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Данс: 0 (dirc) / 139-1-1
Шифр: UCC 007 /



REPORT OF A DELEGATION TO THE CENTRAL DEPARTMENT OF JUDGEMENT OF MONGOLIA

13-24 August 1998

Delegation members:

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ЭНЭ НОМЫГ
НЭЭЛТТЭЙ НИЙГЭМ
ФОРУМААС
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Executive Summary

A delegation of three prison governors from England and Wales visited the Central Department of Judgement of Mongolia in August 1998, as a follow up to a previous visit in September 1997. The Central Department of Judgement, which has 27 prisons holding some 6,000 convicted prisoners, had made a number of considerable improvements to the prison system, based on the recommendations of the 1997 report. These include

- Prisoners no longer having to shave their heads
- Prison staff not openly carrying rubber batons
- The closure of the High Security prison at Advaraant

The delegation visited 5 prisons, including the new High Security prison, and were pleased to find a number of significant improvements including

- Better relations between prisoners and staff
- New sets of clothing and bedding
- The division of the large dormitories into smaller ones with their own cooking facilities

The Delegation also gave a two day training seminar based on the International Standard Minimum Rules for the Treatment of Prisoners which were well attended by Corrections Department staff.

While the Central Department had made a number of important changes, the delegation felt that these could be built on with further changes in two broad areas

Legislative including....

- Transferring the remand prisoners from the custody of the police to the custody of the Corrections Department
- Removal of the distinction between regime levels
- Constructive activity, work and increased visits for all prisoners

Practical including.....

- Increase in hygiene levels and food provision
- Better practice in the treatment of TB
- Enhanced role for prison staff

The delegation have in this report made a number of recommendations to the Foreign and Commonwealth Office on how the work might be taken forward. It was felt that the Central Department of Judgement had displayed a great enthusiasm and motivation for change, and that this would best be taken forward by a strategic change model.

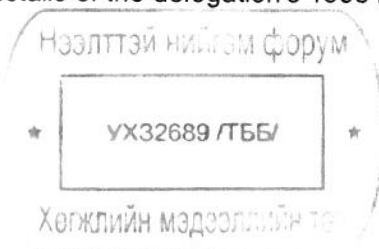
The recommendations include

- A study visit to the UK by selected staff from the Central Department of Judgement
- A visit by a delegation in the summer of 1999 to

Carry out visits to those prisons not yet seen to look at progress on this years recommendations and to either

- Carry out basic strategic change training with the Central Department (Project One)
- Put into place the start of a strategic change process that will be facilitated and monitored at every stage by staff from the Prison Service, and lasting two to three years (Project Two)

Full details of the delegation's 1998 recommendations begin on page 16.



Background

A delegation from HM Prison Service visited Mongolia in September 1997 at the request of the Central Department of Judgement of Mongolia. The delegation's report was submitted to the Foreign and Commonwealth Office (FCO) in October 1997. A copy of the conclusions and recommendations from that report are attached at Appendix 1. Copies of the report were distributed by the FCO to the British Embassy in Ulaanbator, and subsequently to the Mongolian Ministry of Justice and the Central Department of Judgement.

Major General Garamjil, the Head of the Central Department of Judgement, made a formal response to the report in June 1998. In his letter he outlined the action that had been taken to implement the recommendations contained in the 1997 report. A copy of his letter is at Appendix 2. The letter was accompanied by an invitation for the delegation to return to Mongolia. As a result of this request, a delegation consisting of Shane Bryans, Governor 2 HM Prison Service (on secondment to the University of Cambridge), Rachel Jones, Governor 5, HM Prison Service (on secondment to the International Centre for Prison Studies, King's College, University of London), and John Walford, Governor 5, HM Prison Service College, visited Mongolia between 13 and 24 August 1998. Delegation members undertook the visit in their own time, whilst on annual leave from the Prison Service.

Purpose of the visit

The Central Department of Judgement agreed in advance that the purpose of the visit would be to:

- Evaluate the implementation of the 1997 recommendations
- Deliver Human Rights training seminars to senior staff of the Corrections department
- Visit five previously unvisited prisons to assess conditions
- Make further recommendations for changes in the Prison System in Mongolia, in order to enable the system to better meet International standards on Human Rights in prisons
- Suggest the way forward for future co-operation between British officials and officials of the Central Department of Judgement

Delegation's method of working

The delegation used as its guiding principles the United Nations Standard Minimum Rules on the treatment of prisoners, 1955 (SMR), as contained in 'Making standards work - an International Handbook on good Prison practice', Penal Reform International, The Hague 1995. The assessment of the prisons made during the visits, and the seminar lectures, were made on the basis of the SMR. The recommendations of this report should also be read in this context.

The delegation was given free access to prisoners and areas of the prisons visited. There were no areas or prisoners deemed 'off limits'. During the visits to the prisons the delegation talked to a number of prisoners about their experience in prison. The prisoners were quite happy to answer the delegation's questions, and the answers were useful in building up a picture of the prison system. Discussions with prisoners often took place out of the hearing of officials. The delegation were escorted around the prisons by Colonel Sanjaasuren (Head of the Correctional Department) and the Governor of the prison. Major General Garamjil (Head of the Central Department of Judgement) and Colonel Ganbat (senior expert advisor to the Minister of Justice) accompanied the delegates on some of the visits.

A copy of the programme for the delegation's visit is attached at Appendix 3.

Action Taken on the recommendations contained in the 1997 Report

- Prisoners are no longer required to shave their heads. The delegation were informed that the prison rules had been changed to allow prisoners to grow their hair if they so wished. Prison visits confirmed this to be true, and the delegation were pleased to see prisoners with varying lengths of hair that had clearly been growing for some months.
- Prisoners are no longer required to turn to the wall and take off their hats when a member of staff or visitor enters the cell or dormitory. During the delegation's visits to the prisons, prisoners were permitted to remain seated or lie on their beds, watch television, play games and look at the visitors and staff. Prisoners confirmed that the rule had been changed.
- Prison staff have ceased to carry their rubber batons openly. Only one member of staff was observed carrying a baton, and he was guarding a perimeter door.
- The delegation were informed that special segregation cells, used to hold prisoners under punishment, were no longer in use. However the buildings containing these cells had not been knocked down or used for other purposes. A senior member of staff and prisoners, at one of the prisons, confirmed that these cells were still in use, albeit less frequently.

- During the visit the delegation were unable to establish a definitive account of whether prisoners under punishment had their food or exercise entitlement reduced.
- Regime facilities (work, association, exercise and visits) for prisoners held in high security prisons continued to fail to meet International Standards.
- **The issue of senior prisoners who had authority over other prisoners was somewhat confused.** At one prison senior prisoners still existed and each had his own separate cell. At other prisons the senior prisoners were located in the dormitories and their duties 'had been changed'. The exact nature of the duties in all the prisons could not be established.
- **The larger dormitories containing 150+ prisoners had been divided up into smaller units.** Prison visits revealed smaller dormitories containing 50-60 prisoners. The dormitories seemed much more relaxed with more evidence of personal possessions, art on the walls and hot drinking water available at any time. The prisoners in each dormitory were now able to cook for themselves.
- **The High Security prison at Advaraant had been closed.** The 1997 report had been critical of the poor physical conditions at Advaraant and the delegation were pleased to note that the Prison had been closed. The new High Security prison at Tashiryin am was visited by the delegation (see below).
- **The relationships between staff and prisoners appeared more interactive.** This was no doubt due in part to the creation of the new post of social welfare

officer. This officer was now responsible for talking to prisoners and 'helping them with their problems'.

- **The creation of a hygiene officer** to oversee the conditions, and hygiene, in each prison is also a positive move in ensuring that conditions are closely monitored and improved.
- **Some prisoners have now been given new sets of clothing and bedding.** These had been donated by NGO's and church groups from the USA. Prisoners confirmed that they had been issued with new clothes and bedding, and that, as a result, their conditions had greatly improved.

