

ANNEX III

Approach of Human Rights in the Prisons of Islamic Republic of Iran

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Section one

A) General concepts

1) General concepts of human rights

The concept of human rights has emanated from the glory, development and evolution of human civilization in the course of history, and along with the development and evolution of human civilization, belief in human power and potentials has become stronger and stronger.

The philosophical foundation of human rights is underpinned by the belief in a sort of justice which is applicable at all times and all places for the entire mankind. This belief in human potentials has led thinkers, philosophers and scholars throughout ages to reflect on such potentials as manifested in the writings of the old philosophers and scholars especially where they address human dignity and rights and the need to respect and observe them. So, even the writings of the philosophers and lawyers of the early human history have alluded to the concepts of "general rights" or "human rights" which come from the humanity of mankind per se.

With the emergence of divine religions in which mankind has been introduced as the best of all creatures, the creator has commanded, through His prophets, human beings to respect each other's rights, do good deeds, promote virtues and show compassion and respect towards fellow human beings.

By definition, "human rights" refers to rights which are supported by the laws of countries and the related international conventions and treaties which enable human beings to exercise those rights and deter others from violating them. By concept, "human rights" means that all human beings are born free and are equal in terms of status, dignity and rights; such rights, which are recognized as inalienable, inviolable and inherent rights for every human being, have been defined in a framework which has come to be known as human rights today.

2) The heritage of human rights in Islam

Islam essentially believes in justice, equality and human dignity which form the core of human rights.

The Almighty God says in the Holy Quran: "of His sign is the creation of the heavens and the earth and the difference of your languages and your colors; indeed, these are signs for all human beings" (Rum chapter, verse 22). As it is seen, Islam believes that all human beings are created from one man and one woman (Adam and

Eve) and all human beings, men and women, of different colors (white, black, red, yellow,...) or different languages (Persian, Arabic, English, Chinese, ...), different beliefs, different ethnic origins, rich and poor, are born from the same parent and are all inter-related.

All Islamic sources including the Holy Book and the practices and traditions of the Holy Prophet contain the sublime teachings of Islam on human rights which can not be addressed in length in this report. Yet, we refer here to some rules pertaining to human rights in Islam which came to be practiced by Europeans only centuries after their introduction by Islam.

The rule of legality of offence and punishment

Verses of the Holy Quran such as "we don not punish any body before we send a prophet to them" (Asra' chapter, verse 15) has recognized this rule. Also, the rational rule of the prohibition of undeclared punishment and the rule of the legitimacy of the use of owned objects in the absence of a legal prohibition bear evidence to the recognition of this principle in the Islamic law. It is to be noted that even until the end of the 17th century Westerners had not committed themselves to these rules

The rule of absence of criminal responsibility for the minor and the insane

This case should be regarded as an honor of the school of Islamic law as it was only centuries after the advent of Islam when Europeans included this rule in their legal system; during the Middle Ages, in addition to the minor and insane, European courts used to condemn and punish even animals.

The rule of individuality of punishment

The verse of the Holy Quran "no bearer of burden shall bear the burden of another" (Cattle chapter, verse 164) gives a direct command on individual responsibility; and, save for few exceptions such as "zman aqlih"(civil liability of certain relations of the offender who are responsible for the payment of blood money in unintentional offences), according to the Islamic law, anyone who commits a sin or an offence should himself/herself bear the responsibility for it in this world and hereafter.

3) The foundations of human rights in ancient Iran

The human rights recognized as such today is a heritage of the ancient Iranian civilization. Indeed, the first declaration issued on human rights was the charter which

was issued by Cyrus, the great King of Iran in 539 BC. This charter was inscribed on a cylindrical mud tablet enunciating the fundamental rights such as freedom of opinion and belief (religion) and abolishing slavery.

As Aristotle stated Cyrus freed his nation from captivity. History has introduced Cyrus, the Great as the first promoter and supporter of human rights and, as some observers believed, "the father of human rights."

Sa'di, the great Iranian poet, stated some 700 years ago: "Human beings are the members of the same body as they are of the same essence in creation; if one member of the body is in pain, the other members of the body become restless."

4) Opinions of the Late Imam Khomeini, Founder of the Islamic Republic of Iran on human rights

The founder of the Islamic Republic of Iran always insisted on the need for observing the human dignity and rights of prisoners and defendants in the penal system of Islam. Some of the statements and commands of the late Imam Khomeini reads: "I command all prison officials and guards to treat prisoners, whoever they are, in a humane and Islamic manner and refrain from their harassment, abuse or violent treatment which has been disallowed and condemned by Islam and its justice system." "Turn prisons into a school for the education and correction of prisoners as you have so far done, and let the misguided offenders and sinners experience the sweet taste of Islamic justice so that they may turn to Islam and Islamic government and truly repent from their evil deeds and return to God as showing compassion towards the evil doers can better attract them; even those who have been sentenced to divine punishments such as the capital punishment should enjoy the compassion of law enforcement officials up to the time of the enforcement of the punishment against them even at the gallows." "I urge the related officials to oversee the situation of prisons and command strictly prison officials to observe Islamic-humane treatment towards prisoners; it would be desirable if dedicated preachers go to prisons and deliver Islamic-moral lessons to prisoners." It is necessary to adopt the require measures to protect the health of prisoners so that they would not have to suffer any hardship in excess of the normal rigors of prisons; prisoners should be given more time to visit their relatives upon the discretion of prison officials especially now that offenders are treated like ordinary people."

B) Fundamental principles in the laws of the Islamic Republic of Iran

1) The constitution of the Islamic Republic of Iran and human rights

To safeguard the rights of citizens, to deter departure from the principles of Islam, and to establish a judicial system based on Islamic justice, the constitution of the Islamic Republic of Iran has provided for the following rules:

- Everybody is presumed innocent; nobody is presumed guilty by the law unless found guilty by a court of law.
- Nobody can be arrested unless in the manner and based on the procedures commanded by the law. In case of arrest or detention, the accused should be immediately informed of the reasons for the arrest and the charges leveled against him/her and the case is to be sent within 24 hours to the relevant competent judicial authorities for making the necessary arrangements for the early trial of the accused; violators of this rule are punishable by law.
- Use of any kind of torture for extraction of confessions or information is forbidden; extraction of testimony, confession or oath by force is disallowed and is devoid of any validity; violators of this rule are punishable by law.
- Any insult to the dignity and character of the person who has been arrested, detained, imprisoned or exiled by law is prohibited and punishable.
- In all courts, the parties to the case are entitled to have their own defense lawyers; in case of the inability of either party to employ their defense lawyers, the necessary means are to be provided for them to employ defense lawyers.
- Any verdict of guilty or punishment and also writ of its enforcement are to be issued by a competent court in accordance with the related law.

In the light of the above-mentioned rules and criteria, the necessary laws have been enacted in our country. Paramount among such rules and criteria are:

- I) Equality of all citizens before the law and the equal protection of the law for all citizens (Articles 19 & 20 of the constitution)
- II) Prohibition of illegal arrest or detention of citizens (Article 32 of the constitution)
- III) Prohibition of arbitrary and illegal exile of citizens (Article 33 of the constitution)
- IV) Right of petition (Article 34 of the constitution)
- V) Right of having a defense lawyer (Article 35 of the constitution)

- VI) The rule of the legality of offence and punishment (Article 36 of the constitution)
- VII) The rule of the presumption of innocence (Article 37 of the constitution)
- VIII) Prohibition of torture for extraction of confessions from or coercion of the accused into giving testimony or taking oath (Article 38 of the constitution)
- IX) Prohibition of insult to the dignity and character of prisoners (Article 39 of the constitution)

2) Islamic punishments law and the rights of prisoners

The Islamic punishments law has also provided for such issues as the rights of prisoners, the rights of the accused and also the rights of detainees who are waiting for trial. Of the provisions of this law mention can be made of article 57 on the prohibition of the denial of individual liberties and the rights provided for in the constitution of the country including the article 572 on the criminalization, prosecution and prohibition of the refusal to hear any case of illegal incarceration of persons by judiciary officers, police personnel and the related competent authorities, article 573 on the prohibition of the admission of prisoners or detainees by the officials of prisons or detention centers without the necessary warrants issued by the related competent authorities, article 574 on the refusal of prison officials to deliver prisoners to the related judicial authorities or create obstruction in the proceedings of the petition of prisoners and refusal to inform the related competent authorities of any such complaints or petitions by prisoners, article 575 on the prohibition of the issuance of illegal warrants by the related judicial authorities or officers for the arrest, detention or prosecution of persons, and article 578 on the prohibition of extraction of confessions from the accused through torture, harassment and persecution etc.

3) The law on respecting the legitimate freedoms and civil rights of citizens

The single article of the law on respecting the legitimate freedoms and civil rights of citizens was passed in 15 paragraphs in June 2004 by the Islamic Consultative Assembly (the parliament). This law has obliged all public, revolutionary and military tribunals, prosecutors' offices and the related judicial authorities to observe the following in the performance of their duties:

1. Compliance with the related legal provisions in the course of detection, prosecution, investigation and issuance of temporary arrest warrants and release on bail and avoid any use of violence or additional detention,

2. Compliance with the rule of presumption of innocence and ensure that any writ of guilty is based on the procedures of the competent court with reference to the related legal provisions or jurisprudential sources.

3. Respect for the right of the accused to defend themselves and provide for the possibility of their access to lawyers or the related experts.

4. Full compliance with Islamic ethics and criteria in the treatment of the plaintiff and the accused as well as perpetrators of crimes and witnesses.

