Module 7. The role of non-governmental organisations

7.1 Why NGOs are important?

These materials will help participants to:

- Describe why non-governmental organisations (NGOs) are important for the promotion of International Prison Standards.
- Provide examples of actions of NGOs to promote the standards.

Non-Governmental Organizations (NGOs) have played an important role in the promotion of prisoners' rights and humane prison conditions. Human rights protection in the prison system and prison reform is an active field of non-profit action. Altogether, there are more than 1,780 NGOs working on prisoners' issues. Important organisations include the British NGO Penal Reform International (PRI), the London-based Centre for Crime and Justice Studies, the US-American think tank Prison Policy Initiative (PPI), and the Canadian International Centre for Criminal Law Reform & Criminal Justice Policy.

The British NGO - Prison Policy Intitiative (PRI)

The British NGO PRI has been especially influential. The NGO works on penal and criminal justice reform worldwide. It was established in 1989 by a group of criminal justice and human rights activists, including Ahmed Othmani, a former Tunisian political prisoner, and Vivien Stern, an academic and politician. PRI has worked in collaboration with the United Nations to improve norms and standards in order to better protect the rights of people in criminal justice systems. The NGO has a seat at the United Nations Economic and Social Council (ECOSOC); the African Commission on Human and Peoples' Rights; the African Committee of Experts on the Rights and Welfare of the Child; and the Council of Europe. Its work in Africa has been particularly influential, as the NGO managed to convince governments to improve prison conditions. In Uganda, for example, PRI developed a torture prevention programme that included a police training course on international human rights standards. In Kenya, Tanzania, and Uganda, the NGO led a pilot project on the development of community service as an alternative to short-term prison sentences for petty offences (PRI, sub-Saharan Africa, n.d.).

Learn more about PRI

The United Nations has acknowledged the important contribution that NGOs make towards improving prison conditions worldwide. The United Nations System Common Position on Incarceration, for example, mentions social service providers and civil

society as key stakeholders in improving prison conditions and in developing alternatives to imprisonment (UNODC, 2021).

Non-Governmental Organizations (NGOs) can serve as powerful mechanisms for preventing human rights abuses and corruption in prisons. They ensure transparency, accountability, and even provide various services within prisons, including education, religious activities, and professional programs. Some NGOs have specific mandates related to prison oversight, either through National Preventive Mechanisms (NPM) established by Member States under the Optional Protocol to the Convention against Torture or through international treaties like the International Committee of the Red Cross (ICRC). These organizations play a significant role in making prisons more transparent and preventing human rights violations.

Example of NGOs engagement

The initial focus revolves around eradicating torture and related issues, including the rights of detainees and prisoners. Amnesty International initiated a year-long campaign for torture abolition in December 1972, collaborating with numerous NGOs. This effort involved an impactful international conference and the publication of a "Report on Torture. "The campaign effectively influenced the media, public sentiment, and governmental awareness, prompting the UN General Assembly to endorse various concepts and laws against torture and other forms of cruel treatment.

Prisons are particularly vulnerable to corruption due to their closed nature, daily interaction with criminal groups, low remuneration of prison staff, and lack of specific rules. Many grassroots NGOs worldwide connect with prisoners, their families, friends, and communities to address these concerns. Additionally, numerous NGOs develop projects for providing services within prison facilities, offering social reintegration and vocational programs, including workshops, educational classes, and professional skills development.

The other examples of NGOs engagement are:

- **Advocacy and awareness**: NGOs advocate for the adoption and implementation of international prison standards, such as the United Nations Standard Minimum Rules for the Treatment of Prisoners (the "Nelson Mandela Rules"). They raise awareness about the importance of these standards and the need for their enforcement.
- **Monitoring and reporting**: NGOs often visit prisons, detention centers, and correctional facilities to monitor conditions and report on human rights violations. They shine a light on issues such as overcrowding, inadequate healthcare, abuse, and poor living conditions.

