukraine that were in line with modern trends and would assist the Ukrainian authorities in the elaboration of strategies and methodologies regarding prison reform in accordance with the corresponding presidential decree, signed on April 8, 2008.

These areas of support were mutually agreed with the key stakeholders and included into the new Project *Support to Penitentiary Reform in Ukraine* that began its activities in January 2009. The Project was approved by the Order of the State Department for Execution of Punishments

#84 of June 3, 2009 “On Implementation of Joint Projects of the State Department for Execution of Punishments in Cooperation with Swiss Development and Cooperation Office.” The design of the Project aimed at structuring its five components around three main objectives, i.e.:

<b>Objective</b>	<b>Project Component</b>
Strengthening the capacity of prison institutions to provide analytical and training support to the penitentiary reform in Ukraine.	<p><b>Project Component 1:</b> Capacity-building for the penitentiary training system (in cooperation with the Centre of Competence based in the BTTS).</p> <p>This Project Component aimed at strengthening the Centre of Competence (CC) within the BTTS, which would become the focal point of a loose-knit network of different institutions. The CC would primarily consolidate the experience generated through the Swiss-Ukrainian cooperation, but also deal with new aspects of penitentiary reform such as the issue of life sentenced prisoners.</p>
Better protection of human rights of and improvement of approaches towards work with vulnerable groups in prisons, such as women, women with children, juveniles, life-sentenced and long-term prisoners.	<p><b>Project Component 2:</b> Support to pre-trial detention reform and improving pre-trial conditions and procedures, with a focus on juveniles and women.</p> <p><b>Project Component 3:</b> Introduction of new approaches in penitentiary's work with women and mothers with children in prison.</p> <p>This Project Component aimed at improving imprisonment conditions and human rights protection of women and mothers with children in prison contributing to their better re-socialisation and reintegration into the society after release.</p>
	<p><b>Project Component 4:</b> Protection of human rights and improvement of conditions of life-sentenced and long-term prisoners.</p>
Improved communication within the penitentiary institutions and established communication with the general public in order to enhance the public profile of the Ukrainian penitentiary system.	<p><b>Project Component 5:</b> Raising awareness about the reform processes and good practices in the area of penitentiary reform throughout the Ukrainian justice system and amongst the general public. Better coordination and collaboration between governmental bodies, representatives of civil society organizations and donors.</p>

The implementing partners included Penal Reform International and its subcontractors: the Centre for Judicial Studies (an NGO involved in research and training in the areas of rule of law and judicial reform), Women's Information Consultative Centre (a non-governmental organization active in the area of protection of women's rights and gender equality), Public Advocate (a Kyiv-based human rights protection organization), and the Bila Tserkva Professional Training School for Prison Personnel. To successfully implement their activities, these organizations worked closely with a number of Parliamentary Committees and governmental agencies, including the State Penitentiary Service of Ukraine, the Ministry of Justice of Ukraine, the Ministry of Internal Affairs of Ukraine, the Prosecutor General's Office, the Supreme Court of Ukraine, the High Specialized Court on Civil and Criminal Matters of Ukraine, as well as appellate and local courts at target places, the Ministry of Labor and Social Policy of Ukraine, the Ministry of Ukraine on Affairs of Family, Youth and Sports<sup>1</sup>, the administration of prisons and pre-trial detention centres, and mass media.

At the end of the Project, in April 2012, partner organizations conducted a series of events with the purpose of maximizing the Project's impact and ensuring the sustainability of its results. The Final Project Conference on April 11 and 12, 2012 allowed representatives of the Ukrainian court system, the State Penitentiary Service of Ukraine, the Ministry of Justice of Ukraine, the Ministry of Internal Affairs of Ukraine, the Prosecutor General's Office, academicians, personnel of the State Penitentiary System, representatives of the civil society, and international experts from Switzerland, Great Britain, Poland, and Russia to discuss the results of the three-year project and the ways to capitalize its experience by developing a list of conclusions and recommendations in each intervention area. During a donor roundtable discussion on April 25, 2012, the representatives of donor organizations and implementers active in the area of penitentiary reforms and the rule of law had the opportunity to learn about the results of the Project and to discuss possible synergies among different donor funded interventions.



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<sup>1</sup> The Ministry of Ukraine on the Affairs of Family, Youth, and Sports was reorganized by the Decree of the President # 1085/2010 of December 9, 2010 and is since then referred to as Ministry of Education and Science, Youth and Sports of Ukraine.

# Project in Numbers

<b>4</b>	Conferences conducted
<b>4</b>	Study visits to Switzerland, Great Britain, Poland, and Russia
<b>7</b>	Legislative proposals submitted to Verkhovna Rada of Ukraine
<b>9</b>	Analytical reports delivered
<b>9</b>	Reviews of legislation submitted to the Committees of Verkhovna Rada of Ukraine
<b>9</b>	Audio lectures prepared and recorded
<b>14</b>	Publications on gender issues delivered
<b>14</b>	Trainings on gender issues conducted
<b>19</b>	Recommendations made to governmental bodies
<b>40</b>	Participants of study visits
<b>45</b>	Surveys and analytical reports prepared
<b>45</b>	Roundtable discussions and meetings conducted
<b>53</b>	Training programs developed
<b>65</b>	Project publications developed
<b>70</b>	Media representatives who participated in training events
<b>94</b>	Investigators from prosecution office who participated in training events
<b>100</b>	Participants of trainings on gender issues
<b>118</b>	Training events conducted
<b>130</b>	Articles and reports on the Project in the media

<b>205</b>	Investigators from the police who participated in training events
<b>241</b>	Judges who participated in training events
<b>663</b>	State Penitentiary Service personnel who participated in training events
<b>836</b>	Imprisoned women and girls who participated in training events
<b>1239</b>	Total number of people who participated in roundtable discussions and meetings
<b>1633</b>	Representatives of governmental bodies who participated in Project events
<b>2000</b>	Total number of people who participated in training events
<b>8131</b>	Imprisoned people engaged in Project activities
<b>11732</b>	Total number of people engaged in Project activities



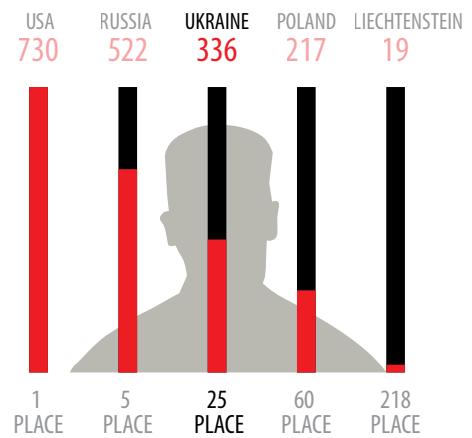
# Penitentiary System in Figures

(The data regarding penitentiary institutions in Ukraine were accessed at [www.kvs.gov.ua](http://www.kvs.gov.ua), last visited April 14, 2012)

In this chapter facts and figures about the state of affairs in the State Penitentiary System of Ukraine are summarised:

**~153 000** people currently in the penitentiary institutions of Ukraine  
as of 1.03.2012

Ukraine is on the third place by the number of cases that the State lost at the European Court of Human Rights



1

Number of imprisoned people by 100 000 inhabitants

2

Where are they detained?