5. Ensuring that any arrest or detention is based on a warrant issued by the related competent authorities and the families of such detainees are immediately informed of their situation.

6. Refraining from the humiliation, disparagement and harassment of the accused through such acts as blindfolding or binding them.

7. Preventing interrogators and investigators from resorting to illegal acts such as covering the faces of or sitting behind the accused or transferring them to unknown places.

8. Ensuring that investigations and inspections are based on the related legal procedures without creating any nuisance or interfering with documents, evidence or objects which are not related to the crime or the accused and also avoid disclosing or seizing personal letters, writings or family photos and films without any legal justification.

9. Compliance with the rule of prohibition of the use of any kind of torture for extraction of confessions from or coercion of the accused into any other illegal acts.

10. Ensuring that interrogations and investigations are based on scientific methods and legal provisions and are conducted by officers trained for that purpose with continuous oversight over their performance.

11. Refraining from any undue search in the personal and family affairs and also querying about the past conduct of people or engaging in matters which are not effective in the case under investigation.

12. Refraining from any kind of manipulation or distortion of the words of the accused and also any act which might suggest manipulation or distortion of the words of the accused.

13. Refraining from any kind of abuse and exploitation of the seized belongings of the accused or their use for personal or office purposes.

It is to be noted that based on this provision all courts and prosecutors' offices are obliged to exercise strict surveillance over the activities of prisons and detention centers as well as agencies which somehow work for them and prosecute the violators of the said rules and regulations.

Given the importance of and the necessity for ensuring full compliance with this law, the paragraph 15 of the law has obliged the chief of the Judiciary to send a team to oversee and ensure the good performance of the cases stipulated by the law. In case of the violation of the provisions of the law, this team has not only a duty to assist in the correction of the deviations and return to standard procedures but also to take the necessary measures for the prosecution of the violators by the related competent authorities and submit a report thereof to the chief of the Judiciary.

4) Office for supporting the civil rights of prisoners

To develop and promote the foundations and criteria for the observance of civil rights of citizens in prisons, detention centers and also the institutions operating under the State Prisons and Security and Corrective Measures Organization, to ensure the observance of the criteria of the Islamic law, and also to facilitate the process of decarceration and reintegration of prisoners into the society, in the amendments made in 2005 to the executive rules of procedure of the State Prisons Organization (2001) the establishment of "the office for supporting the civil rights of prisoners was provided for in the article 44 of the rules of procedure; this office operates under the supervision of the head of the State Prisons Organization. Of the duties of this office mention can be made of the following:

A) To examine, investigate and prosecute any cases of violation of civil rights in prisons, detention centers or education and employment centers affiliated to the State Prisons Organization and submit a report thereof to the head of this organization

B) To review the judicial cases of the accused on bail and remind the supervising judge and the related judicial authorities of the expiry of such bails

C) To maintain a continuous systematic cooperation with the board overseeing the implementation of the law on respecting the freedoms and civil rights of prisoners, the High Council for Human Rights of the Judiciary and other human rights watchdogs in coordination with the head of the State Prisons Organization.

D) To monitor the proper implementation of the provisions of the executive rules of procedure of the State Prisons Organization and other tasks entrusted to this office by law.

Along with the establishment of the office for supporting the civil rights of prisoners and in compliance with the provisions of note 4 of article 44 of the executive rules of procedure of the State Prisons Organization, the rules of procedure for the establishment of units supporting the civil rights of prisoners were drafted and served on prisons across the country for implementation; such units have been established in the general departments of prisons across the country and are performing the duties entrusted to them.

It is to be noted that, in order to develop and promote the civil rights of prisoners and receive the reports of prisoners on their possible violation(s) without intermediaries, "special boxes" have been installed in all prisons and detention centers of the country and also the "helpers of civil rights of prisoners" have been appointed by the office for supporting the civil rights of prisoners to send reports on any violation of such rights directly to the office.

5) Binding instruments (the law authorizing the accession of the Islamic Republic of Iran to the International Covenant on Civil and Political Rights)

With the ratification of the law authorizing the accession of the Government of the Islamic Republic of Iran to the International Covenant on Civil and Political Rights in 1972, Iran acceded to this Covenant. Some of the provisions of this Covenant relating to the rights of prisoners are mentioned as follows:

I. Prohibition of hard or forced labor

II. Respect for the personal freedoms and security of prisoners and prohibition of arbitrary (without warrant) arrest or detention

III. Informing detainees of the reasons for their detention or arrest and submitting to them, at the earliest possible time, an arraignment containing the charges against them.

IV. Arranging for the early hearing of the cases of the accused who are in detention or under arrest by the related competent court(s) or other judicial authorities authorized to hear the cases so that the proceedings will be completed and the cases will be decided in a rational period of time.

V. The right of seeking compensation for people who are illegally arrested or detained.

VI. Respecting the inherent human dignity and rights of people who have been deprived of their freedom (prisoners).

VII. Keeping the accused, save for exceptional cases, separate from the convicted prisoners and treating them in the same way as nonconvicted persons.

VIII. Separating the accused minors from the accused adults and deciding their cases as early as possible.

IX. Reorienting the treatment of convicted prisoners into one of correction, rehabilitation and reintegration into the society; the convicted young adults are kept separate from adults and are subjected to a system deserving their age and legal status.

X. Refraining from imprisoning people for sheer reason of inability to fulfill a contractual obligation.

6) Executive rules of procedure of the State Prisons Organization and the rights of prisoners

The provisions of the executive rules of procedure of the State Prisons Organization which have provided for the full realization of the rights of prisoners are as follows:

A) Moral and intellectual rights

I. The right to life and respect for personal dignity (articles 26, 92, 97, 98, 103, 108, 114, 165, 180 and 198 onwards)

II. The right of protection from torture, abuse and mistreatment (articles 75, 109 and 169)

III. The right of enjoyment of the just implementation of laws and the right of petition (articles 167, 207 and 209)

IV. The right of protection from any kind of discrimination (articles 74 and 135)

V. The right of protection from slavery (articles 101, 124, 129 and 130)

VI. Freedom of thought and opinion (articles 140-144, 146, 147 and 210)

VII. Freedom of conscience and religion (articles 148, 149 and 150)

VIII. The right of respect for family life including family visits (articles 180-185, 187, 188, 190, 192 and 193), correspondence (articles 191, 198, 199 and 202-205), telephone contacts (article 206) and leave (articles 213-229).

B) Material rights

I. The right to enjoyment of health care

II. The right to the satisfaction of bare necessities of life such as appropriate food, clothing and shelter including food (articles 92-99), clothing (articles 90-91) and shelter (articles 70, 71 and 73).

In conclusion, it is to be reminded that, based on the opinions of lawyers, it is obligatory to observe of the following ten rights with regard to prisoners and detainees, which have been provided for in the International Covenant on the Rights of Prisoners, in the laws of the Islamic Republic of Iran and the rules of procedure governing the administration of prisons in Iran:

1. The right to life and respect for personal dignity
2. The right of protection from torture, abuse and mistreatment
3. The right of enjoyment of health care
4. The right of enjoyment of personal respect
5. The right of enjoyment of just implementation of laws
6. The right of protection from any kind of discrimination
7. The right of protection from slavery
8. Freedom of thought and opinion
9. Freedom of conscience and belief
10. The right of respect for family life

Section two

Activities and measures:

A) Prison management and staff

1) Prisons in the structure of the Government of the Islamic Republic of Iran

Prison constitutes part of the criminal justice process in the Islamic Republic of Iran

Shortly after the triumph of the Islamic Revolution in 1979, the administration of prisons, which was then within the jurisdiction of the police force, was entrusted, in accordance with the decision of the Revolution Council, to an entity called "prisons administration council" operating under the supervision of the Ministry of Justice.

In 1985, an independent organization named "State Prisons and Security and Corrective Measures Organization" was established under the supervision of the Judiciary with the approval of the Islamic Consultative Assembly (the parliament). This organization has an independent organizational chart and budget. And its central department which is responsible for planning, monitoring and controlling the activities and administration of prisons is located in Tehran; it has also affiliated departments in thirty provinces of the country, which are responsible for the administration of prisons located in the cities of the related provinces.

2) Transformation of the administration of prisons from a police system into an independent entity

As mentioned above, up to the time of the triumph of the Islamic Revolution, prisons in Iran were run under the police force in the form of a police-military system. However, with the change in the system of government, the officials of the Islamic Republic of Iran came to believe that the management and administration of prisons should not be directly in the hands of police and military forces so that the accused, the suspect and the convict will not be subjected to pressure or violence after

detention. After the pursuit and arrest of the accused or the convict, police officials are obliged to surrender them at the earliest possible time to the related judicial officials who should in turn surrender them to the State Prisons Organization after detention.

As it can be seen, the new administration has separated the functions of the police (pursuit and arrest) from those of the judiciary and the prison system.

After the removal of the function of prison administration from the police jurisdiction and its delegation to the State Prisons Organization, the new administration changed its approach from sheer control and monitoring of the prison population to one of correction, rehabilitation and positive change in the behavior of prisoners.

The new management system not only seeks to ensure the observance of prison standards, equal and humane treatment of prisoners, non-discrimination and respect for the rights of prisoners, but also helps prisoners to accept responsibility for the offences they have committed.

According to the laws in force in the country, the foremost function of the prison system in the Islamic Republic of Iran is the correction, rehabilitation and training, promotion of the level of knowledge as well as individual and social skills, job training, enhancement of self-confidence and the ability of prisoners to develop healthy relationship with others and improve the environment they live in.