Training Seminars

A two-day training seminar was held for the senior staff of the corrections department. The seminar was attended by the Governor and Deputy Governor of each of the prisons, and by the medical staff of some of the prisons for part of the seminar. Fifty staff attended on the first day and fifty-five on the second.

An outline of the Seminar programme is shown below:

DAY 1
Introductions
International Law, Rules Regulations on human rights in prisons
Overview of the Prison Service in England and Wales
Purpose of Imprisonment: International Perspectives
Defining the functions and goals of a Prison Service
Strategic development and planning in the prison context
Sentence management and balanced regimes
Dynamic security
Work, education and Physical education
Role of the sub officer in achieving Successful Prisons
DAY 2
Role of prison staff
Recruitment and selection of Prison Staff
Training of Prison Staff
Key role of the Prison Governor
Leadership and teamwork in prisons
Decent conditions for prisoners (overview)
Links to the family and community
Hygiene accommodation, clothes food and exercise
Health and TB
Reform and rehabilitation
Managing and achieving change in prisons
Conclusions

The lectures were delivered in a formal manner but with opportunities for people to ask questions and seek clarification of the points raised.

The Seminar was well received by staff. There were numerous questions asked by the audience, which often exceeded the time available to answer them. Some members of the audience took copious notes.

A number of participants indicated at the end of the lectures that they would have liked more details in the presentations. However, the time available for the seminars prevented any in depth analysis or discussion.

Meeting with the Staff of the Police Institute

The delegation had the opportunity of meeting the Head of the Department that trains prison staff at the Police Institute, and two of his teaching staff.

1 Structure of the Institute

The staff explained that the Institute is responsible for the training of Police and Border Guards and staff for the Ministry of Internal Affairs as well as staff for Corrections Department. A separate department for the training of prison staff had been set up in 1996. The Institute has a total of 1,000 students, of whom 200 are studying for work in prisons, 150 full time and 50 by correspondence course.

In September 1998, staff being trained for the implementation of non custodial court penalties (also a part of the Central Judgement Department) will also transfer to the Institute. In addition, the Institute is hoping to be upgraded to Academy status so that they can offer postgraduate qualifications.

If the Institute is given Academy status then they intend to change the training course for officers into a four-year course, with the first year being a pre BA qualification. If students pass this then they will go onto the full course, if they fail they could go and work in prisons as sub officers.

The Institute maintains links with the Institute of Law and Economics in Ryazan, Russia, which previously trained all prison officers for the former Soviet Union, and now trains a large percentage of officers for work in the Russian prison service. We were told that Governors of prisons had been to Ryazan in 1998 for a 2-week training

course, and that links were maintained on the basis of sharing new ideas and experiences.

2/ Recruitment and Training

There are two avenues of entry to the prison service. The first is for those recruits who wish to become sub-officers and the other for those who wish to become officers. They are selected and trained separately.

a/ Sub Officers

The main requirements for recruitment as a sub officer are; completed secondary education and army service. The Institute does make exceptions to the army rule in remote area where it is hard to recruit staff, but the delegation were told that most of the sub officer trainees were from the military. The recruits are required to know about weapons and equipment and to be physically fit. Their training is a 45-day course in the following areas:

- Sports
- The requirements of security
- Physical tests in self defence and weapons
- Legal training on security matters

There are very few hours on theoretical subjects as the course is practically based.

The Institute aims to have all sub officers qualified for this course, but we were told that, at present, about 50% have done the course while **the other 50% have learnt their practical skills through 'on the job' training.**

In reality this means the majority of prison staff have had no formal training in correctional / prison practice and in Human Rights Law and how it applies to prisons. This is far from satisfactory, does not comply with SMR 47, and may

hamper them in the performance of their duty'. International Rules require staff to...'respect and protect human dignity and maintain and uphold the human rights of all persons' (Code of conduct for Law Enforcement Officials (1979). Unless staff have received appropriate training in human rights, achievement of the required standards may be difficult.

b/Officers

About 500 candidates sit for the entrance tests in the Institute as a whole every year. These tests are both physical and academic. Of these, between 35 and 40 will join with the intention of becoming prison officers. From this number about 90% will complete the course. The students, aged between 18 and 25 for the full time course and 25-35 for the correspondence course, will study for 3 years under the current system. When they graduate they will be awarded a BA and take the rank of Junior Lieutenant in the Corrections Department.

There are four areas of study specific to prisons covered in the three year course; legal aspects of imprisonment (220 hours), pedagogy (90 hours), psychology (200 hours) and Security (240 hours). The subjects to be covered are agreed with the Central Department of Judgement. Prison specific training is mostly done in the final year. There are 48 other subjects which are common to all students at the Institute and the students can move from Police to Prison specialities if they wish as the two are considered interchangeable.

The students have some field training in prisons. After they complete their first year they visit some prisons. After they complete their second year they work with different staff in prisons. They also work with the Police and the Courts so that they can have a broad knowledge of criminal justice issues. Before graduation they will spend three months in a prison learning what the staff do.

Of those staff currently working in prisons as officers, about 10% have degrees in other subjects, while the majority of the rest have the prison specific degree. Some in remote areas do not have a degree qualification. Most of the officers over 40 received their training in the former Soviet Union.

The level of prison specific training provided for Officers represents only a small percentage of the overall training received. If Officers are to provide role models for other staff and to lead them through the required change process, they will require a greater amount of prison specific training. The SMR state (47(2)) 'Before entering their duty the personnel shall be given a course of training in their general and specific duties and be required to pass theoretical and practical tests'

3\ Further Training

After they have qualified staff may be recalled for training through workshops and seminars, these being held at the offices of the Central Department of Judgement. No further training is done by the Institute or by Institute staff.

Prison Visits

Five prisons were visited by the delegation on this occasion. Full details of the visits are in Appendix 5, while brief summaries concerning structure and regime are given below.

1 Bagannur Prison

Summary: This was a purpose built prison with work for about 200 prisoners.

Date of visit: 15th August 1998

Governor: Lt Col Purevsuren

Category of prisoner: Strict regime

Location: 150km (4 hours drive) from UB

Capacity: Held approx. 700 on day of visit

Accommodation: Purpose built in 1990, single storey blockhouse style

Regime: Strict

Staffing: 102 Prison staff, 104 soldiers

2 Kharkhorin Prison

Summary: Former Army barracks with work for about 100 prisoners

Date of visit: 16 August 1998

Governor: Colonel Tsogbatyar

Category of prisoner: Ordinary

Location: 380km (5 1/2 hours drive) from UB

Capacity: 285 on day of visit

Accommodation: Converted in 1972

Regime: Ordinary

Staffing: 100 Prison Staff, 50 soldiers for perimeter duties

3 Zuunkharaa Prison

Summary: Purpose built prison with work for about 60% of prisoners

Date of visit: 21 August 1998

Governor: Colonel Sugarev

Category of prisoner: strict regime

Location: 170 km (4 hrs drive from UB)

Capacity: 500 on day of visit (300 in the prison, 200 located outside the Prison on agricultural projects)

Accommodation: Built in 1967

Regime: Strict

Staffing: 80 Prison staff, 50 soldiers

4 Darit Prison

Summary: Converted children's' prison with work for about 60% of prisoners

Date of visit: 21 August 1998

Governor: Colonel Tsogtbatyor

Category of prisoner: Strict

Location: 200km (5 hours drive) from UB

Capacity: 600+ prisoners on the day of the visit

Accommodation: Originally constructed as a children's prison in 1975, reconstructed in 1993

Regime: Strict

Staffing: 85 Prison staff, 60 soldiers

5 Tashiryn am High security prison

Summary: Recently converted ex Soviet Army Hotel and barrack blocks, no work for the High Security prisoners and lifers. Replaced the Advaraat High Security prison, which had been closed following the delegations visit in 1997.

