

# **-ANNUAL REPORTS-** **a quick comparative overview**

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- SEE NPM Network members' ANNUAL REPORTS
- for the year 2012  
(Austria, Croatia)
- on-line versions (SPT webpage)  
(-Montenegro)

## THE LENGHT COMPARISON

	<b>in total</b>	<b>original</b>
ALBANIA	133	93
AUSTRIA	40	34
CROATIA	42	33
MACEDONIA	102	87
SERBIA	88	83
SLOVENIA	108	74

## THE LANGUAGE ASPECT

- different language editions – separate reports (ENG, CRO)
- bilingual report – consecutive approach (MACEDONIA)
- bilingual report – simultaneous approach (SLOVENIA)

## COMPILATION vs SYNTHESIS

- ALBANIA: penitentiaries and pre-trial detention facilities BY (SUB)CHAPTERS (by PoD) - TAXATIVE APPROACH
- e.g.:

**2.2.2. Pre-trial detention Institution 302 in Tirana, doc. no. 201203868**

Inspections in this institution found a series of problems, for which the following recommendations were issued:

1. Measures should be taken to eliminate humidity, mainly in sector 3, in order to enhance infrastructural conditions in the rundown parts of the building.
2. It is necessary to reconstruct the isolation, observation and transiting premises and to address all the shortcomings in such spaces, natural light and air should be increased through the enlargement of the cell windows, without affecting the institution's security elements, in order

- **SERBIA: ANNEX to the report**
- e.g.:

### **Recommendations Proposed to Public Authorities in 2012**

#### **Recommendations to the Police**

##### **Police Headquarters in Zrenjanin<sup>91</sup>:**

In all detention facilities, metal panels should be replaced with grid bars, which would provide more natural light and fresh air

- (+ Recommendations to the Prison Administration for Enforcement of penal Sanctions, Recommendations to Psychiatric Hospital, Recommendations to the Asylum Centre)

- **CROATIA: BY (SUB)TITLES (by PoD) - DESCRIPTIVE APPROACH**
- e.g.:

**a) Visits to establishments under the authority of the Ministry of Justice**

*Visit to Zagreb Prison*

The NPM visited Zagreb Prison, Osijek Prison and the Prison Hospital. The visits were targeted, and the decisions on the selection of establishments and the purpose of the visits were based on the information collected by the Ombudsman in inspection proceedings conducted upon inmates' complaints, and information presented in the media.

The purpose of visiting Zagreb Prison was to examine the performance of a specific measure of maintaining order and security – pursuant to Article 135, para. 2, point 4 of the Execution of Prison Sentences Act (Official Gazette, nos. 128/99, 55/00, 59/00, 129/00, 59/01, 67/01, 11/02, 100/03, consolidated text: 76/07, 27/08, 83/00, 18/11, 48/11, decision

- **MACEDONIA: BY (SUB)TITLES (by ISSUES)**
- e.g. (from chapter POLICE STATIONS):

**Material conditions:**

***Detention rooms***

During the visits in 2012 there was an insight in 4 Police stations of general jurisdiction that have new and reconstructed detention facilities and 8 Police stations of general jurisdiction with old facilities. In general, the old detention facilities do not comply or partially comply with the international standards. During the visit of the police stations the team realized that there are detention facilities in basements (PS Delchevo, PS Kavadarci, PS Radovish) as well as facilities that do not meet the standards regarding the size, heating and light (PS Sveti Nikole, PS Kratovo, PS Debar). Due to the lack of appropriate detention facilities for people deprived of liberty in PS Struga and PS Gjorche Petrov people are kept in the offices. Although in the police station in Struga there are four detention rooms for people deprived of liberty, these facilities are not used because they don't have the appropriate conditions and the people who

- (+Toilets, Right to food and water, etc.)



- **SLOVENIA: CHAPTERS BY PoD TYPES, no further subchapters/subtitles**

#### Visits to prisons, a juvenile prison and a youth detention centre

In exercising the duties and powers of the NPM, nine out of the total of fourteen locations where independent internal organisational units of the Prison Administration of the Republic of Slovenia operate (hereinafter referred to as “PARS”) were visited in 2012. These are prisons or their sub-divisions and a correctional facility: Novo mesto Unit of Ljubljana Prison, Maribor Prison, Ig Open Unit of Ljubljana Prison, Dob pri Mirni Prison – Closed Unit, Koper Prison, Nova Gorica Unit of Koper Prison, Radeče Correctional Facility, Celje Prison and Juvenile Prison and Ljubljana Prison.

