

SUCCESS STORY

Harmonisation of BiH sanctions policies and practices with European standards

DELEGATION OF
THE EUROPEAN UNION
TO BOSNIA AND HERZEGOVINA



260 prison staff members were certified with human rights training

Joint EU - CoE project helping BiH to set up an efficient prison system while respecting human rights

An efficient, fair and transparent criminal justice and prison system are crucial for the whole society as it is a prerequisite for the respect of human rights. Bosnia and Herzegovina (BiH) has committed itself to upholding these fundamental EU principles as a signatory of international conventions on human rights.

The European Union, together with other international organisations have been working with BiH authorities for over a decade on aligning prison practices with internationally recognized standards. Throughout this process, the role of local

Respect of prisoners' human rights, professional operational management of prisons and delivering treatment programmes closely adjusted to the prisoners' needs result in prisoners who are capable of leading law-abiding lives and reintegrate in the society.

professionals and policy makers has been instrumental for the success of the projects.

The joint project of the European Union and Council of Europe titled *“Harmonisation of BiH sanctions policies and practices with European standards”* is part of a joint Prison Reform Programme focused on improving the implementation of community sanctions, establishment of probation services, training prison staff and development of treatment programmes for vulnerable prisoners.

The project was co-funded by the EU and CoE, with a budget of EUR 1,32 million, out of which the EU provided EUR 1.2 million and was implemented by the Council of Europe from January 2013 to June 2016. Among other objectives, it aimed at enabling local policy makers, primarily Ministries of Justice on all levels, to further develop the prison systems and thereby meet BiH international treaty obligations.



The European Union is working on the harmonization of prison practices in BiH for more than ten years

Community sanctions conditional release, community service and conditional sentence are important ways of combating crime, reducing the harm that it causes, avoiding the negative effects of remand in custody and imprisonment, and respecting fundamental human rights.

To improve the implementation of community sanctions, the project assisted national authorities in developing draft amendments to criminal legislation and their further alignment with European best practices.

When it comes to probation service, current legislation in BiH does not provide for its establishment. However, in two prisons in Banja Luka and Zenica, a pilot project on probation tasks was conducted within the EU-CoE project.

One of the offenders and pilot project beneficiary claims that during his probation he *“felt something positive was happening for the first time and would like to continue the experience as the effect was valuable”*.

Besides the most important result, that is, the reintegration of sentenced persons back into the society, more effective rehabilitation in the community also leads to the reduction of overcrowding in prisons, and this is not only a prisoners' issue as it affects also prison staff working conditions and creates stress.

The community's expectations that the prison system should keep a proper balance between maintaining security and promoting adjustment in the society demands not only development

of the rules and routines but also prison staff's competence and attitudes.



Horizontal Facility for the Western Balkans and Turkey has a budget of 25 million euro

The practice shows that prison staff in their direct and daily contacts with prisoners could, even unintentionally, violate their rights. Within the project, a professional training manual on advanced competencies was drafted and the corresponding training programme was designed. Mid-managers in the treatment and security departments in the 14 prison establishments in BiH were trained to perform more complex duties in their daily dealing with prisoners. Still, the real professionalism of prison staff requires improvements in their capacity to deal with prisoners in a decent and humane manner while paying attention to matters of security and good order.

In this regard, 260 prison staff members were certified to undergo training with the aim of enhancing human rights and penitentiary policies and practices. Training strengthened staff ability to deal with persons deprived of their liberty without infringing their human rights, a increases their ability to design and provide meaningful activities and ensure that access to primary health care in prisons is equal to that provided in the community and support the treatment of mentally incapacitated offenders. Resulted in the staff's gradual transfer from the role of beneficiaries of the project to the role of active supporters of better standards in prisons.

Prisoners with special needs are at a particularly high risk of being assaulted by other prisoners or mishandled by prison staff. The prevention of these occurrences always poses a difficult challenge. The often adopted solution to separate them from the rest of the prison population usually impacts upon their security and the significant limitation of their

The betterment in treatment of prisoners was also supported by organising purposeful activities for long-term women prisoners in close co-operation with prison authorities in East Sarajevo and Tuzla. The side effects of this exercise include enhanced co-operation and a renewed enthusiasm on the side of prison staff to engage with prisoners

One of the prisoners found this activity to be a key point in her rehabilitation process. *"Sewing activities have helped me fill my days. It gave me a new aim, something to look forward to each day, a form of work and responsibility which gave an added sense of contentment".*

The prison system reform and alternative sanctions viewed as a supplement to this system will inevitably increase the effectiveness of the entire system. The EU and CoE continue to support the development and reform of the prison system in BiH and in 2016 started the joint programme "Horizontal Facility for the Western Balkans and Turkey" aiming at assisting authorities in South-East Europe to achieve greater compliance with European standards in three key areas: ensuring justice, fighting economic crime as well as combating discrimination and protecting the rights of vulnerable groups. The Horizontal Facility has a budget of EUR 25 million, of which 20 million euro was provided by the EU and EUR 5 million by the CoE.

activity programmes compared with those available under the normal prison regime.

For this specific aspect, the project standardised prison practices and assisted prison management with a number of treatment programmes that improved treatment of vulnerable prisoners to better correspond with their needs and risks they present.



Efficient prison system is a prerequisite for the respect of human rights

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