## 32 pre-trial detention centers

Pre-trial investigation

During-the-trial investigation

Others

**35 238 people**

4 352 people

16 303 people

14 583 people



## 141 criminal executive institutions

9 institutions of minimal level of security, for men

13 colonies for women

35 institutions of medium level of security for those imprisoned for the first time

41 institutions of medium level of security for those imprisoned for the second and more time

9 institutions of the highest level of security

5 institutions of minimal level of security and facilitated conditions, for men

23 correction centers

6 specialized health care facilities

**108 109 people**

6 961 people

6 139 people

36 741 people

44 834 people

4 368 people

960 people

5 199 people

2 907 people



## 8 correction colonies for minors

## Detainees in other institutions

**1 332 people**

**7 763 people**

### 3

## Number of detainees that committed severe crimes

1 767 life imprisoned

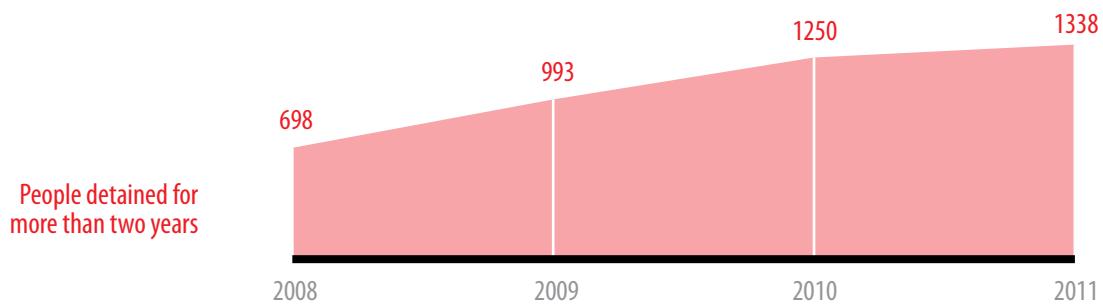
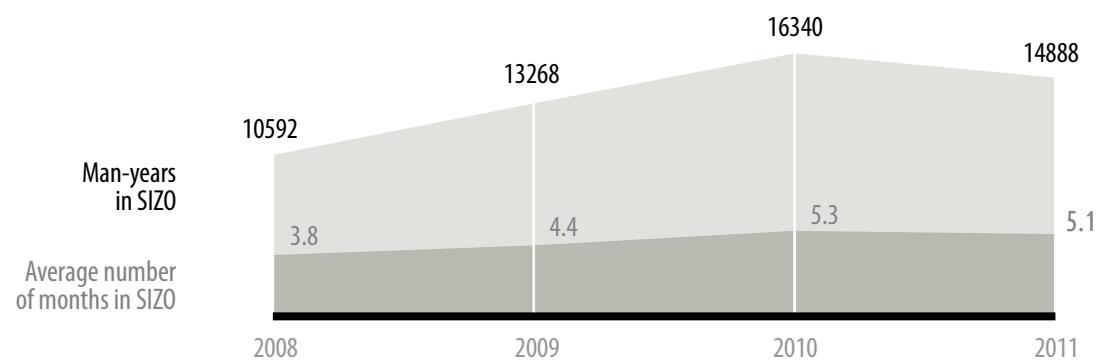
12 500 imprisoned for a term longer than 10 years

17 100 murderers, including 8 500 persons punished for aggravated murder

27 persons who took hostages

### 4

## Some recent trends



### 5

## Prisons as a productive place

There are 710 kinds of goods that are being manufactured in the prisons, from fire extinguishers to plush toys



# Project Goals

The overall Project Goal was to provide technical assistance for **modernization of the penitentiary system in Ukraine in order to increase its capacity in delivering justice and protecting human rights based on law, international conventions and standards, best practices, and the principles of equal rights and opportunities for women and men.**

In order to address these issues, the Project *Support to Penitentiary Reform in Ukraine* set **three objectives**:

- Strengthening the capacity of prison institutions to provide analytical and training support to the penitentiary reform in Ukraine,
- Better protection of human rights of and improvement of approaches towards work with vulnerable groups in prisons, such as women, mothers with children, juveniles, life-sentenced and long-term prisoners, and
- Improved communication within the penitentiary institutions and established communication with the general public in order to enhance the public profile of the Ukrainian penitentiary system.



# Project Target Groups

Following groups were targeted by the Project's activities:

- People in prisons, detainees who need protection of their rights and a possibility of social rehabilitation: **detainees and imprisoned adults of different categories, juvenile offenders, babies and children who live with their mothers in prisons and colonies;**
- Representatives of agencies and institutions involved in the execution of criminal justice and/or providers of penitentiary and after-detention services in Ukraine, i.e. the State Penitentiary Service of Ukraine, Ministry of Internal Affairs of Ukraine, Prosecutor General's Office, Supreme Court of Ukraine, High Specialized Court on Civil and Criminal Matters of Ukraine, local and appellate courts of general jurisdiction, Ministry of Education and Science, Youth and Sports of Ukraine, Ministry of Social Policy of Ukraine, etc.: **employees of the State Penitentiary Service of Ukraine, judges, prosecutors, policemen, employees of the law enforcement and social services systems;**
- Agencies and institutions involved in the development of state policies in the area of penitentiary reform, i.e. respective committees of the Verkhovna Rada, the Ministry of Justice of Ukraine, the Public Council at the State Penitentiary Service of Ukraine, etc.: **Members of Parliament, employees of the Ministry of Justice of Ukraine;**
- Representatives of organizations that support the reform of the penitentiary system and can provide an oversight for the proper implementation of the reform, compliance with best practices and standards, and protection of human rights, i.e. civil society organizations, research and training institutions; and the media: **academics, civic advocates, NGO activists, journalists; and**
- **The general public.**



# Project Geography

Kyiv Pre-Trial Detention Center (**Kyiv and Kyiv Oblast**)

Bila Tserkva Professional Training School for Prison Personnel (**Kyiv Oblast**)

Chernihiv Law College of the State Penitentiary Service of Ukraine (**Chernihiv Oblast**)

Chernihiv Women's Correctional Colony #44 (**Chernihiv Oblast**)

Dniprozherzhynsk Women's Correctional Colony #34 (**Dnipropetrovsk Oblast**)

Temniv Men's Correctional Colony #100 (**Kharkiv Oblast**)

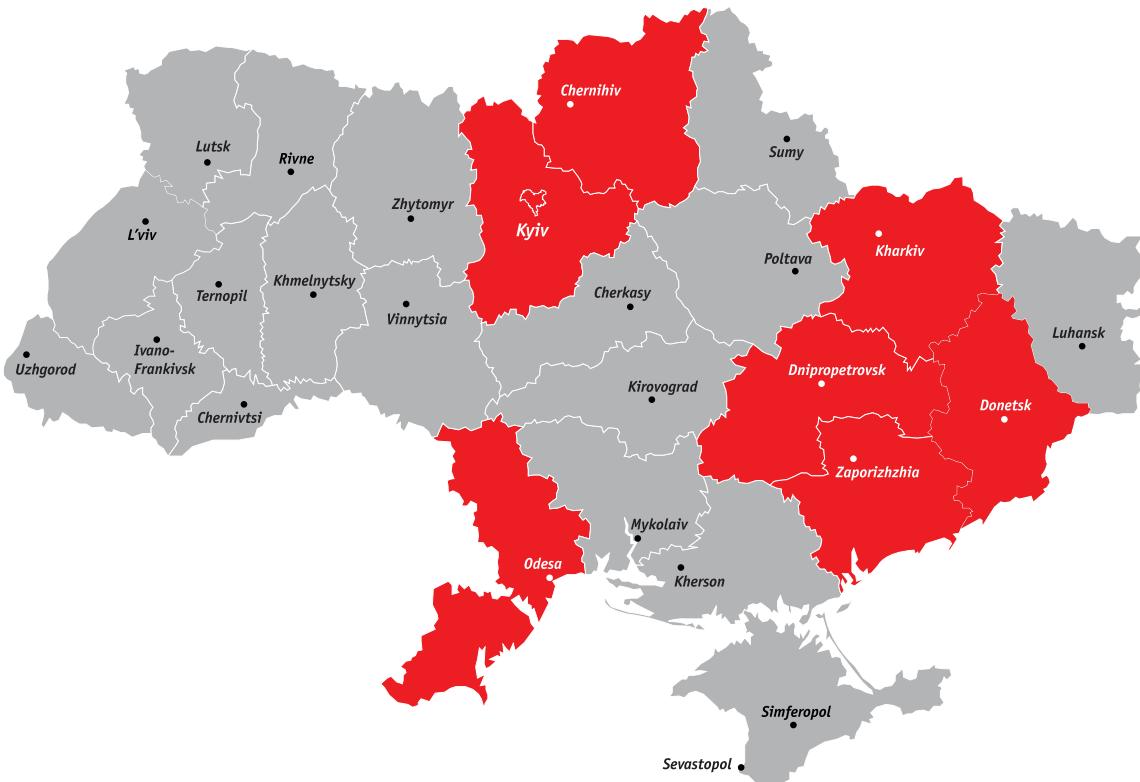
Kachanivska Women's Correctional Colony #54 (**Kharkiv Oblast**)