At the beginning of the process of transformation of prison administration, it was not possible to replace overnight the military personnel serving in jails with civilian staff. However, with the employment of civilian experts in various fields, the number of police personnel working in jails gradually decreased. At present, these experts and trainers have replaced correction and positive behavioral change programs for the rigid violent behavior of the past.

Based on the present statistics, the number of police personnel serving in jails dropped from 100% in 1979 to 20% at the end of the first quarter of 2002 and 6.63% at the present time.

**Percentage of prison staff by the type of employment
in 1979, 2002- 2009**

Year	Specialized Experts & Staff	Police & Military Cadre
1979	--	% 100

2002	%79/76	%20/24
2003	%82/56	%17/44
2004	%81/96	%18/04
2005	%87/57	%12/43
2006	%89/77	%10/23
2007	%91/37	%8/63
2008	%92/49	%7/51
2009	%93/37	%6/63

The role of competent and caring staff

Usually prisons do not choose the prisoners they wish to keep; they have to admit whoever is delivered to them by the related judicial authorities. Yet, they are in a position to recruit the type of staff they wish to have. Selecting, training, monitoring the performance of and supporting the staff members are one of the major functions of the State Prisons Organization. Working in a prison system is definitely a hard job.

In such jobs one has to deal with those who have been deprived of their freedom against their will and are suffering from physical and mental problems such as addiction, low social skills and education and many of them are regarded as a menace to the public.

Having said that, however, one should note that working in prison is a kind of public service; prisons like schools, universities and hospitals are places which involve public interests and the staff of the State Prison Organization fulfills this important public service. At present, scientific management has replaced the traditional system of administration of prisons to the point that prison staff are recruited from amongst people with the highest level of education, expertise and motivation, which has left its positive impact on the behavior of prisoners.

4) The process of recruitment and employment of prison staff

As explained earlier, thirty years ago that is in 1979, around 100% of prison staff in Iran was chosen from police and military personnel. Following the approval of the law on the formation of the State Prisons Organization by the parliament, this organization drafted its organizational chart which was approved by the council of ministers.

To recruit its required staff, this organization ran advertisements on public media for that purpose every two or three years after securing the permission of the related authorities. It, then, held some scientific tests to choose the best from amongst

the volunteer applicants and introduced them to a specialized board named "selection nucleus." This board examined the qualifications of the introduced volunteers in all the related areas and chose the qualified people for work in different sections of prisons.

Since 2005, the ratio of specialized workforce in the prison system has been improving as reflected in the following table, which displays the make-up of specialized jobs inside prisons from 2003 to 2009.

Percentage of growth in some specialized jobs inside prisons relating to correction and rehabilitation of prisoners (2002-2009)

Field of activity	±% of growth by year	2003	2004	2005	2006	2007	2008	2009
Culture		%9	%15/07	%7	%14	%6	%-5	%18/12
Education		%14	%-10	%4	%4	%4	%8	0
Social Services		%27/31	%25	%7	%28/26	%10	%4	%4/05
Technical-vocational training		%9/10	%23/25	%6	%-7/05	%-1/19	%-6/32	%1/25
Sports		%27/28	%20	%5	%17/31	%6	%-2	%13
Care provision services		%19	%1/10	-%0/02	%7	%11/06	%2	-%1
Psychological services		%-1/42	%11/40	%19	-%8	-%11/11	%21/34	%19

Based on the statistics provided in the above table, the make-up of specialized jobs relating to the correction and positive behavioral changes of prisoners has posted a 56.23% growth during 2002-2009, which is still far from the desired level of expertise needed in prisons, and the State Prisons Organization tries to complete its specialized cadre year by year.

5) Process of staff training

Prison staff training is so important that the first congress of the United Nations on prevention of crimes and hard labor of criminal prisoners held in 1955 in Geneva set down certain rules with special emphasis on the training of prison staff, which were reflected in the resolution 663 of July 1975 and the resolution 2076 of May 1977.

Therefore, after the selection of qualified personnel for prisons, they should be provided with the required training courses both before and during their service periods.

That explains the reason for the provision of on-the-job moral and specialized training courses for the staff of the State Prisons Organization in the course of the transformation of Iran's prison system from a rigid violent police system into a scientific humane management approach. For that purpose, the organization decided to establish the specialized education and research center of State Prisons Organization in 1993. This center decided to expand its activities in 2000 by establishing seven branches in seven provinces of the country.

The number of these branches rose to ten with the establishment of three other branches in three other provinces.

This center with its ten branches is providing technical specialized training courses to prison staff at locations near their workplaces. This center has now become one of the most important scientific centers of the country.

In general, the objectives and outcomes of prison staff can be summarized as follows:

- Preparation of prison staff for the assumption of new missions and duties
- Improvement of the level of knowledge, job skills and attitudes of staff
- Improvement of the real and potential professional capabilities of staff and development of the desired behavior in the prison system
- Creation and promotion of the spirit of cooperation among staff members
- Updating the knowledge and skills of the staff and development of flexibility among them towards the use of new methods and equipment
- Creation of the sense of responsibility, power of discretion and self-management
- Enhancement of self-confidence, communication skills and the power of decision making in the staff and the communication and perception skills in the management
- Improvement of individual and group performance in the organization
- Enhancement of efficiency and productivity of the labor force
- Conduct of the required scientific research

Specialized training courses provided by the education and research center of the State Prisons Organization

The foremost mission of this center is to plan, carry out and evaluate specialized training courses for prison staff and also to conduct research activities needed by the organization.

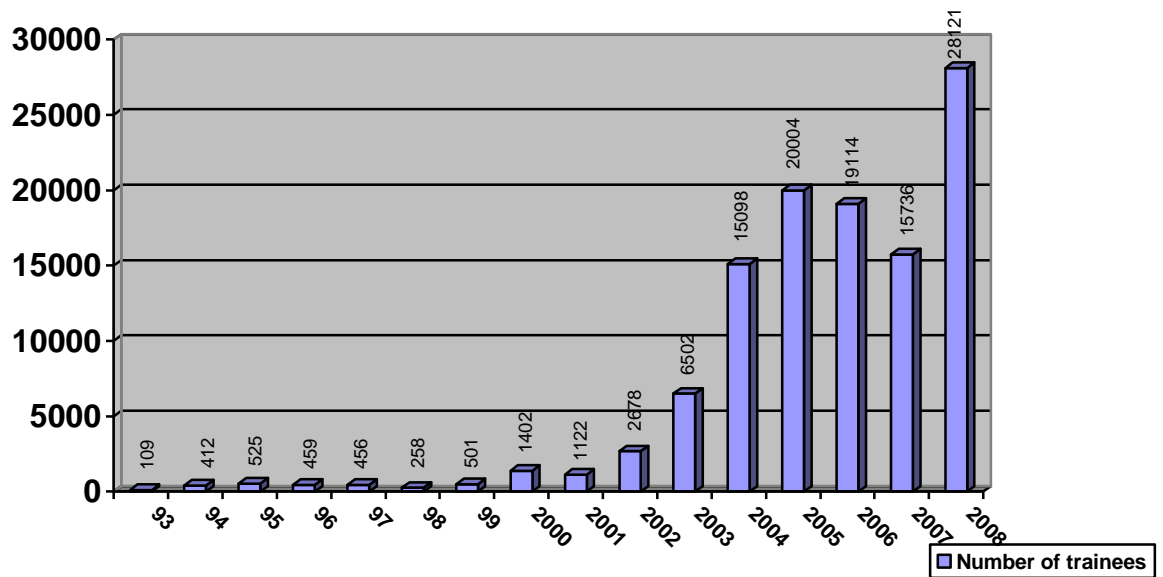
In addition to short-term on-the-job training courses (specialized training courses), this center provides long-term specialized (academic) training courses as well.

On the- job- training courses (specialized short-term training courses)

This type of training which has been routinely provided at the national level is now designed on the basis of the decisions of the directorate for strategic planning and supervision of the state presidency and offered at the staff and managerial levels.

With the completion of such courses, the trainees receive certificates which entitle them to certain job benefits. Such certificates which are granted at the end of skills and specialized training and also specialized research courses qualify the graduates for a higher education level.

The following curve displays the rise in the number of trainees participating in such training courses during 1993-2008



Long-term training (academic) courses

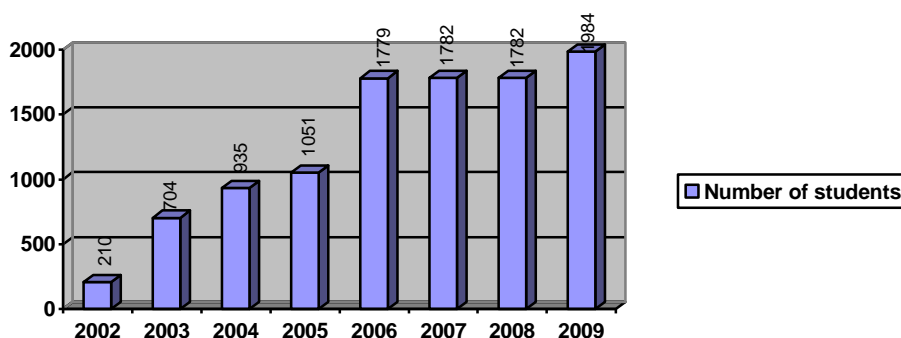
In view of the mission of the State Prisons Organization to correct and train help seekers and help to reintegrate them with positive behavioral changes into the society, the need for having experienced specialized personnel sounds all the more necessary. For that purpose, the specialized education and research center of the State Prisons Organization has established correction and training disciplines at the levels of associate diploma, bachelor of art and master of art in cooperation with the Jamei' Elemi-Karbordi (applied science) university and the Ministry of Science, Research and Technology. Along with the correction and training courses which include legal, psychological, sociological and criminological as well as behavioral correction curricula, other subjects such as social services, social pathology and cultural affairs have also been introduced.