Date of visit: 18 August 1998

Governor: Colonel Ganbold

Category of prisoner: High Security and ordinary

Location: 52km (2hours drive) from UB

Capacity: 180

Roll on day of visit: 7 life sentence, 58 high security, and 45 ordinary

Accommodation: Converted Soviet Army Barracks and Hotel, opened in March 1998

Regime: varied

Staffing: 63 prison staff

Conclusions and Recommendations

A/General

The delegation were impressed with the improvements that had been made since their last visit, many of which were the direct result of the implementation of the recommendations made in the 1997 report. There remain, however, a number of areas where Mongolian prisons fall below International Standards. These are outlined below, together with suggested actions to remedy the shortfall.

A clear sense of purpose exists within the Ministry of Justice, Central Department of Judgement and the Corrections Department, particularly at senior level, about the continued need for reform in the prison system of Mongolia.

To take the reform process forward, it is recommended that the Central Department of Judgement now has to develop a clear strategy, which defines the context in which prisons exist in Mongolia, and sets out the aims and objectives for the prison system. These would take into account the following important factors:

- The need to ensure the security and safety of the public
- The need to treat prisoners decently and humanely
- The need to encourage prisoners to live as law abiding citizens once they have been released
- The need to have a professional, well trained and properly paid staff
- The need to provide a cost effective and efficient prison system which makes good use of public resources

Once the Strategic Plan has been drafted, the next stage of the plan would be to redefine the strategic issues, which are likely to determine the successful delivery of the proposed service. These will form the basis for a detailed plan of action. Its delivery would be measured by a set of agreed performance indicators. A strategic plan of this type cannot simply be imposed from above. Staff at all levels must feel that they have contributed to it. There will have to be a widespread consultation both while it is being drafted and when details of the implementation have been agreed.

The national strategy, detailing a plan of action for the next three years, will need to be translated into a plan to develop each prison based on its needs and resources.

The starting point for a strategic analysis of the Mongolian Prison Service, should be to provide the staff of the Central Department of Judgement with assistance in working out for themselves what is required and to give them the confidence to do it. They can be helped in this by outside experts, but the main emphasis has to be on developing the capacity of the staff themselves. This theme is developed in the substance of the recommendations.

B/ Recommendations to the Minister of Justice

If prison reform is to be successfully achieved it has to be placed within the context of government initiatives in the wider criminal justice system. The Ministry of Justice is well placed to do this. One of the key areas for the strategic development of the Mongolian Prison Service will be a revision of penal law (The delegation understands that a revised draft set of penal laws has been submitted to the United Nations for

comments and advice). The delegation take the view that a number of the penal laws should be revisited, and have outlined these below.

B1/ Consideration should be given to transferring responsibility for the custody of pre-trial prisoners to the Corrections Department. At present, prisoners are held in Police detention pre trial, and it is only following conviction and sentencing that they are transferred to the Corrections Department. Information from prisoners and staff would indicate that standards in pre trial detention fall below the UN Standard Minimum Rules. The UN SMR also apply to Police detention. Transferring responsibility to the Corrections Department would ensure that consistent standards are maintained. Resources would have to be allocated to the Corrections Department to meet the additional costs.

B2/ The distinction between special regime, strict regime and ordinary regime should be reviewed. The existing arrangement means that prisoners are often located great distances from their families with resultant problems for family contact and visits. The distinction also creates problems in work allocation and other activities.

B3/ All prisoners should be permitted to undertake constructive activity and employment regardless of their sentence. This activity may be cell based or in association with other prisoners.

B4/ Funding for the non-centralised (Aimag) prisons should be reviewed and, if possible, all prisons should be centrally funded. At present Aimag prisons are funded by the Aimags themselves, and this can result in a reduction of funding to

below the required level, or delaying payment, resulting in insufficient money to meet International Standards.

24/5
B5/ **The frequency of permitted visits to prisoners should be increased.** This would enable prisoners to maintain viable relationships with their families and friends in order to ensure their reintegration into society in the longer term.

B6/ **An increase in the level of provision of food to prisoners** should be considered in the light of changes elsewhere in Mongolian society.

B7/ **The provision of temporary release for prisoners reaching the end of their sentences should be evaluated,** in order to ensure more effective rehabilitation and reintegration into society.

B8/ **The law regarding the shackling of high security prisoners at night should be changed to reflect humanitarian and medical opinion.**

B9/ **Consideration should be given to transferring the prison hospital system to the Ministry of Health** in order to ensure consistency of service and adequate resourcing.

C/ Recommendations to the Corrections Department

There are a number of areas where the delegation believes that the Corrections Department need to make changes. These changes are outlined below. The Corrections Department has a major contribution to make to the proposed strategic

plan. The issues raised in this section of the report will need addressing as part of that plan.

C1/ The level of prisoner employment should be increased. Sufficient space exists in the prisons visited to make much greater use of prisoner labour in workshops. There is also opportunity for prisoners to work repairing prison buildings, and in the community outside. Employing more prisoners in constructive and purposeful activity will assist with dynamic security and could generate funds for the prisoners and the prison.

C2/ All prison staff should receive a greater level of prison specific training. This training should focus on human rights and other areas specified in Making Standards Work. A programme of staff training should be drawn up once a decision has been made about the required level of initial and ongoing training. Issues such as who should deliver the training and what training they require to equip them for this duty, will also need to be addressed.

C3/ The level of prisoners' personal hygiene should be raised. The number of showers and toilets in each prison should be increased, as should the frequency of prisoner access to showers. Facilities should be provided for prisoners to wash their clothes and bedding. A shortage of washing powder, soap, shampoo and toilet paper exists in all prisons.

C4/ Greater use should be made of sub officers to interact with prisoners. The sub officers could perform a range of duties. They could be used to assist the social welfare officer in his or her duties, and to help prisoners keep contacts with their families etc. This will encourage them to develop a more humanitarian attitude to prisoners and to establish more positive relationships.

C5/ It is important for the treatment of TB that **a constant and reliable supply of drugs is made available to the prisons, and that prisoners take these and complete their treatments.** The delegation was told that, in some prisons, herbal remedies were in use when drugs are in short supply. These cannot cure TB and could lead to the development of MDRTB, and the deaths of prisoners. It was suggested that prison hospitals should move into the care of the Health Ministry and this should be considered to ensure that TB programmes in prisons complement those on the outside, and to maintain a consistency of service. The current system of 12 month treatment for TB should be reviewed as to its effectiveness, and the Corrections Department should consider the importance of regular testing for prisoners who have the disease and those in contact with them. The delegation was pleased to see that some health information was available to prisoners, and considers that this should be extended, and a programme for staff awareness training developed.

✓ C6/ **Facilities should be provided for each prisoner to be able to secure their personal possessions.**

C7/ **The conditions (exercise, work and visits) for the prisoners in Tashiryin Am High Security prison fall below the minimum standards and should be improved.** In addition each of the prisoners in the shared cells should have their own bed (consideration should be given to providing bunk beds), and should not have to place a mattress on the floor to sleep.

C8/ **The communal shelf bedding should be replaced with individual bunk beds as soon as practicable.**

D/ Recommendations to the Foreign and Commonwealth Office in the United Kingdom

In order to assist the Mongolian authorities with the strategic planning process which will underpin further improvements in Human Rights in prisons, it is recommended that the Foreign and Commonwealth Office consider funding the following options.

D1/ A study visit to England by Staff of the Central Judgement Department to enable key staff to see conditions in prisons in England and Wales and, in particular, to:

- See a strategically developed Prison system in action and how the strategic planning process operates
- View the range of employment opportunities available to prisoners
- Examine the categorisation and allocation system used in England and Wales
- Understand the multi functional role of sub-officers
- View the training given to staff at all levels

In order to ensure that maximum benefit is obtained from the visit, the delegation would recommend named invitations be issued to

- Major General Garamjil (Head of the Central Department of Judgement of Mongolia)
- Colonel Sanjaasuren (Head of the Corrections Department)
- Captain Purevsuren (interpreter and member of the Corrections Department)

The proposed visit could take place in late February or early March 1999, if sufficient funds were available from the 1998/99-project budget.