Melitopol Girls' Correctional Colony (**Zaporizhzhia Oblast**)

Chornomorska Women's Correctional Colony #74 (**Odessa Oblast**)

Women's Correctional Centre #79 (**Ordzhonikidze, Donetsk Oblast**)

Local and Appellate Courts of general jurisdiction in **Kyiv and Kyiv Oblast**, also sharing the Project results and the best practices **throughout Ukraine**



# Improvement of the Legal Framework

## *Summary:*

This area consolidates the activities of all five project components and their results that changed the legal framework in the penitentiary system. The objective was to review the existing national legislation and normative acts in terms of their compliance with international standards and best practices and to provide recommendations on their improvement. In order to do so, experts made a number of comments and suggestions that were discussed during roundtables and meetings, publicized as part of research or analytical reports, analysis of court practice, etc., or were reflected in draft laws and regulatory acts. These proposed changes related to the application of pre-trial detention measures to reduce the number of detainees in remand prisons; some edits and proposals to the new Criminal Procedure Code; directives from the Supreme Court; and development of new Rules and Regulations governing the conditions of joint accommodation for women and children in prison.

## *Activities:*

Project experts conducted researches and developed a number of analytical reports; their conclusions also contained recommendations on how to improve the legislative framework. Some proposals were submitted directly to the State Penitentiary Service of Ukraine as draft regulations; some were addressed to the Committee on Legal Policy, the Committee on the Judiciary, and the Committee on the Human Rights, National Minorities, and Inter-Ethnical Relations of the Verkhovna Rada of Ukraine, and the Ministry of Justice of Ukraine. The Project's experts analyzed and provided their opinion on the following legal acts: changes to the Criminal Executive Code and the Criminal Procedure Code, in particular those that impact on the conditions of the imprisoned people and their ability and opportunity for rehabilitation; Law of Ukraine on the Judiciary and the Status of Judges; orders of the President of Ukraine on the reorganization of the state penitentiary service and on the measures to prevent torture; regulations of the Cabinet of Ministers of Ukraine aimed at fostering public relations, or restructuring the penitentiary system; instructions and orders of the Ministry of Justice of Ukraine that regulate the terms of imprisonment, among others. The Project made a detailed analysis of the legislative changes and published it in a separate publication. Moreover, the project experts made a number of proposals regarding necessary legislative changes to the previous Criminal Procedural Code, and contributed to the preparation of draft normative acts and laws aiming at the improvement of the penitentiary system and the rights and conditions of imprisoned people, in particular: the draft Sample Regulation on House of Child at the Correction Colony; the draft Instruction on the Order of Execution of Punishments such as Life Sentencing; and the draft Order on the Changes to Legislative Acts Related to the Organization of Social and Psychological Services.

## *Results:*

- The overall legal framework was improved through various changes to legislation (see above) induced by Project activities; these changes were indirect result of Project legislative initiatives; and

- The draft Sample Regulation on House of Child at the Correctional Colony; the draft Instruction on the Order of Execution of Punishments such as Life Sentencing; the draft Order on the Changes to Legislative Acts Related to the Organization of Social and Psychological Services were developed and submitted to the State Penitentiary Service of Ukraine.

*Conclusions:*

- Inputs from technical assistance and expert work can have a significant, albeit indirect impact on the development of draft laws and regulations;
- The legal framework for penitentiary system still needs improvements, in particular in the following areas: better protection of human rights through improvement of criminal procedures and regulations on detention terms and conditions; ensuring gender equality; ensuring sustainability in the education within the State Penitentiary System of Ukraine; and
- The cooperation between different state agencies involved into the development of the legal framework in the area of penitentiary services (State Penitentiary Service, Ministry of Justice, Ministry of Internal Affairs, Prosecutor General's Office, etc.) can and shall be further enhanced.

*Recommendations:*

- To stakeholders involved in the implementation of the Project: foster the process of review and adoption of those legislative changes and draft normative and legislative acts developed by the Project which still await approval, by collecting and submitting them along with a list of conclusions and recommendations to the Ministry of Justice of Ukraine; and
- To stakeholders involved in the implementation of the Project: collect and summarize the proposed changes to the newly adopted Criminal Procedural Code and to the Law on the Judiciary and the Status of Judges that have not yet been adopted and submit them to the Committee on Legal Policy and the Committee on the Judiciary of the Verkhovna Rada of Ukraine in view of possible future amendments of these legislative acts; in order to foster the process, cooperate with relevant other projects, e.g. the USAID supported Parliamentary Development Project.



# Strengthening of Institutional Capacity and Professional Development

## *Summary:*

This area includes the Project's activities and results aiming at strengthening the human resources management of the penitentiary system in Ukraine as well as the level of professionalism of the employees of the penitentiary system through support to the Bila Tserkva Professional Training School for Prison Personnel and through the development of training programs. All Project's implementing partners contributed to this component by conducting different researches and analyses and by collaborating with the State Penitentiary Service of Ukraine and other stakeholders in order to ensure the sustainability of the efforts in education and training of the personnel of the penitentiary system.

## *Activities:*

All components of the Project and all implementing partners worked on the improvement of the institutional capacity of the penitentiary system in order to support its efforts in modernization and humanization of the system, as well on the improvement in the level of professionalism of its employees and the excellence of its services. A main activity in this area was the support to the establishment of the Centre of Competence (CC) in Bila Tserkva and its training activities and research efforts. The support provided to the CC benefited the employees of the State Penitentiary Service of Ukraine thanks to the high quality of the professional and continuous training for prison personnel, and for SIZO's workers. The Center for Judicial Studies provided several trainings for judges, prosecutors and militia on the application of pre-trial detention and use of alternative preventive measures; the Women's Information Consultative Centre (WICC) provided a number of trainings for prisons personnel on health and gender issues; and the Public Advocate provided various trainings for psychologists, prison personnel working with long-term and life sentenced inmates.

## *Results:*

- The level of professionalism of the personnel of the penitentiary, judicial, and law enforcement system has increased as a result of various new trainings; and
- The capacity of the Bila Tserkva Professional Training School for Prison Personnel and through it of the entire penitentiary system of Ukraine to conduct researches and trainings has been enhanced.

## *Conclusions:*

- While there are several educational institutions providing training and continuous education for the personnel of the penitentiary system (i.e., Kyiv Institute for Criminal Executive

Service, Bila Tserkva Professional Training School for Prison Personnel, Dniprozherzhynsk Professional Training School for Penitentiary System Employees, and Khmelnytskyy Training School for Continuing Education and Re-Trainings of the Penitentiary System Personnel), there is a need for a single research and training unit that can design and pilot training programs to be implemented later on by other training institutions. This would contribute to a higher consistency and efficiency of the education contents within the penitentiary system;

- There is a need for institutionalizing the training programs developed under the Project and to introduce them into the curricula of existing educational institution within the penitentiary system; and
- A strategy for institutional capacity and professional development of the Penitentiary System of Ukraine and in particular clear standards for ethical behavior of the personnel of the Penitentiary System would contribute to a consistent implementation of modern standards within the system.

