



ევროკავშირი
საქართველოსთვის
The European Union for Georgia



ინიციატივა მონველი კვლევის
რეაბილიტაციისათვის
Rehabilitation initiative for
vulnerable groups



CONTACT OF PRISONERS WITH THE OUTSIDE WORLD

DESK RESEARCH





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წინამდებარე სამაგიდო კვლევა მოამზადა ორგანიზაციამ „ინიციატივა მონწყვლადი ჯგუფების რეაბილიტაციისათვის“ (ავტორი: ნატალია ცაგარელი). კვლევა ჩატარდა ევროკავშირის ფინანსური მხარდაჭერით, „ციხის საერთაშორისო რეფორმის სამხრეთ კავკასიის ოფისის პროექტის – „სასჯელადსრულებისა და პრობაციის რეფორმების ხელშეწყობა და მონიტორინგი სამოქალაქო საზოგადოების ჩართულობით“ ფარგლებში. დოკუმენტის შინაარსზე სრულად პასუხისმგებელია ავტორი და ტექსტში გადმოცემული მოსაზრებები არცერთ ვითარებაში არ შეიძლება ჩაითვალოს დონორის, „ციხის საერთაშორისო რეფორმის“ ან მისი პარტნიორი ორგანიზაციების პოზიციის გამომხატველად.

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Introduction

Contact with the outside world is of great importance to the accused and convicted person. Being in a closed institution is intrinsically inconvenient and is related to psychological difficulties, penitentiary stress. Most of the accused/convicted persons find it difficult to adapt to the closed space, adapt to the routine of the penitentiary establishment, and therefore their complete isolation is inadmissible and maintaining the connection with the outside world is of great importance in this process. In order to ensure that the accused/convicted person retains contact with the family and the outside world and easily reintegrates into the society after leaving the establishment, the use of various forms and means of contact is especially important. Below we will review international standards and national legislation regarding the contact with the outside world, and summarize the assessments made by the Public Defender of Georgia about the challenges in relation to the communication of the accused/convicted persons with the outside world.

Main Findings and Recommendations

As a result of the review of the current situation, it is possible to say that in terms of the contact with the outside world there are both legislative and practical issues that require improvement and closer compliance with international standards. In particular:

- It is important to make an amendment to the Code of Imprisonment and grant the convicts placed in a special risk establishment the right to have video conferencing.
- It is important to have short-term visits without a glass barrier in number of establishments (№2, №3, №6, №7, №8, №9, №12, №14, №15, №16, №17, №18, №19) to ensure that the accused/convicted persons have the right to directly communicate with the visitors.
- It is important that accused/convicted women have a possibility to accumulate the time and add unused short-term visit times to the actual visits, as most of the women convicts cannot be placed close to their houses due to the existing infrastructure and family members are often unable to visit them; The response received from the Ministry that there is no statistical data about how many persons were placed in a penitentiary establishment near their houses of residence, gives us a reason to believe that this factor is not taken into consideration.
- It would be appropriate to allow the juvenile convicts to have visits on weekends (since their relatives are often unable to visit them during their work days).
- It is important to provide the convicts placed in the establishment №18 with the long-term visits by establishing relevant infrastructure in the establishment.
- At this stage, there is relevant necessary infrastructure for the video conferencing only in seven penitentiary establishments; it is important to arrange the infrastructure needed for video-conferencing in establishments №2, №3, №6, №7, №9, №12, №18 and №19.
- As revealed through the monitoring results of the National Preventive Mechanism, there is a confidentiality problem regarding the phone calls (although the Special Penitentiary Service denies this fact), therefore, the phones in closed type establishments need to be placed in a spot where the prisoner is able to make a phone call without the staff eavesdropping on them.
- It is important that the accused/convicted person in solitary confinement is allowed to make a phone call to the Public Defender, as well as the accused/convicted persons who want to make this phone call at night.
- The library should be significantly improved with the literature in different languages, as well as Armenian and English language channels should be accessible at more establishments.
- It is advisable to make an amendment to the legislation and to allow women to have telephone conversations and correspondence with their spouses/partners/family members in other penitentiary establishments.
- It is important to make an amendment to the legislation and to annul the clause allowing to prohibit TV and radio broadcasting as a disciplinary measure. Also, persons subjected to disciplinary measures should not be restricted to the use video conferencing.