D2/ Continuation of existing incremental approach

A delegation to Mongolia should take place in the summer of 1999 to visit the remaining 5 centralised prisons not yet visited, and to assess implementation of the recommendations contained in this report. The Delegation could train staff in the principles, concept and operation of strategic planning and change management, so that the Mongolians would be able to take this process forward. This training would take place in the context of International Human Rights Instruments, and build on work already completed in this area.

D3/ Full Strategic Planning Project

A delegation would visit Mongolia in the summer of 1999. The visit would have two objectives:

- 1/To examine those prisons not yet visited and look at the continued progress and development of the Prison Service in the light of the recommendations of this report.
- 2/To examine the broader issue of criminal justice and legislative change. There is both the willingness and motivation amongst the Corrections Department to effect change, and therefore it seems the right time to move towards a strategic change approach. We are aware of a number of different organisations working in Mongolia; COLPI (Constitutional and Legislative Policy Institute, part of the Open Society Institute sponsored by George Soros) and the UNHCHR are both involved in legislative issues. In addition, a strategic planning initiative is currently being conducted by the International Centre for Prison Studies and Dutch Interchurch Aid in Kazakstan, which is a three year project with funding of some £150k per year. That project involves both medical and prison reform, with the emphasis on long term development and planning. A similar model could be developed for Mongolian prisons in terms of strategic change.

The Kazakstan project involves a delegation visiting the region once a year for three years and assisting the prison service there with strategic planning. A workbook has been drawn up around the elements of the UN-SMR, and reforms therefore centre around these issues. These are supported by staff training in human rights, which has already begun in Mongolia.

If a similar initiative was to be pursued in Mongolia then key staff would first learn the elements of needs assessments and strategic planning, and they would then draw up and implement such a plan, with the advice and support of the delegation. The plan would then be put into practice and reviewed with the delegation on future visits.

D4/ A member of the corrections department to be seconded to HM Prison Service for a period of 3 months to study in depth the training of Officers and sub-officers, and to work in a Prison Service establishment. The person selected will need to speak and understand English to a high level and occupy a senior position on their return to Mongolia. If the secondment works well then consideration should be given to further secondments. The candidate can be interviewed to ensure that he or she meets the necessary criteria during the proposed delegation visit in the summer of 1999.

D5/ Cost of Recommendations to the FCO (1999 / 2000)

Recommendation D1

Nil cost if the visit takes place in 1998/9 otherwise a visit of 10 working days:

Travel UK / Mongolia,

3 people x

-business class flights at £3484 GBP per person = £10452GBP

-economy class flights at £2617 GBP per person = £7851GBP

Travel and subsistence in the UK

Based on the allowance used by the British Council for similar projects

£60GBP per day per person for 10 days = £1800

(This cost might be reduced if the visitors could be accommodated for part of the time at one of the Prison Service Colleges)

Total:

With business class flights = **£12252**

With economy class flights = **£9651**

Recommendation D2

Delegation of 3 people to Mongolia for 10 working days

Travel UK / Mongolia

Costs for flights as above

Incidental expenses = £1000

Costs in Mongolia to be met by the Central Department of Judgement

Total:

With business class flights = **£11452**

With economy class flights = **£8851**

Recommendation D3

The cost of the project in Kazakstan on which the proposal is based is some **£150k** per year for three years. This includes a number of subheadings;

- Training programme for Staff
- Travel and Subsistence
- Support, management, consultancy and advice
- Translation

These headings would have to be amended and fully costed for the full project proposal in Mongolia. For example, they include subsistence inside the country, and take into account a larger region and number of staff, as well as fees for consultants. A full budget could be prepared for this option if required.

Recommendation D4

Travel UK / Mongolia = Flight costs as above

Travel / Subsistence in the UK for 3 months;

90 days at £60 per day = £5400

Total:

With business class flights = £8884

With economy class flights = £8017

Shane Bryans

(On behalf of the delegation)

Date

Appendix 1

1997 report Conclusions and Recommendations

During the visit the delegation constantly reiterated the point that the UN Standard Minimum Rules were absolute and fundamental and that they should be implemented everywhere and at all times. The rules clearly prohibited any form of torture, cruel, inhuman and degrading treatment or punishment. The delegation took the view that prisons should reflect the broader society in which they operate and that they should be judged within that context. However, the delegation were of the opinion that the Mongolian Correctional Department in its treatment of prisoners failed to achieve the SMR in a number of circumstances. The areas which would be regarded as breaking the SMR include:

- Requiring all prisoners to shave their heads
- Requiring all prisoners to face the wall when staff or prisoners enter their cells
- Staff openly carrying rubber batons in an intimidating manner
- Confinement conditions for prisoners under punishment
- Reduction of food and exercise allowance prisoners under punishment
- Lack of regime facilities (work, association and visits) for prisoners held in high security solitary confinement
- Use of 'senior prisoners' who have authority over other prisoners

The delegation were pleased to be informed by Major General Garamjil that he would be issuing instructions to end the shaving of heads and prisoners facing the wall, with immediate effect.

The Mongolian Correction Department are keen to develop further links with prison officials in England and have suggested the form of future co-operation. The delegation believe that any such co-operation should be linked to the implementation of improved Human Rights in Mongolian prisons. Subject to agreement on the Human Rights issues the delegation make the following recommendations:

HM Prison Service officials to provide advice and training materials for training of Mongolian prison staff.

A detailed proposal to be drawn up for the three month secondment of a senior member of the Mongolian Correction Service to the Prison Service College, HM Prison Service.

- HM Prison Service officials to comment on the proposed legislative changes as they affect prisons.
- Expert advice to be provided on prison design and construction
- Expert advice to be provided on reducing the death rate in Mongolian prisons and specifically on the strategy for dealing with TB.
- A Prison Service delegation to Mongolia should take place in 1998 to monitor the improvement of Human Rights, to visit a number of Mongolian prisons and make specific prison related recommendations on improvement, and to agree the form of any further co-operation.
- HM Prison Service officials to assist the Mongolian Correction Department to improve security and categorisation systems.
- HM Prison Service officials to provide advice on the structure and Organisation of the Mongolian Correction Department, in the light of international examples.
- The cost of implementing these recommendations would have to be met through the Overseas Aid or similar budget. The Foreign Office would continue to act as coordinator and sponsor for the Human Rights work in Mongolia.

Appendix 2

Major General Garamjil's letter to the British Embassy Ulaan Baator June 1998-09-08

Central Department of Judgement of Mongolia
Chingeltei District
Baga toiruu
Ulaanbaatar

Dear Mr Duckett

I hope that this finds you well. Below is a brief report on the visit of 3 British Prison Officers who have arrived in 1997 by our invitation and on the recommendations that they have given to our staff, results of the seminars and the work that has been carried out according to the recommendation.

8 months have passed since the visit of 3 British and Welsh Prison Officers who have arrived in September 1997 by the invitation of the Central Department of Judgement. The delegation met the prison governors and gave professional advice during 3 days to the prison officers and doctors on the subjects such as the organisational structure of the British prisons, activities of the prison officers, their responsibility, UN principles, human rights, sensible attitudes in prisons, prison premises, food and hygiene regime and employment in prisons. The delegation visited 5 prisons and got acquainted with the activities and conditions of the following prisons: Avdrant, Children's, Women's, Amgalan and the Integrated prison.

After getting acquainted with the conditions and the situation of the Mongolian prisons, the British prison officers gave their advises and proposals regarding the breach of human rights in the prisons of Mongolia comparing to international prison standards. We took their advice and carried out several measures.

Particularly, the prisoners in Mongolia had to have their hair shaved, had to turn to the wall and take their hat off when somebody was entering the room for many years which were breaching human rights. We changed these rules immediately as the visit was still going ahead.