Prior to making these visits, we visited six locations a year before (Ig Open Unit of Ljubljana Prison, Koper Prison, Nova Gorica Unit, Radeče Correctional Facility, Celje Prison and Juvenile Prison and Ljubljana Prison) and the following three were visited in the previous year: Novo mesto Unit of Ljubljana Prison, Maribor Prison and Dob pri Mirni Prison - Closed Unit.

# REGARDING RECOMMENDATIONS...

- **DETAILED: e.g. MACEDONIA**

(,exact-science' approach- special chapter, numbers, tables, graphs)

## **B. DEGREE OF IMPLEMENTATION OF THE ISSUED RECOMMENDATIONS**

During the implementation of the follow up visits the NPM made a selection of the recommendations that were addressed to the bodies and institutions during the regular visits in 2011. The NPM believed that these recommendations will be implemented until the follow up visit. During the follow up visits not all the recommendations addressed to the places of deprivation of liberty were subject of assessment.

Beside the assessment of the degree of implementation of the recommendations from the previous separate reports, during the follow up visits the NPM appropriately addressed new recommendations (recommendations form 2012) in order to overcome or remove the identified risks and behaviors which may lead to torture or other cruel, inhuman or degrading treatment or punishment of the people deprived of liberty.

**Table – degree of implementation of the recommendations<sup>58</sup>**

Recomedations	PS Chair	PS Aerodrom	PS Drachevo	PS Gostivar	PS Kisela voda	Prison Skopje	ECI Tetovo
<b>Not implemented</b>	6	3	1	2	3	4	5
<b>Partially</b>	2	1	0	1	1	2	2

- **GENERAL SUMMARY/ESTIMATE:**  
**e.g. SLOVENIA**  
(within chapters on PoD types)

- **CROATIA: tabular overview  
(for recommendations)**

**Recommendations made to the institutions under the authority of the Ministry of Justice**

*Zagreb Prison – Central Office*

<b>Recommendations</b>	<b>Steps taken following recommendations</b>
After the visit, the Central Office was asked to submit additional data necessary for the drawing up of a report. Because of the seriousness of the established irregularities, inspection supervision was requested.	Despite the sent rush notes, the data necessary for the drawing up of the report were not submitted and the Central Office did not inform the Ombudswoman whether it had carried out inspection supervision.

*Osijek Prison – Central Office*

<b>Recommendations</b>	<b>Steps taken following recommendations</b>
<p>Taking into account overcrowding in the prison and the heat in the summer months, it is necessary to continue (increased) measures to improve accommodation conditions (to extend the period of time spent outdoors or in the hall, to make the locking and unlocking of doors possible, to enable more frequent showering, etc.);</p> <p>- to divide the space between showers;</p>	Despite the rush notes, the Central Office did not inform the Ombudswoman about the undertaken activities.

- (sidenote) SLOVENIA: tabular overview in final reports

▶ NPM proposal	▶ response from competent authorities
<p>NPM: we propose that a list of priority investments be made with regard to the availability of funds, and a date determined by which the investments would be realised<sup>12</sup>. If dates for realisation of the anticipated investments are perhaps already determined, we ask you to inform us on them.</p>	<p>Gu URSIKS: it was already explained in previous reports that the lack of financial means which would enable routine and investment maintenance of prison facilities is a major issue. This is also the case in ZPKZ Dob pri Mirni. The prison has a list of urgent investment and maintenance work which cannot be realised due to the lack and further reduction of allocated funds. Gu URSIKS has been and will continue to warn the competent authorities against this situation, which can lead to severe disturbances in the functioning of the prison system.</p>
<p>NPM: we support the prison's efforts to form special expert groups in departments V and VI<sup>13</sup> which would enable more efficient treatment of inmates, because education is currently implemented according to the existing main groups.</p>	
<p>NPM: several accommodation premises in Department I are unsuitable for occupation due to their poor condition (repairs to windows, sealing and other window equipment are urgent); in addition, some (due to their size) should accommodate only one person (e.g. in rooms intended for reception).</p>	<p>Gu URSIKS: we have also established that several investment works for the improvement of living conditions in older facilities have to be implemented. In addition the aforementioned windows with sills and grills, the replacement of builder's joinery and poor electric installation, including low-energy lamps and the</p>