The most important purposes of the above-mentioned courses are:

- 1- To train specialized personnel of prisons who will be responsible for the provision of security and correction services
- 2- To provide particular specialized training courses for prison guards and other related personnel in their own specialized fields
- 3- To improve the capabilities of the personnel in line with their duties and functions

- The number of graduates: 2294
- The number of trainees: 1984
- The number of the related disciplines: 8

The number of students of the specialized education and research center (Ja'mei-Elmi-Karbordi) of the State Prisons Organization during 2002-2009



Kar-va-Danesh school affiliated to the State Prisons Organization

This secondary school was established in 1998 based on the agreement reached between the State Prisons Organization and the Ministry of Education within the organization for the promotion of the knowledge of its staff members who have not yet completed their secondary education. What is of special significance about this school is the establishment of behavior correction subjects which are provided in the form of special skills; over 50% of the curricula of the school relate to prison system and behavior correction and changes.

The graduates of this school receive formal diplomas in three fields namely, security and judicial services, security and correction services as well as assistant provider of security and correction services.

These schools are now operating in Tehran and the centers of most provinces of the country providing training services to a large number of prison staff members with degrees below secondary education diploma.

Research activities

In the research section, the specialized education and research center of the State Prisons Organization has obtained two ranks "A" and "B" from the Ministry of Science, Research and Technology. It has also received the quality system certificate called ISO 9001-2000. This organization has so far conducted over 100 research projects, held some international conferences on the subject of prison system and published a number of books on human rights.

6) Excerpts from the ethical charter of the staff of the State Prisons Organization

1- To observe Islamic and humanitarian principles in treating prisoners and their families and to regard care for clients as a source of divine satisfaction;

2- To respect the individual rights of prisoners and work to ensure the observance of their inalienable rights;

3- To respect the inalienable dignity of all human beings and prevent, in the light of that, the humiliation, insult and harassment of prisoners and work to improve their character.

4- To ensure even provision of services to all clients without any discrimination and redouble efforts to alleviate the sufferings of all disadvantaged groups of the society including prisoners and their families as well as the clients of the prison system in accordance with the law.

5- To exercise patience and modesty towards prisoners and their families as well as the clients of the prison system and also show tolerance and restraint in the face of their criticisms and complaints.

6- To respect the human dignity of prisoners in order to facilitate their honorable return to the society, the families of prisoners in order to help protect the nucleus of the family from collapse and children against social harms and the prison staff who have to grapple with the hardships of the harsh jobs of the prison system as well as the clients as a whole.

7- To exercise good conduct, patience and restraint in dealing with prisoners and their families as well as fellow staff members and clients

8- To provide appropriate waiting rooms and facilities for the families of prisoners and clients in view of the special conditions of the prison system.

9- To arrange personal visits for prison directors and managers to the members of the public and the families of prisoners on a weekly basis.

7) Relations and interactions with social institutions

Ensuring the process of positive behavioral changes and reintegration of offenders and criminals into the society and maintaining a healthy and honorable life for them is a difficult task which can not be fulfilled by the State Prisons Organization alone and requires close interaction between this organization and other related public service institutions. For that purpose, the State Prisons Organization has so far signed a good deal of cooperation agreements with different institutions as reflected below.

The list of cooperation agreements signed between the State Prisons Organization and other public service institutions:

1. Cooperation agreement with the state technical and vocational training organization
2. Cooperation agreement with the ministry of labor and social affairs
3. Cooperation agreement with the state forests and rangelands organization
4. Cooperation agreement with Iran's cultural heritage, tourism and handicrafts organization
5. Cooperation agreement with the state welfare organization
6. Cooperation agreement with the center for women and family affairs of the state presidency
7. Cooperation agreement with the national youth organization
8. Cooperation agreement with the literacy movement
9. Cooperation agreement with the ministry of education
10. Cooperation agreement with the distance education center of the ministry of education
11. Cooperation agreement with the Payame-Nour (distance education) university
12. Cooperation agreement with the Jamei' Elmi-Karbardi (applied science) university
13. Cooperation agreement with Iran's family planning society- high center for battle against AIDS in South Asia
14. Cooperation agreement with food industry and nutrition research institute
15. Cooperation agreement with the center for the education, research and treatment of tuberculosis and lung diseases
16. Cooperation agreement with the fund for supporting job opportunities
17. Cooperation agreement with the Qadir Foundation
18. Cooperation agreement with the center for the intellectual development of children and young adults
19. Cooperation agreement with Dar-al-Quran
20. Cooperation agreement with the physical education organization
21. Cooperation agreement with the martial arts federation
22. Cooperation agreement with the war martyrs and veterans foundation

23. Cooperation agreement with the Red Crescent society

24. Cooperation agreement with Iran's cultural fairs institute

The purposes of cooperation agreements

1. To enable prisoners to benefit from the educational, health care and treatment, job-training and other similar services provided by the related organizations like other citizens of the society

2. To provide prisoners with the skills required for their reintegration into the society

3. To provide prisoners with formal certificates

4. To widen prisoners' access to services provided by civil societies in prisons across the country.

8) Supervision, inspection and promotion of the administrative health of the prison system

Prisons are places where male and female offenders are interned against their will. So, there is always the possibility of abuse in such places. Thus, the Judiciary and the State Prisons Organization consider supervision over the affairs and activities of prisons as an important and serious task.

The judiciary routinely controls and supervises the activities of prisons through the general inspection organization and its special inspection teams, the office of the prosecutor general and judges overseeing the affairs of prisons who are usually stationed inside prisons.

Besides, the members of the Islamic Consultative Assembly (the parliament) pay regular and case-based visits to prisons. Human rights civil societies and specialized academic figures, too, have no limitations in visiting prisons and prisoners as they have done so on many occasions.

Furthermore, the related international agencies and organizations as well as foreign officials and scientific groups have been visiting Iranian prisons as reflected in the documented appendixes.

Also, the supervision and inspection system of the State Prisons Organization called "the office for evaluation of performance and responding to complaints" which has independent sub-offices in the related general departments of other provinces pays visits to prisons in a regular, concentrated, non-concentrated, case-based and intrusive manner in line with their supervisory duties which are performed with grate precision

to the point that the number of inspection instances increased from 4300 in 2004 to 11300 in 2008, registering a 250% growth in inspection and supervision activities.

The incumbent head of the State Prisons Organization, too, has personally paid 160 visits to prisons and centers where prisoners and help seekers are kept across the country. He can also contact all staff members, prisoners and their families on-line.

The committee for the promotion of administrative health and combat against corruption in the prison system has set up a workgroup in the central headquarters and provincial departments of the State Prisons Organization. The committee has made 1720 decisions in 688 sessions it held during 2004-2008 and has carried out 2837 instances of intrusive and 1938 instances of case-based inspection visits.

Since the families of prisoners are among the disadvantaged groups of the society and form the majority of the clients of the State Prisons Organization, client satisfaction scheme has received special attention by the officials of the organization.

The quantitative and qualitative expansion of waiting and visiting facilities and the execution of the mechanized system of visits for the families of prisoners and personal visits by the officials of prisons to prisoners and their families are among the measures included in the client satisfaction scheme, which has made the State Prisons Organization, among many other governmental institutions, an exemplary institution in the provision of customer care services.

B) Human dignity and treatment of prisoners

1) Prisoners as human beings

God states in the Holy Quran: "Indeed, we have honored the sons of Adam and provided them with transport on land and sea; given them for sustenance things good and pure; and conferred on them special favors, above a great part of our creation" (A'sra' chapter, verse 70) or "we have indeed created men in the best of moulds" (Tin chapter, verse4).

Human dignity is a value which is inherent in human nature and is recognized as a philosophical foundation of human rights. This inherent dignity is indivisible and inalienable. In the light of this value, in the prison system of Islamic Republic of Iran, prisoners and detainees, irrespective of the charges on which they are accused or convicted, do not lose their status as human beings.

So, all the laws of the Islamic Republic of Iran have stressed the importance of observing the human rights of the accused and convicts.

The law on the formation of the State Prisons and Security and Corrective Measures Organization has entrusted important functions and duties which relate to respect for human dignity to the prison system. Of such functions and duties mention can be made of the following:

- Creation of the required facilities for the correction, education, job training and employment of prisoners
- Helping to resolve the material and moral problems of prisoners
- Seeking and collecting the donations and contributions of the public and charities
- Planning for the employment of volunteer prisoners

Therefore, in the humane prison system of the Islamic Republic of Iran, people who are detained and delivered to the prison system enjoy all their human rights, save for those which they lose as a result of the deprivation of their freedom.

In our prison system, the staff knows that they have no right to treat prisoners as humans of lower status due to charges they are accused or convicted on and impose any additional punishments on them. The law has criminalized mistreatment of prisoners. In case of any arbitrary action, the offending staff members will be introduced to the board responsible for investigating the violations of staff members and in case such violations amount to a crime such offending staff members will be introduced to the judicial system for prosecution.

2) Complaints and petitions of prisoners

Petitioning for justice through competent courts or through civil remedies is the inalienable right of all Iranian citizens.

Petitioning for justice through civil remedies has been provided for in the article 27 of the constitution of the country which reads: "According to the provisions of this article, holding assemblies and marches without carrying arms is the legal right of all citizens provided that they do not violate Islamic criteria."