### *Recommendations:*

- To the State Penitentiary Service of Ukraine: support the institutionalization of the Centre of Competence at the Bila Tserkva Professional Training School for Prison Personnel as a main research and training center for the design and pilot implementation of training programs;
- To other donor organizations: support the development of capacities within the Penitentiary System in view of the elaboration of the national Concept of Penitentiary System Reform that is due in the nearest future, and actively include relevant civil society organizations in the development of this Concept; and
- To the State Penitentiary Service of Ukraine: support the elaboration of a Code of Ethics for the personnel of the Penitentiary System.



# Better Protection of Human Rights and Improved Detention Conditions

## *Summary:*

This area includes the interventions undertaken to improve the conditions for particularly vulnerable groups of prisoners, including women, mothers with children, juveniles and long-term prisoners. Within this area of intervention psychological assistance and students' consultations in Kyiv remand prison for juveniles were provided, radio lectures were broadcast, and trainings for detained women, girls and mothers with babies, as well as webinars and Trainings of Trainers were provided. These activities had a positive impact on the protection of human rights of detainees and imprisoned persons, and on the quality of conditions in detention centres and other facilities. There are important synergies between the activities undertaken in this area and the work in the area of legislative improvements where legislative amendments contributed to improve human rights in pre-trial and penitentiary establishments.

## *Activities:*

All components of the Project aimed at improving the conditions of detainees of different categories and at better protecting their rights while in prisons and detention centers, as well as after their release, with a specific focus on the most vulnerable groups. Three out of six training programs developed by the Center of Competence at Bila Tserkva Professional Training School for Prison Personnel (The Creation of a Positive Social and Psychological Micro-Climate, The Prevention of Negative Phenomena among Juvenile Offenders, and The Prevention of Suicides in Prisons) had the objective to train the penitentiary personnel on these specific issues. The Centre for Judicial Studies conducted research and analysis of court practice and trainings on pre-trial detention for more than 240 judges and approximately 300 investigators from prosecutors' offices and from the Ministry of Internal Affairs, and developed a number of recommendations, in particular, on how to apply the European Convention on Human Rights. As a result, in target regions the number of detainees decreased. The Women's Information Consultative Centre conducted research and training for personnel and detainees in eleven correctional facilities for women. This component also supported the creation of the pilot Mothers and Child Unit at Chernihiv Women's Correctional Colony #44 and conducted 59 trainings for prison personnel at selected places. Public Advocate worked on the improvement of conditions of detention for women and juveniles in Kyiv's SIZO (Pre-Trial Detention Center). The Project, in cooperation with Kyiv National Taras Shevchenko University, designed a special course for students on how to conduct social work in penal institutions. This course was introduced by the Ministry of Education and Science, Youth and Sports of Ukraine into the training plan for the University. Student volunteers from the School of Psychology provided consultations for women and juveniles in the detention centers. Project experts conducted trainings for detention centers personnel, and developed publications with practical recommendations on how to improve conditions in SIZO. The information from Project publications (developed by the BTTs and also by project experts and psychologists) was also included within the course on criminal executive law at the National Prosecutors' Academy of Ukraine.

### *Results:*

- Trainings related to the protection of human rights increased awareness of prisons personnel on rights and standards for imprisoned people;
- Improved facilities for joint accommodation of mothers with babies in the Chernihiv Women's Correctional Colony #44 were created through the pilot Mothers and Child Unit; and
- Training programs on social work in the penitentiary system were included into the training plan for the Kyiv National Taras Shevchenko University.

### *Conclusions:*

- Improvements are eased by a dialog between civil society organizations and governmental agencies responsible for the proper function of prisons and pre-trial detention centers;
- The best way to improve the conditions and to better protect the rights of imprisoned people and detainees is to use a holistic approach, which includes work with judges and law enforcement bodies responsible for primary pre-trial detention, trainings for prison personnel and awareness campaigns and trainings for detainees on their rights; and
- The improvement of conditions of detainees and a better protection of their rights depend not only on facilities and procedures, but on the overall legal culture and level of professionalism of the penitentiary system employees. This should be taken into consideration while planning the training for the prison personnel.

### *Recommendations:*

- To BTTS and other training institutions of the State Penitentiary Service of Ukraine: use the Project publications to continue work on both preparing trainings for personnel and on informing the imprisoned people and the general public on how to protect their rights;
- To the State Penitentiary Service of Ukraine: promote the legislative changes developed by the Project aiming at the improvement of the conditions of detainees and imprisoned people;
- To stakeholders involved in the implementation of the Project: disseminate Project's publications among the main educational institutions of the penitentiary system, but also in the leading universities and academies that can impact the level of professionalism of the employees of the penitentiary system (i.e., Yaroslav Mudryy National Law Academy in Kharkiv; Kyiv National Taras Shevchenko University; National Prosecutors' Academy of Ukraine; and National School of Judges);
- To the Centre of Competence at the Bila Tserkva Professional Training School for Prison Personnel: continue research and implementation of training programs related to the improvement of the working environment of prison personnel as well as the conditions of imprisoned people and the protection of their rights; and
- To the State Penitentiary Service of Ukraine: develop in cooperation with other relevant stakeholders a national system of standards for terms and conditions of detention as a useful tool for monitoring and both internal and external reporting on the state of affairs in the penitentiary system of Ukraine.

# Increasing Public Trust and Confidence through Public Awareness, Knowledge of Reform Processes, and Media Relations

## *Summary:*

The Project aimed at improving the relations between the penitentiary system institutions and the media, at better communicating on the current status of the penitentiary system in Ukraine, and at informing transparently on how the penitentiary system is addressing problems and ensuring its own continuous improvement. To achieve this goal, the Project developed and distributed a number of publications, promoted the information on the penitentiary system in the mass media, provided information for the web-sites of the State Penitentiary Service and the Ministry of Justice, and provided trainings for journalists.

## *Activities:*

The activities under this component included the development and dissemination of information through the Project's and other stakeholders' web-sites; the development of an electronic database and library; public awareness campaigns; the design and publication of the project newsletters and policy briefs; round table discussions; four two-day trainings for more than 70 journalists on issues related to the penitentiary system; fostering publications in the media on the penitentiary system through a national competition for journalists; active participation in the Public Council at the State Penitentiary Service of Ukraine; and support to the development and dissemination of the bulletin of the Centre for Judicial Studies.

## *Results:*

- A two-days training program for journalists was designed and conducted. The training provides a model on how to address issues related to the penitentiary system. It was the first time that a training on this topic was conducted in Ukraine;
- The numerous publications in printed and online media significantly increased the public awareness on issues related to the penitentiary reform in Ukraine; and
- Cooperation with state institutions increased their understanding on the importance of effective, objective, and mutually beneficial relations with the media and the general public.

## *Conclusions:*

- The penitentiary system is increasingly attracting the interest of the society and the media, especially when related to pre-trial detention, execution of punishment in high profile cases or dramatic cases with drastic human rights violations which become public. The best way

to respond to this trend is through increased transparency. Transparency and openness of the penitentiary system helps to improve its public image and to increase awareness about the reforms that take place within the system, but also about the remaining challenges;

- At the same time, the penitentiary system has to ensure a balance between the issues of public interest and the necessity to protect personal data;
- The civil society organizations in Ukraine, despite their stated interest in monitoring the compliance with human rights standards and conditions in prisons, are not very active in establishing a systematic cooperation with the institutions of the penitentiary system; and
- There is a need not only to train journalists on how to cover topics related to the penitentiary system, but also to develop training programs for employees of the penitentiary system on how to deal with media and how to respond to their informational requests and how to deliver timely, truthful information to the public.