# TABULAR OVERVIEW/REVIEW of the NPM activities

- e.g. SLOVENIA (separate chapter)

NATIONAL PREVENTIVE MECHANISM AGAINST TORTURE - OMBUDSMAN'S ACTIVITIES IN 2012				
DATE	LOCATION	PARTICIPANTS	EVENT DESCRIPTION	ORGANISOR
13. 1. 2012	Office of the Human Rights Ombudsman of the Republic of Slovenia	Ivan Šelih, Deputy Ombudsman, and Andreja Srebotnik, Robert Gačnik, MSc. Jure Markič, Miha Horvat, MSc. Simona Šemen, Brigita Urh, Ombudsman's Advisers	At the annual meeting, the programme of visits in 2012 was developed and the analysis of work performed in 2011 was conducted and also the vision of the NPM for the future was set by the members of the National Preventive Mechanism (NPM). The following representatives of the selected NGOs took part in the meeting: Katarina Brvar Strnad (Legal Information Centre of NGOs – PIC ), Ciril Klanjšček (Slovenian Red Cross - RKS), Primus (Katja Piršič, Katja Sodja, Neja Gregorc), Slavica Smrtnik (Novi Paradoks) and Ana Canjko (Slovenian Federation of Pensioners' Organisation - ZDUS).	Human Rights Ombudsman of the Republic of Slovenia
30. 1. 2012	Ministry of Justice, Ljubljana	Dr Zdenka Čebašek – Travnik, Ombudsman, and Ivan Šelih, Deputy Ombudsman	The fourth visit paid to Slovenia by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment (CPT) within the framework of its regular visits, taking place from 31 January to 6 February 2012. On its first day, the CPT delegation held a discussion with Aleš Zalar, the Minister of Justice, and representatives of other ministries and state institutions. The Ombudsman and the Deputy Ombudsman (in the capacity of the	Ministry of Justice of the Republic of Slovenia

- e.g. MACEDONIA (Annex to the report)  
+ special designation of preventive visits!!

**Annex 1: Overview of the activities of the National Preventive Mechanism in 2012**

 - Preventive visits

Date	Place	Activity	Participants	Organizer
06.02.2012	Skopje	NPM visit – public institution for care of children with social problems – Skopje	two counselors of the NPM	NPM
13-15.02.2012	Skopje	Trilateral meeting of the NPM Slovenia, Albania and Macedonia	three counselors of the NPM, representatives NPM Slovenia and NPM Albania	The NPM in cooperation with Council of Europe
14.02.2012	Skopje	NPM Visit – Police Station Karposh	three counselors in the NPM, NPM Slovenia and NPM Albania	NPM
24.02.2012	Skopje	NPM visit – Police station Centar	two counselors in the NPM	NPM
28.02.2012	Sveti Nikole	NPM Visit – Police station Sveti Nikole	two counselors in the NPM	NPM
20-21.03.2012	Geneva, Switzerland	Thematic workshop: "Monitoring for the risk of ill-treatment or torture during the immigration removal process –key issues facing the NPM's"	Anica Tomshikj – Stojkowska	Council of Europe European NPM Project
20.03.2012	Radovish	NPM Visit – Police Station Radovish	two counselors in the NPM	NPM

# PHOTOGRAPHS from the visits!!

- MACEDONIA

**Анекс 2/ Aneks 2/ Annex 2:**

**Избор на фотографии од спроведените посети во 2012 година – позитивни и негативни примери/ Përzgjedhje e fotografive nga vizitat e realizuara në vitin 2012 – shembuj pozitiv dhe negativ/ Selection of images from the visits completed in 2012 – positive and negative examples**

**Позитивни примери/Shembujt pozitiv/Positive examples**



фото/Foto/Photo:



# PHOTOGRAPHS from the visits!!

- MACEDONIA

**Негативни примери/Shembuj negativ/Negative examples**



фото/Foto/Photo:

Простории за колективно сместување осудени лица во отвореното одделение во КПД  
"Идризово"-Скопје (затворени по интервјуата на НПМ/ Mardëira nër vendosje kolektive