With regard to petitioning through competent courts, the article 34 of the constitution reads: "According to the provisions of this article, petitioning is the legal right of all citizens and everybody can seek recourse to competent courts to petition for justice."

The Islamic punishments law has criminalized the refusal of accepting and investigating the complaints and petitions of citizens. Under the provisions of the article 579 of the Islamic punishments law, any judicial authority, who is responsible for investigating the complaints submitted to it, refuses, for any reason or excuse even it is for the reason of silence, generality and contradiction of the related law, to accept and investigate a legal complaint or defer the issuance of a ruling on it or to act against the explicit provisions of the law will be condemned to the punishments provided for in the provisions of the present article.

Other provisions of the Islamic punishments law such as articles 572-574 have ruled the refusal by the related government authorities of accepting and investigating the complaints and petitions of citizens as punishable by law. Based on the provisions of the article 574 of the said law, if the officials and staff members of detention centers and prisons refuse to submit the petitions of prisoners to competent authorities will be subject to punishments.

According to the article 167 of the executive rules of procedure of the State Prisons Organization any convict can apply orally or in writing for an appointment with the supervising judge or the head of the prison or detention center or even throw their complaints into special boxes designated for that purpose including the box of the supervising judge, the box of civil rights of prisoners, the box of inspection and responding to complaints, the box of security and intelligence agencies in prisons and finally the box of authorities responsible for execution of punishments. These boxes are intended to make sure that prisoners can submit their complaints to the related officials directly without the involvement of intermediaries.

3) Visits of prisoners

According to the provisions of the article 180 of the executive rules of procedure of the State Prisons Organization, all convicted and accused prisoners are entitled to visit their family members and relatives save for cases where such visits are deemed to negatively influence the proceedings of the trial and the judge should ban such visits.

In the Islamic Republic of Iran, the visits of prisoners are conducted in three ways; public non-contact visits such as speaking to the visitor by telephone from inside booths, contact visits and private visits to the spouse.

Non-contact visits are arranged on a regular basis that is twice per week, once for male and once for female visitors.

Contact visits are also arranged usually once per month in which prisoners visit their family members; such visits may take place more than once per month if necessary.

Private visit of prisoners to their spouses also take place once per month.

Besides, electronic visits are also allowed at present on a limited and tentative basis in four provinces of the country. This allows the families of prisoners who can not come and visit the prisoner in person because of long distance to communicate with them on line.

The table displaying the figures related to visits of prisoners during 1999-2008

No. of visits	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
Contact visit	1308326	933763	917431	887837	790362	718007	743553	812055	805623	801140
Non-contact visit	3794694	2752462	2801914	2545960	2146552	2083726	2200643	2045653	1833351	1820702
Visit to the spouse	93640	82904	94856	79600	73791	63255	61842	61081	70917	68189
Total	5196660	3769129	3814201	3513397	3010705	2864988	3006038	2918789	2709891	2690031

Note: due to a drop in the number of prison admissions and a considerable rise in the number of prisoners taking leave, the number of visitors of prisoners has declined.

4) Right of access to legal counseling services and lawyers

If the defense lawyers of prisoners, who are kept in prisons run under the State Prisons Organization, have official power of attorney to defend the rights of their clients they can seek permission from the judge of the case or the supervising judge of the prison to visit their clients during the working hours in the special room of defense lawyers. In case a prisoner is barred from visits, the visit to the defense lawyer can take place with the permission of the related judicial authorities.

In order to develop the rights of the accused who are in prison and also to reduce the criminal population of prisons, the State Prisons Organization has reached an agreement with the bar and the center of legal counselors and lawyers of the Judiciary to provide free legal counseling services to prisoners.

5) Communications of prisoners with outside world

People who are in prisons are deprived of the right to free movement. Yet, their other rights are to be respected. The laws of the Islamic Republic of Iran and also the executive rules of procedure of the State Prisons Organization have ensured this right of communications with outside world for prisoners, and obliged prison management and staff to take the necessary measures in line with the provisions of the executive rules of procedure to provide visits, correspondence and telephone contacts as well as leave for prisoners.

The facilities provided in prisons are sufficient. They allow all these contacts with the outside world and leave no excuse for complacency and denial of such facilities to prisoners. Besides, the executive rules of procedure are quite clear with regard to the provision of such facilities and act as a facilitator in this respect. Under the rules of this instrument, correspondence with the family, the defense lawyer, the friends and judicial authorities is allowed twice per week.

Telephone contacts with the outside world are also allowed between two to four times per week.

6) Prison population density and living space

One of the major problems of the prison system in many countries of the world including developed countries is the density and growth of prison population. Yet, this can not be used as an excuse for prison authorities to fail in the performance of their duty to care for and protect the human dignity of prisoners.

In keeping with the provisions of the Islamic law, the constitution and other related laws of the Islamic Republic of Iran particularly the executive rules of procedure of the State Prisons Organization, all prisons are obliged to provide living facilities including living space, sanitary conditions, sleeping facilities, food and drinking water as well as cultural and sports activities for prisoners, which will be elaborated upon in the related sections.

However, building new prisons with appropriate standard facilities has been pursued as one of the major programs of the State Prisons Organization during the past fifteen years. This has raised the physical capacity and space of prisons by 30% to the point that the per capita capacity of prisons has surged from 6.5 meters in 1999 to 9 meters in 2009.

Having said that, however, we believe that the per capita space for each prisoner is not yet sufficient and should be increased to at least 12 meters.

Also qualitywise, all the old prisons have been renovated and beautified in terms of their physical space and facilities.

In cases where the presence of prisons inside cities has become problematic, such prisons have either been transferred outside cities or are on the line for such transfer.

7) Sports, physical exercises and recreations

Based on the provisions of the article 152 of the executive rules of procedure of the State Prisons Organization, in order to ensure the physical and mental health of prisoners, morning physical exercise programs are routinely held in prisons for convicts who are physically capable of doing such exercises. In most prisons of the country particularly in large prisons, outdoor and indoor sports facilities for both individual and group sports activities and also sports coaches have been provided. Yet, being convinced that physical exercise and sports activities are one of the important programs for the rehabilitation and restoration of physical and mental health of prisoners, the need for more sports facilities is felt in the prison system.

Of course, in correction and education institutions where children and young adults below the age of 18 are kept, more or at least sufficient sports facilities have been provided due to the greater need felt in such centers.

One of the appropriate indicators by which the State Prisons Organization has been judged successful is the rise of per capita sports space from 40 cm to 130 cm during the past ten years, posting a growth of 300%. Also, the rate of participation of prisoners in sports activities has increased from 56% in 1999 to 86% in 2009. With the establishment of Tarbiyat sports-cultural club in 2000, now the ground has been prepared for the participation of prisoners in championship competitions in all sports fields. At present, in addition to the competitions held annually among the prisoners at the national level, prisoners can also take part in international competitions as well. A

point in case is the attainment of vice-championship in the international games of Galicia cup in Spain in 2004.

With regard to the provision of recreational facilities for prisoners, it is to be noted that TV sets are provided in all rooms of prisons which enable access to national and provincial TV programs. Besides, movies are shown inside prisons via a closed-circuit TV system.

Furthermore, newspapers and periodicals are put everyday at the disposal of prisoners. During 1999-2002, the number of copies of periodicals and dailies circulated every day in prisons increased from 15,780 to 27,026. Also, the number of prisoners using such periodicals and dailies surged from 254,000 to 779,000.

The number of libraries in prisons has also risen from 189 to 250 during the past ten years with the number of books in the libraries surging from 195,878 to 583,494 during the same period. Almost all prisoners have access to the libraries and their books.

8) Clothing of prisoners

Clothing is a basic need of every human being which has been provided for in the executive rules of procedure of the State Prisons Organization. According to the article 90 of the said rules of procedure, wearing the special cloth of prison is not obligatory for convicted prisoners unless decided otherwise by the State Prisons Organization which has taken special measures to provide clothing for the prisoners who can not meet their needs. According to the article 91 of the rules of procedure, the clothing of convicts and the accused in prisons and also the hygienic needs of woman convicts and accused are provided annually by the State Prisons Organization upon the discretion of the social service directorates of prisons.

9) Prisoners' leave

The need for prisoners' leave in order to reduce the harmful effects of their imprisonment and enable them to maintain their relations with their family members and children or to attend to special and emergency cases or participate in family events such as marriages and funerals has been provided for in the executive rules of procedure of the State Prisons Organization.

Chapter three and articles 213-229 of the executive rules of procedure relate to prisoners' leave. In view of the said legal provisions and the existing facilities,

prisoners' leave is receiving an increasing attention by judicial authorities to the point that such leaves have registered a 280% growth during 2001-2008.

C) Health care and treatment

1) Appropriate health is an inalienable right of prisoners

Being an accused or a convict does not deprive one of his/her basic right to appropriate physical and mental health; the accused or convicts deserve the same health care and medical treatment services that other citizens enjoy. This right has been recognized by the article 12 of the International Covenant on Social, Economic and Cultural rights. So, in that context, in the prisons of the Islamic Republic of Iran, health care enjoys primacy over treatment. And early diagnosis and treatment has received special attention in the prison system of the country. Now, the related planners of the country have realized that early attention to health-related issues, in addition to its economic benefits, helps rear physically strong and mentally sound and efficient human beings. Therefore, the first step towards the correction, rehabilitation and reintegration into the society of help seekers is the protection and promotion of their health.