### *Recommendations:*

- To the State Penitentiary Service of Ukraine and donor organizations: use already developed public outreach materials and other related project materials on the penitentiary system and make them available to the public, experts, and penitentiary system personnel through web-sites. The printed materials shall be transferred to the libraries of the State Penitentiary System training institutions, as well as to the colonies and prisons;
- To stakeholders involved in the implementation of the Project: transfer the training program on the penitentiary system for the media along with the recommendations on its implementation to the media organizations and associations, as well as to those institutions that provide training for the media on different legal issues, i.e., the National University Kyiv Mohyla Academy School of Journalism, the Institute of Journalism of Kyiv National Taras Shevchenko University, or to NGOs (e.g. the Media Law Institute, Internews, etc.);
- To Bila Tserkva Professional Training School for Prison Personnel: promote the development of a training program on media relations for employees of the penitentiary system. The training program could be developed by the Centre of Competence at the BTTS. Promote the institutionalization of such training program in all four training institutions of the penitentiary system;
- To the State Penitentiary Service of Ukraine and donor organizations: promote citizens' participation in the penitentiary system reform through a) supporting the Public Council at the State Penitentiary Service of Ukraine; b) encouraging NGOs to cooperate with the State Penitentiary Service of Ukraine in the area of monitoring of human rights; and c) disseminating project findings through NGO networks in order to reach those activist groups that would be interested in continuing the work in this area; and
- To the State Penitentiary Service of Ukraine: establish an effective communication with penitentiary services abroad; support translation and dissemination of the materials on best international practices and developments from Switzerland, Great Britain, Poland, etc.

# Gender Equality

## *Summary:*

All Project components focused, to a different extent, on issues related to gender balance in the workforce, the equal treatment of imprisoned men and women, respect of their specific needs and interests, and better protection of rights of women and mothers with children in prison. An increased gender awareness of project stakeholders was achieved through a number of gender audits, researches and publications, gender trainings, and by raising gender related issues at the meetings of the Public Council and the Scientific–Methodical Council under the State Penitentiary Service, and at Working Groups on Legislation’s Development.

## *Activities:*

Gender equality in Ukraine has mostly a declarative character where international standards are formally welcomed. However, in practice, the equality in rights of men and women remains a vague concept. This is true in all spheres of political and social life, but especially in the institutions of the law enforcement system. Gender inequality in prisons relates particularly to the physical and psychological work conditions/workload of the personnel, imprisonment conditions which neglect the specific needs of women, but also to the legal discrimination of men in detention in the execution of their parental rights, etc. The lack of understanding of the problems, and even the lack of recognition that there are problems in this area, negatively impacts the functioning of the penitentiary system in different fields, from hiring and promotion of personnel (where the preferences in hiring favor men) to ensuring an adequate treatment to imprisoned women and men.

To address these issues, the *Support to Penitentiary System in Ukraine* Project designed and implemented a number of activities to address gender issues both among penitentiary system personnel and detainees. These activities included monitoring the legislative acts in order to proactively provide gender expertise on the compliance with the principle of gender equality, in particular on the application of pre-trial detention to men and women with minor children. The Project also conducted various researches on the typical “male” and “female” crimes. Finally, the Project prepared a number of legislative proposals and supported the creation of the Mother and Child Unit in the Chernihiv Women’s Correctional Colony #44. To evaluate its own work, the Project through the Women’s Information Consultative Centre (WICC) developed gender indicators to monitor the compliance of technical assistance projects in the penitentiary reform area with gender principles and standards. Finally, the Project conducted two gender audits of the Project activities and results.

## *Results:*

- A number of proposals by WICC to improve the situation for women and mothers with babies in detention institutions were submitted to the Committee on the Human Rights, National Minorities, and Inter-Ethnical Relations of the Verkhovna Rada of Ukraine and partly taken over in the revised Criminal-Execution Code (Article #141 on joint accommodation);
- A sample regulation on the House for Babies at Correctional Colonies is currently being reviewed by the Ministry of Justice of Ukraine;

- Support has been provided to the creation of the Mother and Child Unit at the Chernihiv Women's Correctional Colony #44;
- Special rehabilitation and reintegration trainings for imprisoned mothers have been conducted for female inmates in Chernihiv Women's Correctional Colony #44 and in Odessa Women's Correctional Colony #74 with an approximate total number of direct beneficiaries of 100 mothers with small children; and
- A training program on gender issues was developed and successfully implemented by the Centre of Competence at the Bila Tserkva Professional Training School for Prison Personnel. During 2009 – 2012, the project team in cooperation with the Center of Competence and local gender experts conducted 14 trainings related to gender issues with approximately 100 participants from Project partners, non-governmental organizations, penitentiary system, and imprisoned women and girls.

### *Conclusions:*

- Although the Project significantly raised the awareness on gender issues through its publications and training events, there is still a need to attract more attention on the problem from the side of penitentiary system personnel;
- The gender audits set a number of indicators and provided reliable baseline data that was useful for the evaluation of the Project's activities. This approach can be easily adjusted in order to evaluate the entire penitentiary system of Ukraine; and
- The readiness to cooperate with experienced gender consultants was crucial for the identification of gender gaps and made it possible to craft several useful tools and awareness raising products.

### *Recommendations:*

- To the State Penitentiary Service of Ukraine: develop and adopt the methodology of gender evaluation of the penitentiary system of Ukraine using the system of indicators and baseline data prepared by the Project;
- To the State Penitentiary Service of Ukraine and other donor organizations: raise the public awareness on gender issues through dissemination of Project materials;
- To the State Penitentiary Service of Ukraine: consider the possibility of creating a unit within the State Penitentiary Service of Ukraine that shall adequately monitor the draft legislation or newly adopted laws and normative acts (either of the State Penitentiary Service, the Verkhovna Rada of Ukraine, or prepared by other governmental agencies) to check their compliance with national and international principles and standards on gender equality;
- To the State Penitentiary Service of Ukraine: institutionalize the training programs on gender issues developed by the Centre of Competence at the Bila Tserkva Professional Training School for Prison Personnel and include it within the training program of all four training institutions of the State Penitentiary System of Ukraine; and
- To the Ministry of Justice of Ukraine, supported by the State Penitentiary Service of Ukraine: promote the adoption of the Sample Regulation on Mothers with Babies (on the Houses for Babies at Correctional Colonies). The experiment of common accommodation of mothers with children should be replicated throughout the country.

# Lessons Learnt

## *Six Lessons Learnt from the Project Support to Penitentiary Reform in Ukraine*

The Project aimed at the modernization of the penitentiary system in Ukraine in order to increase its capacity in delivering justice and protecting human rights based on law, international conventions and standards, best practices, and the principles of equal rights and opportunities for women and men. The intervention strategy was developed through extensive discussions with key Ukrainian officials, academicians and civil society actors, building on relationships created and previous investments made by the Swiss Confederation over the last ten years in the area of reforms of the criminal justice sector. The Project emphasized that good governance is a precondition for rights-based policy development, law-making and effective implementation.

The Project covered a wide range of issues related not only to the execution of criminal punishment, but to criminal policy in general. The Project implementers focused on legislative activity and took part in the preparation of several draft laws and normative acts in close cooperation with the State Penitentiary Service. Almost all Project's innovations were supported and taken over by the State Penitentiary Service and the Ministry of Justice of Ukraine. The cooperation with the Ministry of Internal Affairs and the General Prosecutor's Office was also very productive. This created favorable conditions for the further promotion and development of the Project's achievements.

There are six main lessons learnt from the project that we would like to share with our partners and future implementers of reforms in the area of penitentiary services:

### ***Lesson 1: It is important to gain support from key stakeholders interested in reforms and to establish an effective cooperation between different agencies.***

The management of the Project was overseen and directed by a Steering Committee. The Steering Committee included representatives of all governmental bodies and institutions involved and interested in reforms of the penitentiary system, i.e. the State Penitentiary Service of Ukraine, the Supreme Court of Ukraine, the Ministry of Justice of Ukraine, the Ministry of Internal Affairs of Ukraine, the Prosecutor General's Office, the Ministry of Labor and Social Policy of Ukraine, and the Ministry of Education and Science, Youth and Sports of Ukraine. Steering Committee members significantly contributed to the successful implementation of the project by fostering effective relations between institutions they were representing and providing support and guidance in planning and implementing project activities.