We also paid a great deal of attention to the food provision of prisoners. 400-7-- prisoners used to share a canteen and stay in one large room. We changed this method and now the external organisations supply ready meals per 30 persons by the contract. In large prisons, the prisoners prepare their meal themselves by forming a group of 8-10 people. We have also rearranged the rooms by separating the large space and presently 10-60 people stay in one room.

We are changing the communication attitude between the prisoners and prisoners with the staff and making it more like normal citizens. We submitted a proposal to make a revision to the law regarding communication issues in prisons. In order to control the overall condition and hygiene condition of the prisoners we created a new job position of the condition regime inspector and hygiene inspector who are responsible for 60 prisoners each.

We took several measures and resolved in the positive ways the issues which were breaching the human rights that we remaining unchanged for many years at the

principle of human rights respect in the prisons.

Further, we anticipate many aspects of our job in these aspects by learning from the experience of British prison officers who respect the human rights.

We are confident that our co-operation will expand further.

Yours Sincerely,

Major General Garamjil

Appendix 4
Mongolian Prisons

NUMBER	NAME	LOCATION	NUMBER OF PRISONERS	NUMBER OF STAFF	ANNUAL BUDGET (MILLIONS TOGROGS)	TYPE OF PRISONERS	DATE VISITED
A/ Central Prisons							
1	Bayanzurkh Prison Hospital \ Central Prison	UB city	160	31	56	Ordinary (women)	'97
2	Central Prison	UB city	589	23	61	Strict	'97
3	Amgалан	UB city	300	77	91	Ordinary	'97
4	Children's	UB city	108	49	54	Ordinary	'97
5	Baganuur	District of UB	615	92	101	Strict	'98
6	Dairт	Selenge aimag	580	62	100	Strict	'98
7	Zuunkharaa	Selenge aimag	412	64	93	Strict	'98
8	Ondorkhaan	Khentii	178	54	63	Ordinary	
9	Khovsgoi	Khovsgol aimag	111	50	51	Ordinary	
10	Gobi sumber	Gobisumber aimag	302	66	87	Ordinary	
11	Mongonmorit	Tov aimag	238	44	64	Ordinary	
12	Maanit	Tov aimag Bayan sum	634	90	106	Strict	
13	Kharkhorin	Ovorkangai aimag	274	58	74	Ordinary	'98
14	Tashiryin am	Bayanzurkh district of UB	122	77	35	High Security	'98
15	Avdrant	Tov aimag Lun sum	230	92	93	Strict (former High Security prison)	'97

Appendix 3

Programme for the visit of the delegation to Mongolia in 1998

14th August Briefing by Major General Garamjil and the administrative council of the Central Department of Judgement

15th August Visit Baganuur Prison

16th August Visit Khokhorin Prison

17th August Return from Khokhorin and preparation for seminar

18th August Meeting with the Judgement Faculty staff of the Police Institute

Visit to Tashiry am High Security Prison

19th August Seminar

20th August Seminar

21st August Visit to Darit Prison

Visit to Zuunkharaa Prison

22nd August Debrief with the Administrative Council

3/ Aimag prisons

1	Darkhan Uul	Darkhan city	157			Ordinary	
2	Orkhon	Erdenet city	102			Ordinary	
3	Bulgan	Bulgan aimag	132			Ordinary	
4	Sukhbaatar	Baruun urt city	79			Ordinary	
5	Bayankhonger	Bayankhonger aimag	63			Ordinary	
6	Dornot	Choibalsan city	146			Ordinary	
7	Arkhangai	Tsetserleg city	146			Ordinary	
8	Zavkhan	Zavkhan city	77			Ordinary	
9	Gobi-Altai	Altai city	63			Ordinary	
10	Khovd	Uliastai city	66			Ordinary	
11	Uvs	Ulaangom city	83			Ordinary	
12	Bayan Olgii	Olgii city	59			Ordinary	

Appendix 5

Prison Visits

1 Bagannur Prison

Summary:

Date of visit: 15th August 1998

Governor: Lt Col Purevsuren

Category of prisoner: Strict regime

Location: 150km (4 hours drive) from UB

Capacity: Held approx. 700 on day of visit

Accommodation: Purpose built prison built in 1990, single storey blockhouse style

Regime: Strict

Staffing: 102 Prison staff, 104 soldiers

Physical description

The buildings were constructed from concrete, one storey high and painted white.

They were set on each corner of a central yard. The grounds were earth, with a basketball court marked out in the centre along with an area for prisoners to sit.

Accommodation

Three large dormitories, which had previously held 150-200 prisoners each, had been converted into 9 smaller rooms holding about 60 prisoners each. Each of the rooms measured approx. 15ft x 30ft and were clean and recently decorated. There were a number of painted murals and coloured curtains.

Around three of the walls were 3 tiers of wooden bunks in continual lines with periodic divisions. Each of the rooms had a single central light; the windows behind the bunks were covered with carpets and embroidered cloths. Ventilation was provided by holes in the walls. Heating pipes ran around the walls; the delegation were told that the prison generated its own heating in the winter months. Each dormitory had its own hot water boiler for prisoners to have hot water at any time.

Each of the prisoners had been provided with mattresses and bedding by the prison, and these were rolled up on the bunks at the time of the visit.

All of the dormitories had their own television and several had radios.

Prisoners could have some of their own property in possession and many had been provided with a locker for storage, while others shared a locker. Prisoners could wear their own clothes or those supplied by the prison. As in the other prisons visited there was no laundry facilities and we were told that prisoners would use the shower facilities to do their laundry.

There was also a small dormitory for 'skilled workers' (cooks etc) who had their own TV and more personal property.

All the prisoners were wearing name badges, which showed their prison number, sentence and offence as well as work allocation and home area.

Hygiene

There was one toilet area with 12 seats for all the prisoners. These, and the showers, were located at the rear of the exercise yard. We were told that prisoners could ask the guards permission to use the toilets at night

Food

There had been a large kitchen and communal dining room. After the dormitories were divided into smaller units each one had been provide with its own smaller kitchen and dining area. One prisoner was in charge in each of the kitchens. The prisoners ate their meals either in the dining rooms, which could seat 20-30 at a time, or in the dormitories. The delegation was informed that as the prison had its own livestock and farm, there were more vegetables, milk and yoghurt available for the prisoners, while spare produce was exchanged with other prisons or sold to outside concerns.

Activities

200 prisoners were employed in a sawmill about 1km from the prison, where they worked, in all areas of wood preparation, for 8 hours a day, six days a week. In addition, some prisoners were employed in farming activities and in the management of the prisons 3,000 livestock. At the time of the visit there was no work for about 400 prisoners.

There was a small art shop where two prisoners were employed in carving wood and another was doing some painting. These prisoners had learnt their skills outside the prison. We were shown a small exhibition of work by these prisoners.

There was also a small prison band with a variety of instruments who gave a short concert for the delegation.

Leisure activities involved both basketball and football. There was a large exercise yard and a large grassed area the size of one and a half football pitches. Both these areas were available to prisoners outside working hours. Inside the dormitories there

were boards for chess and draughts, and a small library, which had some books and some recent newspapers.

Visits

There was a purpose built visits block near the gatelodge, and this had several large rooms, including 4 for 72-hour visits. There was a small kitchen where visitors could prepare their own food. These rooms were fairly well furnished with beds and tables. At the time of the delegation's visit there were 2 prisoners receiving visits. We were informed that, following a change in legislation, prisoners could now receive one 72-hour visit per month, and as many short visits as they wished.

Healthcare

There were 2 healthcare areas for prisoners. The first, designated the prison hospital, had a maximum of 40 beds, and at the time of the visit held 12 patients. The purpose built one storey block was recently decorated and clean and tidy. We were told that as well as TB, other diseases resulted from malnutrition, particularly in those prisoners recently received from pre trial detention. In this area there was one full time Doctor and four nurses. The delegation were pleased to see information posters for prisoners on a variety of health issues including TB.