The outlines of health care and treatment programs of the State Prisons Organization

- I. Executing health care and prevention programs
- II. Expanding diagnosis and treatment service centers inside prisons and taking measures for the treatment of prisoners outside prisons in case such treatment is not provided inside prisons
- III. Developing and executing high risk disease control and prevention programs
- IV. Developing and executing health care and treatment education programs
- V. Expanding intra-section and cross-section cooperation

2) Expansion of centers for provision of diagnosis and treatment services inside prisons

- Securing diagnosis and treatment services outside prisons for patients who can not be treated inside prisons
- Providing free diagnosis and treatment services to all prisoners

- Establishing and equipping diagnosis and treatment centers inside prisons (in order to reduce the need for dispatch of patients outside prisons for treatment)
- Taking measures to secure equipment and operation licenses for diagnosis and treatment centers (standardization of services inside prisons)
- Dispatching patients for treatment outside prisons if necessary

3) Execution of health care and prevention programs

- Securing the required vaccination in accordance with the instructions of the Ministry of Health and Medical Education
- Routine control of potable water and testing of tail water of the sewage works of prisons.
- Regular disinfection and case-based fumigation of prisons (with priority given to the improvement of environment)
- Improvement of the environment, the physical structure and spaces of prisons and also adoption of security and safety measures
- Supervising occupational medical services offered in prisons with special emphasis on the safety and health of the labor force particularly the employed help seekers and providing the required safety mechanisms for that purpose
- Establishment of the unit for health care of help seekers upon their arrival (quarantine) to screen the newly admitted help seekers against diseases and provide them with health care services
- Ensuring the mental health of prisoners through the adoption of environmental mental health measures with the broad-based execution of outpatient and inpatient mental health programs intended for the correction, rehabilitation and reintegration into the society of prisoners

4) Policy making and execution of high-risk disease control and prevention programs

- Establishment of 118 behavioral disease counseling centers (triangular clinics) inside prisons and post-release care centers intended to provide educational, counseling, treatment, care and support services to prisoners infected or at risk of infection by AIDS by the end of the first quarter of 2008; the first triangular clinic was launched in 2001 in the central prison of Kermanshah province: in a period of five years, the number of triangular clinic rose to 73. Also, thirty

post- release care centers were equipped to convert them into triangular clinics in order to provide educational, counseling, treatment, care and support services to infected prisoners with a history of high-risk behavior and to continue their addiction treatment programs after their release from prisons.

- Invitation of health and HIV/AIDS control officials in prisons by the related international and regional agencies and the affirmation of the health care and treatment measures of the prison system by international observers particularly the advisors to the related UN agencies. A case in point is the triangular clinic project of the Kermanshah prison which together with the triangular clinic project of the Medical Science University of Kermanshah was awarded the title of "best practice" by the East Mediterranean Office of WHO and also the selection of Ragayi-Shahr prison as a reference center for addiction treatment in prisons of the region.
- Execution of large programs for detoxification of addicts together with the provision of psychotherapy services to prevent the recurrence of addiction
- Provision of methadone maintenance treatment services to help seekers under the coverage of this program, who totaled 25000 addicts by the end of the first quarter of 2008
- Proactive detection of tuberculosis cases and use of DOTS strategy for the treatment of tuberculosis patients
- Lifting the ban on the distribution of disposable blades with a plastic protective cover which helped end the use of shared blades or sharp metal or glass devises and prevent the transmission of different types of hepatitis, HIV and other skin diseases
- Provision of condoms together with the necessary instructions in line with the objectives of harms reduction programs
- Increasing access to special rooms for the private visits of prisoners and their spouses in order to reduce their high-risk sexual behavior.
- Full observance of precautionary measures to protect the prison staff and prisoners from the transmission of infections through medical devices.

5) Development and execution of health care and treatment education programs

- Continuous execution of health care and prevention education programs for prisoners and their families as well as prison staff

- Implementation of the nationwide plan for the promotion of prison health in cooperation with the office of public relations and health education of the Ministry of Health and Medical Education intended to raise the awareness of prisoners through educational interventions
- Organizing or participating in training workshops and seminars intended for prison officials and staff
- Establishment of a stand in different fairs and exhibitions with an aim to raise the public awareness about the activities of the State Prisons Organization in the health care and treatment sector.

6) Expansion of intra-sector and cross-sector cooperation

- Establishment of the council for health promotion and addiction control in the prisons of the country headed by deputy minister of health and medical education and membership of the related managers and experts from inside and outside the organization in order to solve health and treatment related problems of prisoners in consultation with them
- Participation in the formulation of strategic national programs for the control of HIV/AIDS and tuberculosis as an active lead agency
- Formation and operation of the special committee for the formulation of the standards of prisons and security agencies in cooperation with Iran's industrial research and standards organization
- Conclusion of a comprehensive agreement with the office for the improvement of the nutrition of the society for the purpose of the examination of the nutrition situation of prisoners and intervention if necessary
- Conclusion of an agreement with the directorate for control of high risk diseases of the ministry of health and medical education
- Conclusion of an agreement with forensic medicine organization to facilitate the entry of the representatives of forensic medicine into the prisons of the country to help solve the problems of prisoners inside prisons, to teach legal issues relating to criminal investigation to physicians and paramedics, and compile jointly a book on forensic medicine in prisons (which is in the process of compilation)
- Conclusion of an agreement with insurance companies to provide insurance coverage for inpatients in prisons

- Conclusion of an agreement with the general department of family planning and population of the ministry of health and medical education to teach family planning issues in prisons
- Conclusion of an agreement with the war martyrs and veterans foundation to provide services to the war disabled and veterans who are in prisons
- Cooperation and partnership with international organizations such as UNODC, UNDP, WHO, UN AIDS
- Cooperation with the ministry of health and medical education in the development of an HIV watchdog to survey the rate of HIV infection
- Membership in specialized councils and committees dealing with health across the country
- Awarding of the letter of commendation to the director general for health care and treatment services of the State Prisons Organization by the president of the state upon the suggestion of the head of the organization on the occasion of the international anti-drug day in 2007
- Reception of the first quality management certificate in health care and treatment of prisons in the world by the central prisons of Kerman and Tehran
- Reception of three letters of commendation and health-friendly statuettes for contribution to HIV control from the ministry of health and medical education during the past five years
- Introduction of the State Prisons Organization as an exemplary institution in addiction treatment by the Anti-Drug Headquarter of the Islamic Republic of Iran in 2004 and 2006
- Recognition of the HIV/AIDS control and prevention program of the State Prisons Organization by the World Fund of AIDS, Malaria and Tuberculosis which won the approval of the fund and secured 1.5 million US dollars

As acknowledged by international visitors, the prisons of the Islamic Republic of Iran enjoy good conditions in terms of health care and treatment services. Yet, we believe that we should redouble our efforts to attract more specialized human resources for provision of services in prisons.

D) Disciplinary procedures; penalties and rewards

1) Rule of law in the prisons of the Islamic Republic of Iran

Security, order and discipline are established in the prisons of the country based on the procedures provided for in the executive rules of procedure of the State Prisons Organization particularly in chapter two which has set down routine daily activities of prisoners.

Beside on the provisions of the law on the conversion of the prisons administration council into the State Prisons and Security and Corrective Measures Organization approved in 1985 by the parliament, this organization functions under the supervision of the head of the Judiciary.

All the procedures relating to the admission and classification of prisoners, planning and management of prison activities and programs such as rehabilitation, employment and job-training, violations, punishments and rewards, communications of convicted prisoners with outside world, preparation of prisoners for post-release life, operation of technical-vocational training and job-placement centers in prisons are provided for in a set of rules called the executive rules of procedure which has been approved by the chief of the Judiciary in accordance with the provisions of the article 9 of the said law and is binding on all prisons and penal institutions across the country. Also, some other rules of procedure and legislations have been approved by the chief of the Judiciary in line with the provisions of the article 9 of the said law including rules of procedure for the administration of temporary detention centers (2006), executive rules of procedure for the administration of security detention centers, rules of procedure of the council for planning and management of mental health and behavioral correction of prisoners(2002), executive rules of procedure for social services in prisons (2000), and rules of procedure for the operation of post-release care centers which all point to the rule of law and discipline in the administration of prisons and their affiliated centers.

2) Disciplinary council

Disciplinary council is a competent authority which deals with violations of prisoners. Based on the provisions of the article 174 of the executive rules of procedure of the State Prisons Organization, the composition of the disciplinary council will be as follows: officials of Judicial, rehabilitation, security and intelligence units, the head of the prison and one social worker chosen by the head of the prison. The authority of the disciplinary council in imposition of penalties is limited only to the penalties

provided for in the article 175 of the executive rules of procedure and the imposition of any arbitrary penalties beyond that is forbidden.

3) Prisoner classification council

In accordance with the provisions of the executive rules of procedure of the State Prisons Organization, prisoner classification council in each prison and job-training and employment center of prison consist of the supervising Judge of the prison who serves as the head of the council, the head of the prison or the center who serves as deputy head and secretary of the council, the officials of the judicial, rehabilitation and security units, a psychologist and a social worker chosen by the chief of the prison or the center

The prisoner classification council decides in the following areas:

- A) Division and place of settlement of convicts and the accused
- B) Employment or non-employment of convicts in employment centers inside or outside the prison or the center
- C) Qualification of convicts to be pardoned or to be released on probation in conformity with the related legal provisions

The prisoner classification council is also responsible for performing the duties entrusted to it by the executive rules of procedure such as granting leave to prisoners.

4) Disciplinary measures

Article 175 of the executive rules of procedure of the State Prisons Organization has provided for some disciplinary measures against offending prisoners as follows:

1. Deprivation of visit to family members and relatives up to three times
2. Deprivation of leave up to a period of three months
3. Deprivation of the chance to be pardoned or released on probation up to a period of six months
4. Keeping the prisoner in single person units up to a period of twenty days.