### ***Lesson 2: It is important to establish a close cooperation with the middle level management of governmental agencies. This can provide a continuous support even in changing political circumstances, therefore ensuring institutional memory and consistency in the implementation of the reforms.***

During the project implementation there were several political changes including changes in government and the appointment of new key officials within the project beneficiary's bodies. It requires flexibility and continuous communication with the institutions to preserve constructive

relationships and limit the effects of these changes on the Project's planning. The Project's implementing partners had to adjust to these changes, e.g. changes in prisons management to successfully complete the planned activities. The key approach was to establish a close cooperation with the middle level management of governmental agencies that could provide further support even in changing political circumstances.

***Lesson 3: Effective communication between project stakeholders based on principles of openness, transparency, and trust is crucial for the successful implementation of a project.***

This lesson might look obvious, but the real take away from this project was that in a situation where the stakeholders vary so significantly by their functions, responsibilities, and level of involvement, it is important to elaborate, from the very beginning, a consistent strategy for project communication that would be supported and agreed by all stakeholders and strictly followed by the project management. Regular meetings and an ongoing exchange of information are an important part of this strategy.

***Lesson 4: The successful implementation of the penitentiary reform shall be ensured by involving both international and national experts.***

Even taking into consideration the importance of bringing international experience into the local practice, it is also crucial to properly and sufficiently involve local consultants with a solid understanding of national legislation, specifics of state policy and local practices. Especially during the preparation of training materials and the implementation of trainings for prison personnel the national experts greatly contributed to make them relevant to the real needs and capacities of the Ukrainian penitentiary system.

***Lesson 5: To be successful, a project has to be oriented to the real needs of the stakeholders at all stages of the project implementation: during planning, implementation and evaluation as well as dissemination of the results and capitalization of experiences.***

Thorough initial planning and ongoing regular meetings with beneficiaries in order to learn about their needs and expectations and to better reflect these in activities and approaches are a key element of a successful project. This approach ensures that beneficiaries are taken enough into consideration and makes them the real owners of the Project's results.

***Lesson 6: The principle of gender equality should be ensured in all activities.***

The project considered gender as a cross-cutting issue, which means that gender approaches were included at all stages of implementation and in all documents, events, and approaches. Gender events which involved employees of both sexes of the State Penitentiary Service constituted an important part of the project. They allowed to address both service conditions for female and male prisoners and work organization principles for the female and male personnel of the State Penitentiary Service of Ukraine.

# Next Steps

The Swiss Ukrainian Project *Support to Penitentiary Reform in Ukraine* successfully completed its activities by the end of April 2012. However, there is a need to continue supporting the efforts of the State Penitentiary Service of Ukraine towards its modernization and humanization.

There are several areas for further improvement of the functions of the penitentiary system, including but not limited to the following:

- Institutional capacity and professional development, including proper funding and efficient use of resources, as well as an effective structure and use of technologies;
- Integrity of penitentiary system personnel;
- Functional standards for the penitentiary system, including standards for detention conditions and execution of punishments;
- Gender equality as to identify the gaps and ensure a proper gender balance within the Penitentiary System, equal opportunities for men and women, and the equal treatment of both sexes in prisons; and
- Public and media relations, public trust and confidence.

The Project addressed many of these issues and developed new approaches to collecting and analyzing information, and using it for the improvement of the penitentiary system through training programs, public awareness campaigns and daily work with the employees of the penitentiary system.

We would like to encourage everyone engaged in the process of modernization and humanization of the penitentiary system in Ukraine to take into consideration the results of the Project *Support to Penitentiary Reform in Ukraine* and continue its work in this important area.



# Attachments

## Attachment 1: Information About Implementing Partners

### PROJECT OFFICE: SUPPORT TO PENITENTIARY REFORM IN UKRAINE

The Project Office was established in Kyiv for the period of the project duration (from January 2009 until April 2012). It had the mandate to ensure the overall management of all project activities and to maintain the communication and cooperation among all involved actors.

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### PENAL REFORM INTERNATIONAL

Penal Reform International (PRI) is an international non-governmental organization working on penal and criminal justice reform worldwide. PRI has regional offices and programs in the Middle East and North Africa, Central and Eastern Europe, Central Asia and the South Caucasus. PRI also works with partner organizations in other parts of Africa and, using a variety of approaches, on penal reform issues in Asia, North and Latin America and the Caribbean. Within the Project *Support to Penitentiary Reform in Ukraine*, PRI was in charge of the overall project management.

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### PRI OFFICE FOR RUSSIA, UKRAINE, AND BELARUS

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### CENTRE OF COMPETENCE AT BILA TSERKVA PROFESSIONAL TRAINING SCHOOL FOR PRISON PERSONNEL

The Centre of Competence was created at Bila Tserkva Professional Training School for Prison Personnel in 2009 to conduct research and analytical work, and develop and conduct training programs for penitentiary system employees addressing the most important issues of the penitentiary system of Ukraine. Within the Project *Support to Penitentiary Reform in Ukraine*, the Centre of Competence was undertaking the *Project Component 1: Capacity-building for penitentiary training system (Bila Tserkva Professional Training School for Prison Personnel)* and the *Component 4: Protection of human rights and improvement of conditions of life-sentenced and long-term prisoners*.

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## CENTRE FOR JUDICIAL STUDIES

The International Charity Foundation Centre for Judicial Studies (based in Kyiv, Ukraine) is an independent, non-profit, charitable organization founded by Ukrainian and Swiss judges in 2001 to promote judicial reform in Ukraine, and to provide training and research to the judiciary and increase public awareness of the judicial system. The Centre also supported judicial self-governance and judges' association in the enhancement of the independence, rights and interests of judges. Within the Project *Support to Penitentiary Reform in Ukraine*, the Centre for Judicial Studies was implementing the Project Component 2: *Support to pre-trial detention reform and improving pre-trial conditions and procedures, with a focus on juveniles and women*.

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## WOMEN'S INFORMATION CONSULTATIVE CENTRE

The Women's Information Consultative Centre was created as a non-governmental and non-profit organization in 1995. One of main goals of the Centre is collecting, analyzing, and disseminating information about women's organizations and women's initiatives in Ukraine and abroad. The Centre is promoting discussions on gender issues in the political and social life of Ukraine to achieve a better gender balance in society. It also designs and conducts training programs on gender issues. Within the Project *Support to Penitentiary Reform in Ukraine*, the organization was undertaking the Project Component 3: *Introduction of new approaches in penitentiary's work with women and mothers with children in prison*.

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## PUBLIC ADVOCATE

The all-Ukrainian Center for Legal Aid "Public Advocate" was founded in 1999 as a unit within the civic organization "Fund for Regional Initiatives" to provide legal aid and rehabilitation for disabled people, imprisoned people and persons released from prisons, as well as for the employees of the State Penitentiary Service of Ukraine. Public Advocate has been an independent organization since 2005, and has worked throughout Ukraine since 2009. Public Advocate was engaged in the implementation of the *Support to Penitentiary Reform in Ukraine* Project through its members who provided management to the project and through its expertise in working with SIZO personnel, imprisoned people and civil society within the Project Component 2: *Support to pre-trial detention reform and improving pre-trial conditions and procedures*, Component 4: *Protection of human rights and improvement of conditions of life-sentenced and long-term prisoners*, and Component 5: *Raising awareness about the reform processes and good practices in the area of penitentiary reform*.

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## Attachment 2: Project Publications

*Accessibility and Quality of Medical Services for Women in Prisons and Detention Centers: Research Results* / Editor: N. Kostiuk. — Kyiv, 2012. — 32 pages (in Ukrainian).

*Age Specifics of the Children's Development* / Editor L. Balym. — Kyiv, 2010. — 20 pages (in Ukrainian).