In the other healthcare area there were 172 'post treatment' prisoners with TB. This area was regarded as a national resource. The prisoners were held in dormitories, which were the same as in the rest of the prison. The delegation were informed that prisoners underwent two months of treatment at the central TB treatment facility and were then sent back to the prison where their treatment would continue for an additional 12 months. The delegation were informed that the supply of all types of drugs was somewhat unreliable and that this was also true for TB; sometimes herbal remedies were employed instead of isoniazid. We were told that Doctors from the

central facility visited the 172 prisoners each month, but that other prisoners were tested on reception and then about every 6 months.

Security

The perimeter security consisted of 3 fences, one 6 feet tall topped with wire, a central fence about 15 feet tall topped with wire, and an internal barbed wire barrier about 6 feet in height. There were watchtowers at each corner of the prison, and these were manned by soldiers with AK47 assault rifles. There was a vehicle and a pedestrian gate, which were both manually operated. The delegation was told that there had been no escapes from inside the prison so far in 1998, although some prisoners had escaped from working parties on the outside.

Internally, each dormitory had a solid door with a hasp and individual padlock. Few of the dormitory windows had locks or bars.

Control

The prison's segregation unit was a 20x20 feet block, partially underground and covered with wire. The delegation were told that it was closed for refurbishment and was not in use. We were informed that prisoners who disobeyed the rules would be separated from the others and their privileges reviewed, although we were not told how this would be achieved.

The prison was still operating the senior prisoner system, although the delegation was told that this was being phased out after the introduction of the social welfare officer. There was one senior prisoner per dormitory. The delegation was informed that the function of these prisoners was to find out prisoners' problems and convey them to staff.

Staffing

The Governor was a man who had worked in the Prison Service for 22 years. This was his sixth prison and he had been in charge for 1 year and 8 months. Most of the 102 staff were male. There were 104 soldiers allocated for guarding the perimeter and these were billeted nearby under their own commander.

2 Kharkhorin Prison

Summary:

Date of visit: 16 August 1998

Governor: Colonel Tsogbatyar

Category of prisoner: Ordinary

Location: 380km (5 1/2 hours drive) from UB

Capacity: 285 on day of visit

Accommodation: Former army barracks converted in 1972

Regime: Ordinary

Staffing: 100 Prison Staff, 50 soldiers for perimeter duties

Physical description

This fairly small prison consisted of 3 blockhouse type accommodation blocks, facing an exercise yard, with a large carpentry workshop behind. The blockhouses were a converted army barracks, built of brick with corrugated roofing. There was another building, but this was under repair and not in use. There were several covered areas outside for prisoners to sit in.

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Hygiene

There was one open sided shed with pit toilets at the rear of the accommodation blocks. Near these was a small shower facility with 2 baths and a shower system consisting of a length of pipe with holes punched in it. Prisoners were also using this facility to launder their clothing and bedding.

Food

There was one kitchen per dormitory, each staffed by 2 prisoners. Next to these was a dining room measuring approx. 20 x 20 feet, where all the prisoners could eat in one sitting. Each kitchen was supplied with its own boilers and utensils, and each prisoner had been issued with his own bowl and cup. Food was stored both in the kitchens and in a central refrigerator.

Activities

57 of the prisoners were employed in the wood processing and carpentry area. In this area prisoners were chopping and preparing wood and others were engaged in carving, and making the wooden supports and furnishings for gers. The Prison produces about 70 gers per year, which are sold outside. Other prisoners were employed quarrying and planting trees outside the prison. In the woodwork shop, the prisoners were expected to work an 8-hour day.

In their leisure time, prisoners could play basketball, use the exercise yard or the reading room, which held the previous days papers and some books. At the rear of the reading room was a small Buddhist temple where one of the prisoners, who had been in a monastery before coming to the prison, was acting as priest. He said that he had 15-20 prisoners regularly joining him in prayers.

Visits

The visits area consisted of a white walled block with 5 rooms. Each had some furniture, with the family rooms having a carpet and 2 beds. There was also a small kitchen where families could bring in and cook their own food. The delegation were informed that prisoners could have one 72-hour visit per month in addition to their short visit. There was one visit taking place, and the visitor told us that she came to the prison to see her husband every two weeks.

Healthcare

A small general hospital operated in the prison staffed by a Doctor assisted by 2 nurses. At the time of the delegation's visit there was one nurse on duty and 5 patients in the available 12 beds. The accommodation in a one-storey building consisted of 3 well lit rooms running off a dark corridor, with four beds per room. The delegation was informed that prisoners with TB would be sent elsewhere, and that prisoners in this hospital were suffering from malnutrition and pneumonia. We were told that all prisoners would be tested for TB on a quarterly basis. The delegation was informed that medicines and equipment were in fairly short supply.

Security

The external fence was made up of three parts, two of 6 foot high wire, and a central wooden one, 15 feet high, with a facility for electric current that was not working. In some places there were no wire fences, near the gate for example. There were watch towers around the edge of the perimeter, which were manned by armed soldiers. The delegation were told that there had been 2 escapes in 1997, but none so far in 1998.

There was one pedestrian and one vehicle gate.

Internally, some of the windows were barred and all the dormitory doors had hasps for locks, although in some cases there were no padlocks present.

Control

The delegation were informed that the prison did not have a segregation unit and that disruptive prisoners would lose remission. There was no use of senior prisoners at this prison.

Staffing

The Governor was a man who had been in charge of the prison for 5 years. He was on holiday at the time of the visit, and we were hosted by the Deputy Governor, but the Governor returned to welcome us that evening. There were 100 Prison staff and 50 soldiers, with their own commander.

3 Zuunkharaa Prison

Summary:

Date of visit: 21 August 1998

Governor: Colonel Sugarev

Category of prisoner: strict regime

Location: 170 km (4 hrs drive from UB)

Capacity: 500 on day of visit (300 in the prison, 200 located outside the Prison on agricultural projects)

Accommodation: Purpose built in 1967

Regime: Strict

Staffing: 80 Prison staff, 50 soldiers

Physical Description

Constructed from concrete and one storey high, the whitewashed buildings were located around a large central yard. There were several seating areas, a large basketball court and some small shelters in the yard.

Accommodation

The prison had a number of dormitories, each measuring 40 x 20 feet approx. and holding 60 or more prisoners. All the dormitories were recently decorated and quite clean, with some posters and prisoners personal possessions in evidence. One of the dormitories had a TV, the others had radios. In one of the dormitories there was a weights area, and a prisoner with expertise in this area was supervising others. Each of the dormitories had a large sink, and there was an office at the end for the social welfare officer.

The prisoners' beds consisted of 3 tier plank bunks, which ran continuously around 3 walls. Some of the prisoners had their own section, and others were sharing. These beds had been built in the summer of 1998.

Each prisoner had his own mattress and bedding; this was rolled up at the time of the visit. The prison had supplied all of the bedding, although some of it was new and some was not.

Each dormitory had a hot water boiler where prisoners could make their own hot drinks. There were lockers available to some prisoners for their personal possessions and others were under construction. Most of the prisoners were wearing their own clothes, although some were wearing that supplied by the prison. Prisoners had been issued with plastic bowls and clotheslines for laundering their clothes and bedding.

There were a number of windows missing in the dormitories, but panes and frames were stacked around the accommodation for refitting in time for the winter months. Heating, generated by the prison, was provided by hot water pipes and radiators, placed around the walls. There were ventilation holes in the walls and ceilings. Lighting was provided by a centrally placed light bulb.

Hygiene

The toilets were located at the rear of the prison, with 32 in all. There was free access to these during the day, but at night prisoners had to ask permission from the guards. There was also a central shower facility which was newly tiled and decorated, and which had 4 showers. The delegation were told that prisoners could have a shower once a week. Sometimes prisoners who did not want to shower would be forced to do so.