Disciplinary measures against prisoners are confined to the four measures mentioned above and any inhumane, violent and humiliating punishments against them such as corporal punishment, confinement in dark cells, etc. are prohibited. In case prison officials or staff members impose any punishments beyond the above mentioned disciplinary measures, such cases will be investigated by the related judicial authorities and special boards responsible for investigating and punishing the

violations of offending officials or staff members. So far, some cases of violations have resulted in the issuance of rulings such as dismissal, geographical change of service place, payment of compensation, etc.

With regard to the powers of the disciplinary council in the imposition of the said penalties, it is to be noted that in case the council wishes to impose more than one-third of the said penalties on any prisoner it has to secure the agreement of the supervising Judge.

Suspension of disciplinary measures has been provided for in the note 2 of the article 175 of the executive rules of procedure. Based on the provisions of the said article, the disciplinary council is allowed, after the adoption of disciplinary measures, to partially or wholly suspend them for a period of six months with the affirmative vote of the majority of the members. In case of the repetition of the violations by the prisoner, in addition to the punishment of the previous violations, disciplinary measures relating to the new violations will also be imposed on the prisoner. The removal of the negative consequences of such disciplinary measures on prisoners has also been provided for in the article 177 of the executive rules of procedure.

Under the provisions of this article, if the convicted prisoner does not commit any new violations or offences for a period of one year from the date of his last violation or offence and displays a positive conduct, the negative consequences of such punishments against him will be removed from his case. Otherwise, such penalties are included as negative points in the table of the conduct of the prisoner and will be applied when a pardon is decided for him.

It is to be reminded that the Jurisdiction of the disciplinary council will be limited only to the investigation and punishment of disciplinary violations. And, in case the act committed by the prisoner falls within the category of criminal cases, the case will be referred to competent judicial authorities for investigation and punishment.

5) Keeping prisoners in single person units

Based on the provisions of the paragraph 4 of the article 169 of the previous executive rules of procedure (approved in 2001), solitary confinement up to a period of one month was among the disciplinary measures against prisoners but this sort of punishment was revoked on the basis of the ruling (No. 435 of Sept. 2003) of the administrative justice court which found it to be inconsistent with the provisions of the articles 36 and 37 of the constitution. This matter was duly observed in the new

executive rules of procedure of the State Prisons Organization approved in 2005. With the elimination of solitary confinement punishment from the disciplinary measures against offending prisoners, this sort of punishment was replaced with single person units. Thus, in all prisons under the administration of the State Prisons Organization, the solitary confinement punishment has been replaced with the punishment of keeping an offending prisoner in a single-person unit with sufficient facilities.

E) Constructive activities and reintegration into the society

1. Job training and employment of prisoners

In 1945, an institution named "the institute for cooperative activities, Job-training and employment of prisoners" was established to work for the job-training and employment of prisoners and help-seekers as an auxiliary arm of the State Prisons Organization. This institute which is now 52-years old is still operating, producing a wide range of industrial and agricultural products mostly by prisoners and help seekers.

Based on its mission and duties defined in its statute, this institute has tried to contribute to the preservation of self-esteem and mental health of prisoners and help seekers through job-training and employment until they develop a complete sense of self-belief and can successfully reintegrate into the society with the completion of their jail terms. In fact, the plants operating under the said institute have become an appropriate ground for improving the sense of self-reliance, moral and ethical practice and problem-solving ability of help seekers. They help prepare help-seekers mentally and psychologically to develop effective interactions with others in the society.

Employment of prisoners and help seekers

The institute of cooperative activities, job-training and employment of prisoners has played a significant role in the creation of Job opportunities. Through its effective planning, this institute has managed to create productive and unproductive Jobs for 33, 668 help seekers on average per month during 2008, posting a growth of 10% as compared to the previous year.

It is to be reminded that the employment of help seekers has registered a remarkable growth in 2007-2008 as displayed in the following table:

Description	2005	2006	2007	2008
Employment of help seekers (person)	16012	17997	29975	33668

Job and skills training

The said institute has also taken effective measures for the provision of Job and skills training services to help seekers; foremost among them is the holding of Job-training courses on the most popular arts and crafts as well as industrial activities with the cooperation of technical and vocational training organization. This will facilitate the employment of help seekers who manage to obtain the certificate of such technical and vocational training courses after the expiry of their jail terms.

In 2008, a total of 59397 help seekers participated in the technical and vocational training courses about half of whom have managed to obtain the certificates of such courses registering a growth of 40% as compared to the previous year.

Table of annual growth in Job and skills training courses

Description	2005	2006	2007	2008
Number of trainees	17029	29064	42673	59397
Number of trainees who obtained certificates	6159	16478	22402	27715

Payment of wages to help seekers

Based on the provisions of the article 24 of the executive rules of procedure and also the provisions of the articles 1 and 7 of the rules of procedure relating to remuneration of the labor of prisoners approved by the council of ministers (2000) a directive was formulated for the payment of wages to workers as follows:

1. Labor-wage method whereby 15 % to 25% of the fair profits of the produced goods are paid as wage to help seekers
2. Hour-wage method whereby, for eight hours of daily work, sums of 12,000 Rials, 15000 Rials and 20,000 Rials are paid as wages respectively to simple workers, semi-skilled workers and skilled workers.

In august 2008, the said directive was reviewed in which the hour-wage method was amended as follows: for eight hours of daily work, sums of 16000 Rials, 20,000 Rials 26,000 Rials are paid as wages respectively to simple workers, semi-skilled workers and skilled workers.

2) Formal and informal education as well as cultural activities of prisoners

Deprivation of a person of his freedom and his incarceration is a sever punishment. So, it is the duty of prison officials and staff members to do their utmost to care for, monitor and improve the physical and mental health of help seekers under their control.

Humane and respectful treatment of prisoners and provision of physical and health care facilities for them are not sufficient; they should also create a favorable environment for the development and progress of prisoners. It is in that context that education and cultural activities find an important place in the prison system of the Islamic Republic of Iran.

Cultural activities

Cultural activities of prisoners mostly focus on reading books and journals, formation of religious associations, development of artistic activities, cultural competitions, and recitation of the Holy Quran and institution of prayers. Cultural activities in prisons expand year by year. For instance, the number of prisoners and help seekers participating in cultural camps increased from 1032 people in 1999 to 5633 people in

2008; the number of prisoners participating in the holy Quran-teaching courses rose from 95,300 people in 1999 to 130200 in 2008; the number of cultural exhibitions held in prisons surged from 81 in previous years to 100 in 2008 and the number of visitors to such exhibitions increased from 44,390 to 388, 866 people during the same period.

Education

Formal education in prisons is provided under the supervision of the ministry of education and the ministry of science, research and technology. During the past decade, the number of prisoners under the coverage of formal education has risen from 40% to 95%. And, the number of prisoners under the coverage of informal education has surged from 45% to 80%.

3) Social services

Provision of social services in the prisons of the country started from 1974 when, based on the provisions of the executive rules of procedure, some volunteers were employed in the associations to assist in the solution of the problems of prisoners. Though this event was a turning point in the history of the prison system of the country, lack of academic qualifications among the social workers coupled with the judicial and security approach of the then prison system and also lack of belief by prison authorities in the effectiveness of support activities have been among the factors deterring the growth and development of social services over these years.

With the triumph of the Islamic Revolution, there has been a transformation in the orientation of the prison system from a security and police approach to one of behavioral correction during the past two decades.

This change of concentration from police and security to corrective approach can be seen in all areas of the organization to the point that at present 897 specialized social workers equipped with specialized facilities such as independent physical space, computers, telephone and fax machines, vehicles and so forth are providing services to help seekers by modern means.

The objectives of social service programs in the State Prisons Organization

provision of the necessary ground for the correction and rehabilitation of help seekers, prevention of the negative consequences of incarceration on prisoners, creation of affection between prisoners and their families, rehabilitation of the character of prisoners and changing their beliefs and attitudes, preparation of prisoners for

reintegration into the society and generation of Job opportunities for prisoners are among the most important objectives of social service programs in the State Prisons Organization.

Comparing the performance of social service units as a major index of the State Prisons Organization

Social services	2001	2002	2003	2004	2005	2006	2007	2008
Problem analyzing	260117	319874	366112	386367	397866	465180	646319	1303369
Problem solving	865398	1238316	1384178	1370429	1259873	1576988	1582271	1746823
Welfare & support activities	230377	337148	401039	416584	432174	624275	910801	1081304
Total	1355892	1895338	2151329	2173380	2089913	2666443	3139391	4131496

- The figures inside the boxes point to one activity or service provided to help seekers, and each help seeker might have received different services over years.
- The performance of these units is indicative of the annual growth in the services of social workers in prisons

4) Post-release-care centers

Due to their criminal record and also being months or even years away from their families, prisoners confront numerous problems in the process of their return to normal social and family life. Of such problems mention can be made of mental and

character disorders, family, social and economic problems, rejection by the family and society, difficulty of earning livelihood, housing and unemployment. It was due to such problems that it was decided to establish post-release care centers to assist in the solution of prisoners' problems, facilitate their reintegration into the society and prevent their return to criminal life.