*Analysis of Changes in the National Legislative Framework and Practice in the Area of the Execution of Punishments during Implementation of the Project 2009 – 2012* — Kyiv, 2012. — 12 pages (in Russian).

*Analysis of the Practice of Application of the Preventive Methods and Reasonable Time for the Criminal Prosecution* (handout materials) — Kyiv, Centre for Judicial Studies (in Ukrainian).

*Bulletin of the Support to Penitentiary Reform in Ukraine Project*, Issue #1, December 2009 (in Ukrainian).

*Bulletin of the Support to Penitentiary Reform in Ukraine Project*, Issue #2, June 2010 (in Ukrainian).

*Bulletin of the Support to Penitentiary Reform in Ukraine Project*, Issue #3, August 2010 (in Ukrainian).

*Bulletin of the Support to Penitentiary Reform in Ukraine Project*, Issue #4, February 2011 (in Ukrainian).

*Bulletin of the Support to Penitentiary Reform in Ukraine Project*, Issue #5, August 2011 (in Ukrainian).

*Bulletin of the Support to Penitentiary Reform in Ukraine Project*, Issue #6, March 2012 (“Scientific and Practical Training Materials and Research by the Support to Penitentiary Reform in Ukraine Project”) (in Ukrainian).

*Children's Rights* (pictures) / pictures: O/Ruzhytskyy, editor: N.Kostiuk, O.Suslova. — Kyiv, 2010. — 12 pages.

*Creation of Positive Social and Psychological Micro-Climate among the Penitentiary System Personnel: Roundtable Materials*/S. Zamula et al. — Bila Tserkva, 2011. — 240 pages (in Ukrainian).

*Creation of Positive Social and Psychological Micro-Climate among the Penitentiary System Personnel: Training Program*/S. Zamula et al. — Bila Tserkva, 2011. — 104 pages (in Ukrainian).

*Detention and Imprisonment: Specifics of Application: Training and Methodological Manual* / T. Fuley, M. Sirotkina. — Kyiv, 2011. — 160 pages (in Ukrainian).

*Establishments, Institutions, and Non-Governmental Organizations that Provide Social Services to the Homeless and Persons Released from the Penitentiary Institutions* / Editor: O. Zaytseva. — Kyiv, 2010. — 104 pages (in Ukrainian).

*Family Planning and Reproductive Health of People: Training Materials.* — Kyiv, WICC, 2011. — 23 pages (in Ukrainian).

*Gender Audit of the Swiss-Ukrainian Support to Penitentiary Reform in Ukraine Project 2009 – 2012 (summary)*. — Kyiv, 2012. — 12 pages (in Ukrainian).

*Gender Component of the Re-Socialization of the Repeated Offenders Based on Their Own Life Perspective* / L. Moroz, V. Stuzhuk. — Kyiv, 2012. — 24 pages (in Ukrainian).

*Give Yourself a Health (summary of materials of the training “Increasing the Professional Competency of SIZO Personnel”): Manual* / Editor: V. Nechyporuk. — Kyiv, 2010. — 44 pages (in Ukrainian).

*Identification of the Negative Phenomena among the Minors Detainees: the Results of Sociological Research.* — Bila Tserkva, 2012 (in Ukrainian).

*Implementation of Gender Approaches to the Functioning of the Criminal Executive System: Legal Framework* / Editors A.Chygryns, O.Suslova. — Kyiv, 2010. — 92 pages (in Ukrainian).

*Implementation of Gender Approaches to the Functioning of the Criminal Executive System: Implementation Practice. Part 1.* — Kyiv, 2010. — 62 pages (in Ukrainian).

*Implementation of Gender Approaches to the Functioning of the Criminal Executive System: Implementation Practice. Part 2.* — Kyiv, 2010. — 62 pages (in Ukrainian).

*Increasing Professional Competency of SIZO Personnel.* — Kyiv, 2010. — 63 pages (in Ukrainian).

*Increasing Professional Competency of SIZO Personnel: Training Materials.* — Kyiv, 2010. — 62 pages (in Ukrainian).

*Interactive Methods as an Effective Tool for Transferring and Accommodation of Information: Training Materials.* — Kyiv, WICC, 2011. — 39 pages (in Ukrainian).

*International Norms and Standards Regarding the Long-Term Imprisoned, Life-Term Imprisoned, and the Sentenced to Death: Manual.* — Kyiv, 2010. — 72 pages (in Ukrainian).

*Issues of the Gender Culture in the Penitentiary System: Lectures / L. Kononets.* — Kyiv, 2012. — 20 pages (in Ukrainian).

*Journalists Ethics in Covering Penitentiary System's Issues.* — Kyiv, 2010. — 74 pages (in Ukrainian).

*Lectures Materials for the Training on Gender Issues / Editor: S. Shelest, A. Shelest.* — Kyiv, 2012. — 116 pages (in Ukrainian).

*Legal Basis for the Functioning of the State Penitentiary Service of Ukraine Personnel: Scientific and Practical Manual / Editor: I. Yakovets.* — Kyiv, 2011. — 232 pages (in Ukrainian).

*Legal Knowledge of Women and Mothers with Children in Prison: Training Program / Editor: N. Kostiuk.* — Kyiv, 2012. — 28 pages (in Ukrainian).

*Management of the Penitentiary System Institution from the Prospective of Effectiveness: the Results of Sociological Research.* — Bila Tserkva, 2012 (in Ukrainian).

*Management of the Penitentiary System Institution from the Prospective of Effectiveness: Roundtable Materials.* — Bila Tserkva, 2012 (in Ukrainian).

*Management of the Penitentiary System Institution from the Prospective of Effectiveness: Training Program.* — Bila Tserkva, 2012 (in Ukrainian).

*Manual for the Media Representatives on Cooperation with the Bodies and Institutions of the State Penitentiary Service of Ukraine: Training Manual / Editor: A. Mukshimenko [et al.].* — Kyiv, 2010. — 92 pages (in Ukrainian).

*Practice of the Detention and Imprisonment (handout materials)* — Kyiv, Centre for Judicial Studies (in Ukrainian).

*Preparation of the Trainers to the Trainings for Penitentiary System Personnel.* — Bila Tserkva, 2011. — 88 pages (in Ukrainian).

*Preserving the Reproductive Health / Editor: N. Kostiuk.* — Kyiv, 2012. — 28 pages (in Ukrainian).

*Pre-Trial Detention: Purpose and Order of Execution: Scientific and Practical Manual / Editor: I. Yakovets.* — Kyiv, 2011. — 68 pages (in Ukrainian).

*Prevention of the Negative Phenomena among the Minors Detainees: Roundtable Materials.* — Bila Tserkva, 2012 (in Ukrainian).

*Prevention of the Negative Phenomena among the Minors Detainees: Training Program.* — Bila Tserkva, 2012 (in Ukrainian).

*Prevention of the Professional Deformation of the Penitentiary System Personnel: Roundtable Materials.* — Bila Tserkva, 2011. — 56 pages (in Ukrainian).

*Prevention of the Professional Deformation of the Penitentiary System Personnel: Training Program / I. Pakhomov et al.* — Bila Tserkva, 2011. — 80 pages (in Ukrainian).

*Prevention of the Suicides in the Penitentiary System Institutions: Roundtable Materials.* — Bila Tserkva, 2012 (in Ukrainian).

*Prevention of the Suicides in the Penitentiary System Institutions: Training Program.* – Bila Tserkva, 2012 (in Ukrainian).

*Problem of the Suicides in the Penitentiary System Institutions: the Results of Sociological Research.* — Bila Tserkva, 2012 (in Ukrainian).

*Psychological Prevention of Suicide and Aggressive Behaviour among Detained for Life-Term: Methodological Recommendations / N. Maksymova.* — Kyiv, 2011. — 128 pages (in Ukrainian).