Food

Each dormitory had its own kitchen, located at the rear, and staffed by two prisoners. They prepared 3 meals a day, of which lunch and dinner were hot. Each of the kitchens had 2 boilers and an assortment of equipment, as well as a cupboard for storing food and supplies.

A small dining area, approx. 10 x 10 feet was provided next to the kitchen; the delegation were informed that some prisoners would use it while others ate in the dormitory. All the prisoners had been issued with their own bowls and cups. Some of the produce available to prisoners came from the prisons own livestock and arable land.

The delegation were informed that there was work for about 60% of the prisoners. This was mainly in the agricultural areas and additionally in the prison's wood processing plant. There was also a carpet making area in the old communal dining room, and this was providing work for three prisoners and another one acting as instructor and designer. The delegation were told that the prison had a further 8 looms, but that these were not in use due to shortage of materials.

The delegation met the prisons social welfare officer, a Lieutenant. He said that he was responsible for 102 prisoner, and that he had no staff working to him.

In their spare time, the prisoners could watch TV, listen to the radio or play basketball, although at the time of the visit there were no balls available.

Visits

The visits area was a large white one-storey building adjacent to the gatelodge. It was quite clean and in a reasonable state of decoration. There were 4 rooms where visits took place unsupervised, Each room was sparsely furnished and there was a small kitchen for the use of the visitors.

Healthcare

The Prison hospital was located at the rear of one of the dormitories. It had 6 beds, the budget having been reduced from the original 10. At the time of the visit there were 6 in-patients, although one of them had gone, with the prison doctor, to the local hospital for an operation. As well as the doctor, the prison had 4 nurses as well as a hygiene inspector. A number of the prisoners had inactive TB, having returned from the central treatment facility. There had been 18 TB related deaths in 1997, and 1 so far in 1998. Other prisoners were described as having illnesses related to TB and the

prolonged taking of anti TB drugs. We were told that medicines and equipment were in short supply.

Security

The perimeter security was the standard three-layered fence, although the central fence was about 12 feet high. There were watch towers around the fence all manned by armed soldiers, and large searchlights had been sited around the perimeter at uneven intervals. There was a manned combination personnel and vehicle access gate, and a separate entrance for staff.

Within the prison, some of the dormitory windows were barred and some of the doors had padlocks on.

The delegation were told that there had been 17 escapes from the wood processing plant, but none from within the prison itself. Of these escapees, 1 was still at large

Control

There was a small discipline block in one corner of the yard. It had 4 single cells measuring 8 x6 feet each with no windows, although the doors had been changed to a wire mesh to allow some light in. The overall atmosphere was dark and damp; there was mould on the walls and no lights or beds in any of the cells. The maximum stay was 1 month. Staff prepared food for the prisoners, and staff would also take them outside to the toilet when they wished to go. The delegation was not satisfied that conditions in this area met with international standards.

The delegation was told that the block was not in use, and there were no prisoners in it at the time of the visit. We were told by an Officer, and by several prisoners, that the building had been in use, although not as frequently as before.

The delegation was informed that the prison had since the 1990s however each dormitory still had a senior prisoner in place, accommodated separately. It was explained that the senior prisoners were being phased out.

Staffing

The Governor was a man who had served in the Prison department for over 20 years, and who had taken over the prison in 1996. There were 80 Prison staff and 50 soldiers under their own commander.

4 Darit Prison

Summary:

Date of visit: 21 August 1998

Governor: Colonel Tsogtbatyor

Category of prisoner: Strict

Location: 200km (5 hours drive) from UB

Capacity: 600+ prisoners on the day of the visit

Accommodation: Originally constructed as a children's prison in 1975, reconstructed in 1993

Regime: Strict

Staffing: 85 Prison staff, 60 soldiers

Physical description

The prison consisted of a three-sided block around a central courtyard, the one storey brick buildings having tiled and corrugated iron roofs. They were set in open ground with some paths linking the buildings.

Accommodation

The large dormitories had been broken down into 6 smaller ones, varying in size from 20 x 20 feet to 40 x 20 feet designed for 60 prisoners and holding 30, 67, 60, 60, 60 and 60 prisoners respectively. The dormitories were clean and newly decorated, and had some pictures and murals on display. Most were lit from a central light. There was no glass in the windows, but we were told that this would be fitted in time for the winter. There were a variety of heating pipes and radiators in the dormitories.

There was also a small reception dormitory in the prison, where all new receptions spent their first week. This was about 20 x 20 feet with 3 tier wooden bunks. At the time of the delegations visit there were 2 prisoners in the dormitory, both were sleeping. The delegation were told that new receptions received extra rations, as they would often come from pre trial detention in a malnourished state.

Two of the dormitories had the 3 tier plank bunks running around 3 of the walls. In others there were metal bunk beds which had been pushed together. The prison had supplied mattresses and quilts, and a number of the prisoners had their own bed covers. The bedding varied in age and condition.

Each of the dormitories had its own TV and a hot water boiler. The prisoners could wear their own clothes or those supplied by the prison. Again, the problem with laundry was raised, although there were large sinks for use in the summer months. Extracts from prison rules and regulations were also on display.

On the exercise yard there was a box for applications and suggestions that prisoners could make in confidence if they wished.

There was a toilet block located at the rear of the dormitories; at night prisoners asked permission to use these facilities. There was also a shower block containing 13 showers and 1 bath. Prisoners had access to these once a week at weekends.

Food

Each dormitory was supplied with its own kitchen; those in the reception dormitory sharing with the dormitory next door. Each kitchen had two boilers and was staffed by 2 prisoners. Food was stored centrally with rations being distributed each day. Meal times were 0700 1200 and 1800 hours. If prisoners were at work in the fields then the midday meal would be taken out to them. Each kitchen had a small room adjacent to it where prisoners could eat their meals, but as there were few or no seats prisoners often ate in the dormitories.

Activities

There was seasonal work for about 60% of the prisoners in the farm area around the prison. On arrival, the delegation saw a large number of prisoners at work in the fields, supervised by armed soldiers. In addition the prison had its own bakery and mill making bread for the prison and outside. There was also some wood processing work, a carving shop and a metal work area with lathes and presses. In two other parts of the prison, some distance away in the mountains, groups of prisoners lived away from the prison looking after livestock.

In their leisure time the prisoners could make use of the basketball court, outdoor gym equipment and a central snooker table. There were chess and draught boards in the dormitories and a barbershop and ironing room staffed by a prisoner.

There was also a central reading room, with some books and current newspapers. At the rear of this room was a Buddhist temple, where the priest was one of the prisoners. This had initially been established in 1998. The delegation was told that some of the items in the temple had been donated by the local monastery, while prisoners had done others, such as the paintings. We were told that the temple was in frequent use. On leaving the prison, the delegation were pleased and honoured to be given a gift from the temple by the prisoners.

Visits

The visits area was a blockhouse building next to the gate lodge and the prison administration block. There were a number of furnished rooms for short and 72 hour visits. None were taking place at the time of the delegations' visit.

Healthcare

The prison hospital was located next to one of the dormitories. It had 10 beds of which 9 were occupied at the time of the visit. It was clean and well decorated and smelt of disinfectant. The prison doctor was a retired civilian doctor, and was also a qualified surgeon. Two nurses and a hygiene officer assisted him.

The Doctor told us that the main health problems in the prison were lung related disease and malnutrition in those prisoners just arriving from pre trial detention. The Doctor stated that the quantity of medical equipment was sufficient. There were some posters about health on the walls of the hospital, but none of these concerned TB.

Security

The perimeter security consisted of a 15 foot outer fence, constructed from wood and wire, and a 6 foot inner fence. There were watchtowers around the perimeter

maintained by armed guards. There were 2 access gates to the prison, one for pedestrians and one for vehicles.

Internally there were bars on many of the dormitory windows and each of the dormitories had a stout, lockable, metal door.

Control

The delegation were informed that the prison's segregation unit was not in use. There were no senior prisoners in the prison.