- **Legal Assistance and representation**: Many NGOs provide legal assistance to prisoners, including those who may be wrongfully incarcerated or have faced human rights abuses. They help prisoners seek justice, access legal remedies, and challenge unlawful detention.
- **Advocacy for vulnerable populations**: NGOs often focus on the rights of vulnerable groups within the prison system, such as women, children, LGBTQ+ individuals, and individuals with mental health issues. They advocate for gender-sensitive and rights-based approaches to their treatment.
- **Rehabilitation and reintegration programs**: Some NGOs work directly with prisoners to provide rehabilitation programs and support their reintegration into society upon release. This includes educational and vocational training, mental health services, and substance abuse treatment.
- **Policy analysis and recommendations**: NGOs conduct research and analysis to assess the effectiveness of prison systems and make policy recommendations. They provide evidence-based input to governments and international bodies for the improvement of prison standards and practices.
- **Capacity building**: NGOs offer training and capacity-building programs to prison staff and other stakeholders to ensure that they are aware of and able to implement international prison standards.
- **Legal advocacy and litigation**: NGOs may engage in strategic litigation to challenge legal and policy issues related to the prison system. They often work in partnership with legal professionals and use the legal system to advance prisoners' rights.
- **International collaboration**: NGOs work together with international bodies, such as the United Nations and its agencies, to share information, provide expertise, and advocate for the enforcement of international prison standards.
- **Public engagement**: NGOs engage the public to build support for the rights of prisoners and to reduce stigma and discrimination against individuals who have been incarcerated. They also raise awareness about the importance of restorative justice and alternatives to imprisonment.
- **Research and data collection**: Many NGOs conduct research on prison-related issues, collecting data to highlight problems and solutions. Their reports and publications contribute to informed policymaking and public debate.

7.2 Country examples

Country example: Kyrgyzstan

The role of civil society in the development of the penitentiary system in Kyrgyzstan is crucial. Thousands of non-governmental organizations (NGOs) operate in the country, covering various areas. As of April 2018, there were 17,117 registered NGOs in Kyrgyzstan. These organizations play a significant role in advancing effective and innovative technologies in the penitentiary system. Employees of the penitentiary system receive training in social work methods with convicts through seminars and training programs organized by government bodies, international organizations, and NGOs.

The collaboration between prisons and civil society has drawn attention to several important aspects, including:

- **Protection of prisoner rights:** Civil society organizations have been instrumental in shedding light on issues within the penitentiary system, advocating for the rights of prisoners, and pushing for greater transparency within the system.
- **Legal assistance:** NGOs have worked to provide legal assistance to inmates, ensuring that their rights are upheld and protected.
- **Improving detention conditions:** There are efforts to improve the conditions of inmate detention, making prisons more humane and conducive to rehabilitation.
- **Medical and socio-psychological rehabilitation:** There is a focus on the medical and socio-psychological rehabilitation of prisoners, addressing their overall well-being.

One significant approach to address addiction issues in the penitentiary system is "the Atlantis" program. This model, introduced by a Polish expert, dr Paweł Moczydłowski, focuses on therapy, psychological training, and rehabilitation. The program is based on the Minnesota model for treating individuals with substance use disorders. It includes a 12-step rehabilitation program that operates in eight Kyrgyz prisons. Inmates voluntarily participate in this program, which emphasizes abstinence from all psychoactive substances.

One of the key components of the program is "the Clean Zone." This initiative provides specialized treatment, rehabilitation, and resocialization to inmates who have successfully completed the Atlantis program. It involves a pledge to reject all psychoactive substances and includes elements of social adaptation, psycho-correction, and psychotherapy. The Clean Zone is aimed at the rehabilitation of

inmates struggling with alcohol and drug addiction and helping them adapt to new life situations. It is also educational in nature.

Despite the success of these programs, there are challenges related to attitudes toward medication-assisted treatment (MAT), such as methadone. Some individuals in these programs hold hostile and negative attitudes toward MAT, which may hinder the integration of stabilized methadone patients into such programs. However, the work done through these initiatives represents significant progress in addressing addiction issues within the prison system and promoting rehabilitation and reintegration.

Country examples: Uzbekistan

NGOs in Uzbekistan face challenges that make it difficult for them to operate effectively. These challenges include bureaucratic barriers, a lengthy registration process, language issues, low legal literacy, and insufficient legal support. Unwritten rules also hinder the development of a genuine civil society in the country. Despite legal reforms, the third sector in Uzbekistan, especially self-initiative NGOs, needs more resources and organizational capacity to make a significant impact on the country's development. The lack of financial assistance and government support, along with a focus on control rather than fostering partnerships with civil society institutions, adds to these difficulties."

The organization "Barqaror Hayot" is a notable success, aiding victims of human trafficking and former prisoners with rehabilitation and reintegration. Legal changes are expected to create a more supportive environment for NGOs, fostering civil society development in Uzbekistan. In 2019, probation services and territorial divisions were established to assist former convicts and minors with social adaptation and employment. The project "Interaction between State Bodies and Civil Society Institutions in the Resocialisation of Convicts and Those Released from Places of Deprivation of Liberty," supported by the EU and the German Federal Ministry, strengthens civil society organizations' capacity to protect vulnerable groups' rights.

The NGO "Institute for Democracy and Human Rights" advocates for human rights in Uzbekistan, focusing on parliamentary system research. Despite challenges, ongoing efforts aim to support NGOs, protect vulnerable groups' rights, and advance civil society development in Uzbekistan.

References:

UNODC (2021). United Nations System Common Position on Incarceration