*Psychological States of Women During the Period of Imprisonment: Manual / L. Moroz, T. Kushnirova.* — Kyiv, 2012. — 44 pages (in Ukrainian).

*Recommendations on the Psychological Assistance and Rehabilitation of the Woman-Mother in Prison / Editor: N. Kostiuk.* — Kyiv, 2012. — 24 pages (in Ukrainian).

*Results of the Sociological Research on “Social and Psychological Micro-Climate among the Penitentiary System Personnel.”* — Bila Tserkva, 2011. — 88 pages (in Ukrainian).

*Results of the Sociological Research on “Professional Deformation of the Penitentiary System Personnel.”* — Bila Tserkva, 2011. — 64 pages (in Ukrainian).

*Self-Assessment Diary for the Program of Preparation for Release / A. Golofieva et al.* — Kyiv, 2011 (in Ukrainian).

*Social and Psychological Work with Women Under Criminal Prosecution: Lectures Materials / L. Moroz, T. Kushnirova.* — Kyiv, 2012. — 44 pages (in Ukrainian).

*Support to Penitentiary Reform in Ukraine. Report for August 2009 — April 2012.* — Kyiv, 2012. — 12 pages (in Ukrainian).

*Violence in Families. Introduction to the Problem: Training Materials.* — Kyiv, WICC, 2011. — 14 pages (in Ukrainian).

*Women and Criminal Punishment: Scientific and Practical Manual/Editor: I. Yakovets.* — Kyiv, 2011. — 64 pages (in Ukrainian).

*Work of Psychologist in Establishments for Life-Term Imprisoned Detainees (Methodical Recommendations to Psychologists Working with Detainees and Personnel).* — Kyiv, 2010. — 62 pages (in Ukrainian).

## Attachment 3: Useful Links

### STATE PENITENTIARY SERVICE OF UKRAINE

[www.kvs.gov.ua](http://www.kvs.gov.ua)

Information about structure and authorities of the State Penitentiary Service of Ukraine; legislative framework, news updates, information about training institutions, work with the media and public relations.

### MINISTRY OF JUSTICE OF UKRAINE

[www.minjust.gov.ua](http://www.minjust.gov.ua)

Information about the structure and division of responsibilities among different departments and offices of the Ministry of Justice of Ukraine; news updates, legislative framework, and information on international and public relations of the Ministry of Justice of Ukraine.

### MINISTRY OF INTERNAL AFFAIRS OF UKRAINE

[www.mvs.gov.ua](http://www.mvs.gov.ua)

Information about the structure, legal framework, cooperation with public, euro-integration initiatives, etc. of the Ministry of Internal Affairs of Ukraine.

**UKRAINIAN JUDICIARY**

[www.court.gov.ua](http://www.court.gov.ua)

Information about court practice, court statistics, international activity and the activity of the high judicial institutions, including the Council of Judges of Ukraine.

**SUPREME COURT OF UKRAINE**

[www.scourt.gov.ua](http://www.scourt.gov.ua)

Information about the activity of the Supreme Court of Ukraine, a list of pending cases, legislation on the court system, international and public relations, media coverage, etc.

**HIGH SPECIALIZED COURT OF UKRAINE ON CIVIL AND CRIMINAL MATTERS**

[sc.gov.ua](http://sc.gov.ua)

Information about court practice, a list of pending cases, legislation, updates on the training events, international and public relations.

**NATIONAL SCHOOL OF JUDGES OF UKRAINE**

[nsj.gov.ua](http://nsj.gov.ua)

Information about trainings for judges and court staff; scientific research and analysis; cooperation with other institutions and international and public relations.

**GENERAL PROSECUTOR'S OFFICE OF UKRAINE**

[www.gp.gov.ua](http://www.gp.gov.ua)

Information about structure and authorities of the General Prosecution Office of Ukraine, legislative framework, links to the regional prosecution offices, information about international relations, access to public information, etc.

**NATIONAL ACADEMY OF PROSECUTORS OF UKRAINE**

[www.akademia.gp.gov.ua](http://www.akademia.gp.gov.ua)

The National Academy of Prosecutors of Ukraine provides initial training, continuous education, and research for the system of prosecution in Ukraine. The web-site includes information on structure of the Academy and its training programs, publications and useful materials, information about procurements and vacancies, international relations, etc.

**UKRAINIAN PARLIAMENT COMMISSIONER FOR HUMAN RIGHTS**

[www.ombudsman.gov.ua](http://www.ombudsman.gov.ua)

Information on the activities of the Ukrainian Ombudsman, on how to appeal to the Ombudsman, and on how to appeal to the European Court of Human Rights.

**EUROPEAN COURT OF HUMAN RIGHTS**

[www.echr.coe.int](http://www.echr.coe.int)

The European Court of Human Rights is the organization created to control the observance of human rights and fundamental freedoms, stipulated in the European Convention for Human Rights. The court is a supranational authority. In order to apply to the Court it is necessary to exhaust all national means of legal protection. The web-site contains information about the Court's structure, decisions, press-releases, etc.

**UKRAINIAN ASSOCIATION OF MEDIA LAWYERS**

[www.mediapravo.org.ua](http://www.mediapravo.org.ua)

The Association unites professional lawyers from all Ukrainian regions. It provides mass media and journalists with legal support and aims at informing journalists about their professional rights and opportunities.

**KHARKIV HUMAN RIGHTS PROTECTION GROUP**

[www.khpg.org](http://www.khpg.org)

The web-site of the Kharkiv Human Rights Protection Group (KHRG) provides information about one of the oldest human rights protection organizations in Ukraine (active since 1992). KHRG, located in Kharkiv, is active throughout Ukraine in the area of human rights education and legal awareness, assistance to individuals whose rights have been infringed, and investigations into cases of human rights violation; analysis of the human rights situation in Ukraine (with particular regard to political rights and civil liberties).

**UKRAINIAN HELSINKI HUMAN RIGHTS UNION**

[www.helsinki.org.ua](http://www.helsinki.org.ua)

The web-site provides information about the all-Ukrainian association established in 2004 to support and protect the rights and freedoms by promoting practical implementation of humanitarian articles of the Final Act of the Conference for Security and Cooperation in Europe adopted in 1975, other international standards based on it and international obligations accepted by Ukraine in the human rights and freedoms sphere.

**FREEDOM HOUSE – UKRAINE**

[www.freedomhouse.org.ua](http://www.freedomhouse.org.ua)

The web-site provides information and analytical materials of the Freedom House – Ukraine, a non-partisan, non-governmental organization established in 2003 to support and implement programs aimed at protection of human rights in Ukraine, as well as to support cooperation and networking between organizations in Ukraine dealing with the protection of human rights.

**UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT**

[www.usaid.gov](http://www.usaid.gov)

The USAID web-site provides information and materials regarding the international development and technical assistance work in the area of democracy, human rights and governance, education, health, science, technology and innovation, gender equality, etc.

**INTERNATIONAL RENAISSANCE FOUNDATION**

[www.soros.org](http://www.soros.org), [www.irf.ua](http://www.irf.ua)

The International Renaissance Foundation (IRF) is an international organization dedicated to support organizations and institutions that promote and preserve open society in Ukraine. The IRF prioritizes initiatives that prevent corruption, support the rights of vulnerable populations, increase access to information, and improve public health. The information on the website includes areas and regions, as well as information about grants provided to non-governmental organizations.

**EUROPEAN UNION AND COUNCIL OF EUROPE JOINT PROGRAMME “REINFORCING THE FIGHT AGAINST ILL-TREATMENT AND IMPUNITY” IN ARMENIA, AZERBAIJAN, GEORGIA, MOLDOVA, UKRAINE**

[www.coe.kiev.ua/projects/cti.html](http://www.coe.kiev.ua/projects/cti.html)

The information on the web-site of the Council of Europe includes actions and goals, partners, target groups, estimated results, and duration of the project.