Staffing

The Governor was a man who had been in post for 2 years. There were 85 prison staff and 60 soldiers under their own commander.

5 Tashiryn am High security prison

Summary:

Date of visit: 18 August 1998

Governor: Colonel Ganbold

Category of prisoner: High Security and ordinary

Location: 52km (2hours drive) from UB

Capacity: 180

Roll on day of visit: 7 life sentence, 58 high security, and 45 ordinary

Accommodation: Converted Soviet Army Barracks and Hotel, opened in March 1998

Regime: varied

Staffing: 63 prison staff

Physical Description

The Corrections Department converted the prison in March 1998 following a decision, to close Advarant maximum security prison; all the high security prisoners who were there were transferred to the new prison. The prison contains prisoners serving long sentences and life sentences, as well as some ordinary regime prisoners, housed separately.

Situated at the end of a road that passes through the former barracks and accommodation, now used by civilians, the main prison consists of a large three storey building that was once a hotel. At the bottom of a gentle slope, and outside the main fence, there is a one-storey blockhouse for the ordinary prisoners. The large windows of the main building had been blocked up to $\frac{3}{4}$ level with the other $\frac{1}{4}$ being wire mesh. The Governor lives on site, as will the medical officer when a full time one is appointed.

Accommodation

High Security

The High Security prison has cellular accommodation, with the cells being built along one wall facing into a corridor. Each cell measures approx. 10 x 9 feet. Forty-nine of the cells had solid doors backed by wire mesh doors and 50 were of a new design, with mesh doors, so that prisoners could see into the corridor. All the life sentence prisoners were accommodated in single cells. The high security prisoners had been given the option of sharing cells, and they had all opted to do so.

Cells on the northern side of the prison were not in use as the fence was not cladded and the Prosecutors Office had forbidden the use of cells where prisoners could see the village below. Some of the cells on the ground floor had full glass windows and

bars; we were told that these were for older prisoners or women. They were unoccupied at the time of the visit.

Access to the cells was through a double gate in the case of those with solid doors, and a gate with a locking plate for the mesh doors, both having a hatch for passing food in and plates out.

There was one bed in each cell. In those cells where two prisoners were sharing, we were told that one of them would sleep on the floor. The delegation, while believing that sharing cells would be of benefit to the prisoners, felt that they should be provided with a bed each, and considered that the prisoners might weld the existing beds together to provide bunks.

There were hot water pipes running along the rear wall of the cells, and a radiator in some of them.

The general décor was bright and clean and represented a considerable improvement over the previous prison. Lighting was provided in each corridor, and by a single bulb in each cell. The delegation were informed that the Corrections Department intended purchasing televisions to be placed in each corridor so that they could be seen from the cells. There was a central radio with speakers set up in the corridors.

Prisoners could wear either their own or prison clothing. There was no stored property or changes of clothes. There was little evidence of personal property, although a number of prisoners had photographs in their cells.

Ordinary Regime

The accommodation for the ordinary regime prisoners was in two dormitories each measuring approx. 20 x20 feet. There were 28 prisoners in each room. The beds were two tiered wooden bunks running along the rear wall of each room. The prison had provided mattresses and bedding. Prisoners could wear their own clothing or prison clothes. There was a TV in one of the dormitories, accessible to all the prisoners. Heating was provided via hot water pipes running round the walls.

The general décor was clean and tidy; there was some personal property and some rugs and posters on the floor and walls.

Hygiene

High Security

Each cell had its own unshielded toilet near the door. There was one hip bath with shower attachment on each floor of the building; each contained in a small, lockable, mesh cell. Access to this was at the prisoners' own request. Prisoners could have hot water for washing and tea three or four times a day. They were provided with soap and washing powder to do their washing in their own cell. All of the prisoners had their own cups and bowls.

Ordinary Regime

A toilet and a shower block was provided for the use of these prisoners. Showers could be had once per week. Laundry would be done in the showers or sinks and then dried outside.

Food

There was a large central kitchen for the High Security prisoners; food was prepared there and then taken round to the prisoners by staff. Food could be passed through the hatches in the doors. Prisoners would then eat their meals in cell.

The ordinary regime prisoners had their own kitchen with a small dining room. If there was not enough room for everyone, then we were told they would eat in the dormitories.

Activities

High Security

The lifers and other High Security prisoners are not permitted to work by law. They spent the days in their cells, reading and cleaning. Prison law states that lifers should have no contact with anyone else, but we were told that staff, particularly the social welfare officer, did speak to this group of prisoners.

This group of prisoners had been transferred to the prison before it was fully completed. There were small cage exercise areas next to the side of the prison. These had not been used as the fence was not high enough or fitted with cladding to prevent the prisoners seeing out or other people seeing them. The Prosecutor General's office (responsible for the enforcement of prison law) had stated that the area could not be used. The High Security prisoners and lifers had thus had no exercise from the time they had moved to the new prison. While they understood the restrictive nature of the current prison law, the delegation felt that this lack of exercise did not meet with UN standard minimum rules.

Ordinary Regime

The ordinary regime prisoners worked in the fields adjacent to the prison, farming and looking after the prison livestock. As their work was seasonal their numbers would be reduced through transfer in the winter months.

Visits

High Security

The High Security prisoners were allowed 2 visits per year lasting for 3 hours each. Visits took place in a well lit carpeted room with the prisoner separated from his visitor by a table with a low partition in the centre. On the walls of the visits room were the visits rules and advice on serving long sentences. At the time of the delegations' visit there was one prisoner receiving a visitor. All visits took place under the supervision of a sub officer who remained in the room the whole time.

Ordinary Regime

These prisoners had a small visits area at the rear of one of the dormitories. This contained some furniture and a small kitchen. These prisoners were permitted to have 72 hour visits.

Healthcare

High Security

The small healthcare office was located at the end of the high security block on the ground floor. There were 11 cells designated for sick prisoners. Cell conditions were the same as for the other prisoners. All these prisoners had inactive TB. No Doctor had yet been appointed for the prison so it was using a retired civilian Doctor, assisted by 2 nurses. The delegation was informed that the healthcare area now had the facilities to treat prisoners with active TB to avoid having to move them to the central hospital.

there were also some other diseases associated with malnutrition and lack of exercise and fresh air. He said that while TB medicines were in good supply, other medicines and equipment were not.

Ordinary Regime

If prisoners fell sick then the Doctor would see them, but they would be transferred to another prison if they required in patient care.

Security

The High Security prison was bounded by a single wire fence, some 25 feet high and topped with barbed wire. There was a large metal electronic access gate. The Corrections Department had been informed that security was not sufficient and that an outer wall should be constructed. Prison law states that High Security prisons should have five layers of fencing. There was a plan to build 2m high stone wall 50 metres from the main block, but we were told that there was no money for that at present. As mentioned above, this and the absence of cladding on the fence, meant that there was no exercise for the high security prisoners.

There were no watchtowers around the perimeter and no soldiers acting as perimeter guards. The delegation were informed that the Corrections Department would prefer to use their own staff but that this was not provided for under the law.

Internally the prison had a small gate lodge with electronic locks, and the internal gates were all padlocked. Each door and cell had its own lock, each requiring a separate key.

The observation holes in some of the high security cell doors were too high; a small stepladder had been provided to allow staff to see in.

There had been no escapes from the prison since it had opened.

Control

The delegation observed a number of leg manacles in the high security block. We were told that prison law states all high security prisoners should have their legs chained together at night. Prisoners would also be cuffed in this way to move around the prison. The leg cuffs were made of metal, with a thick leather coating, joined together by a chain. The delegation was informed that these were a new measure introduced by the Prosecutor General's office.

The delegation were told that the prison was not using these restraints at present as it was felt that they could cause mental and physical damage. The delegation agreed with this and felt that the use of such restraints would not meet international standards.

Staffing

The Governor was a man who had been in command of the old prison and had moved to set up this new one. He had 63 prison staff, of whom 18 would be on duty at night. There were no soldiers at this prison.