The first post-release care center started its work tentatively in Khorasan-e-Razavi province in 1997 and the second one was launched in Tehran in the middle of the next year. With the satisfactory performance of such care centers in Khorasan-e-Razavi and Tehran, similar care centers were formally established in all provinces of the country. Through such activities as job-training, creation of employment opportunities, provision of credit facilities and self-sufficiency loans, counseling and social services, assistance in the provision of housing through the provision of housing deposits, etc. such centers have proven effective in the prevention of the return of prisoners to criminal life. Thanks to the positive performance of these centers, there is an increase in the number of visits by the released prisoners to such centers.

Comparing the performance of post-release care centers during 2000-2008

Services	2000	2001	2002	2003	2004	2005	2006	2007	2008	Total
Social services	16710	28509	34605	39496	42330	71360	75529	98294	85342	406833
Psychological counseling services	4022	5985	7627	17321	18014	23947	34977	49353	64870	161246
Employment, Job placement & Job training	9425	6992	7447	6026	9883	13076	19730	22574	17501	95153

Employment loan facilities	4572	5649	3561	3816	2848	2080	1632	1854	2001	28015
Public & cultural relations	8682	5103	4130	6367	9044	10412	14562	10902	17603	69202
Interaction with other agencies and institutions	4271	6351	8303	10242	11438	17227	17919	10336	11624	86087
Marriage facilities, housing deposit, purchase of home appliances & family basket	4009	12324	9658	12045	13958	20136	24071	22280	19018	118481
Health care & treatment	6401	7903	4316	2660	5439	22015	33561	29749	30935	112044
Total	58092	78816	79649	97973	112954	180253	221981	245342	248894	1075060

- This table is indicative of the annual growth in the activities of post-release care centers

5) labor-therapy and Job-training complexes

Job-training and labor-therapy complexes are among the institutions affiliated to the State Prisons Organization. These complexes care for prisoners convicted on charges relating to drug addiction and trafficking and are separated from other prisoners. The purpose of the separation of this group of prisoners is to provide addiction treatment and rehabilitation services to such prisoners through labor therapy.

For that purpose, so far 19 complexes have been built in an area of 749193 square meters. Besides, five other complexes are at present in the process of construction.

6) Mental health and behavior correction program

The establishment of the council for planning and management of the mental health and behavior correction of prisoners and adoption of the approach to ensure the character stability of prisoners are among the rehabilitation and positive behavioral changes of criminals pursued under this program. At present, around 12000 prisoners in 17 provinces of the country are under the coverage of this program.

7) Prisoner support associations

In view of the importance of the protection of family unit and prevention of the spread of social harms and the entrance of family members into the cycle of crime, entities called prisoner support associations have been established in Iran. These associations are non-governmental public entities with an independent legal character which emerged 70 years ago in Iran.

Legal status

Prisoner support associations have their own statute and executive rules of procedure. They are run by a board of directors comprising the local prosecutor, director general of the local prison department, local governor, head of the local prison and three trustees chosen from among people with good reputation and charitable activities. Wherever there is a prison, a prisoner support association is available, too.

With the establishment of 45 new prisoner support associations, the number of such associations in the country has risen from 130 in 2008 to 175 in 2009.

Objectives of prisoner support associations:

1. Correction, rehabilitation and reintegration into the society of prisoners
2. Prevention of the return of prisoners to criminal life
3. Reduction of social harms originating from life in prison
4. Prevention of the negative impact of the criminal life of help seekers on their families particularly on their children

Duties of prisoner support associations

1. Help the families of prisoners
2. Correct and rehabilitate the characters of prisoners
3. Assist in the provision of employment for prisoners after their release from prisons through creation of job opportunities

4. Contribute to the improvement of health care and treatment as well as the provision of cultural, sports, job skills training and educational facilities for prisoners

The impact of the activities of prisoner support associations on the lives of prisoners

Findings of research have shown that when prisoners are less concerned about the well-being of their families including their livelihood as well as the housing and educational conditions of their children, they are more receptive to correction and rehabilitation services. This duty has been undertaken by prisoner support associations.

The positive impact of the activities of prisoner support associations on the reduction of criminal population of prisons

Prisoner support associations have managed to carry out valuable measures to win the consent of plaintiffs and secure commutation in the punishments and the release of prisoners.

Based on the existing statistics, from 2000 up to the end of the first quarter of 2008, prisoner support associations have managed, through their continuous follow-ups, to secure the release of 8,238 prisoners by winning the consent of plaintiffs, 21,521 prisoners through the financial donations of the associations themselves and 1057 prisoners through the charitable activities of benefactors.

The impact of the activities of prisoner support associations on prisons

Certainly, the credits allocated to the prisons of the country do not meet their various needs. At present, a considerable portion of the costs of development, health care and treatment, social work as well as cultural and educational activities and services of prisons are provided by prisoner support associations.

Other services

- **Social support services provided to the families of prisoners**

The number of the families of prisoners who have had access to such services rose from 3,231 in 2000 to 16000 in 2008

- **Social support services provided to prisoners**

The number of prisoners who have had access to such services has increased from 2,985 in 2000 to over 14000 in 2008.

8) Compensation (blood money) committee, a charity institution supporting needy prisoners

This non-governmental charity institution which was established for the purpose of assisting in the release of prisoners who have not committed intentional crimes have secured the release of 9,012 needy prisoners in the past three years through the donations of benefactors and charities. In addition to that, this committee has secured the release of 6,216 other prisoners by making use of banking facilities amounting to 2600 billion Rials.

Also, during 2005-2008, it has secured the release of 11,455 needy prisoners with the payment of 73 billion Rials. Besides, this committee has tried and managed to secure the approval of some preventive measures including the amendment of the law on the compulsory third party insurance and the acceptance of valid vehicle insurance policy as bail by judicial authorities.

F) Reduction of harms and risks inside prisons

1) Importance of the preservation of security and tranquility in prisons

Prisons are responsible for keeping and caring for those who have been deprived of their freedom.

Prisoners generally face mental and psychological problems resulting from social harms and life in prison and tend to show an aggressive attitude. They do not like to stay in jail but have to accept the bitter reality of life in Jail.

If prisoners face appropriate security conditions and receive fair law-based treatment and enjoy even the minimum conditions needed for a limited life in prison, they will not attempt to show an aggressive behavior, escape, disturb the law and order or violate the rules and regulations of prison.

The need for striking a balance between requirements such as security, supervision of activities and preservation of human dignity has been well appreciated by Iranian prison officials and staff who formulate and implement every year better plans and programs tailored to meet the said requirements and reduce the harms and risks inside prisons to a desirable level.

In addition to cultural, sports, health care and treatment, educational and recreational activities inside prisons, some other measures have been taken in recent years especially with the formation of the "special committee for reduction of the harms

resulting from high risk behavior " in 2007 in order to reduce the risk of harms inside prisons.

2) Installation of closed-circuit cameras

Employment of modern tools and facilities making use of electronic technology is one of the effective ways of dealing with problems, obstacles and violations inside prisons.

At present, use of closed-circuit cameras is also a new method of dealing with prisoners' escape attempts, detecting the violation of rules inside prisons, etc. Currently, most of the prisons of the country are equipped with closed-circuit cameras. Such cameras serve as an essential tool for the prevention of irregularities, violation of rules, and commission of offences, escape attempts, etc.

These cameras which have been installed under the supervision of prison officials are especially important in controlling and monitoring the events of prisons round the clock; this can be most effective in the reduction of harms from high-risk behaviors in prisons.

The number of cameras installed in prisons by the end of 2008 reached 7000. At present, all these cameras are operated by trained experts. The number of these cameras is predicted to rise to 10 000 by the end of the first quarter of 2009.

With the installation of modern digital cameras, the round-the-clock control and monitoring of prison activities and events has become possible not only for local users but also for the head of prison at home, in the related offices and at the center.

3) Separation of violent prisoners and dangerous criminals

The objectives of classification and separation of prisoners in compliance with the related international rules are as follows:

- Separation of prisoners by gender
- Separation of prisoners by age especially for prisoners aged below 18
- Separation of prisoners by the type of accusations and conviction (over 80%)
- Separation of prisoners by the type of crime and criminal record (over 60% to 80%)
- Separation of prisoners by personal traits (up to 10% which is increasing)
- Also, dangerous criminal prisoners who make troubles, disturb law and order and violate the rules in prisons are kept separate from others. Having said that, however,

there is a need to take corrective measures to rehabilitate the character and improve the behavior of such prisoners.

One of the most important duties of the special committee for reduction of harms from high risk behaviors in the prisons of the country is to correct the behavior and rehabilitate the character of dangerous criminal prisoners.

As it was mentioned, specific measures have been taken for the behavioral correction of dangerous criminal prisoners in the form of special programs. The implementation of the special programs for the behavioral correction of dangerous criminal prisoners in 2007 and 2008 has resulted in a 21% decline in the number of such prisoners in 2008.

4. Development of triangular clinics for addiction treatment

Since narcotic and psychotropic substances are posing a major menace to human societies they have become a major concern to prisons as well.

Hence, in view of the importance of this matter, the State Prisons Organization has realized that in order to fight this menace effectively, there is a need to develop a comprehensive plan including early precautions, treatment, harms reduction, supply and demand control, research, judicial intervention and international exchanges.

Having said that, however, the organization has formulated some programs including the development of triangular clinics for the following purposes:

- Adoption of preventive measures to discourage early inclination towards drug abuse in the general population particularly in the population at risk (youth and young adults)
- Expansion of treatment coverage for addicted prisoners (by 90%)
- Provision of treatment programs including detoxification, maintenance treatment, etc. in order to treat addicts and prevent their shift towards more dangerous drug consumption
- Promotion of harms-reduction interventions to avert the complications of more dangerous methods of drug consumption and their consequences such as AIDS, hepatitis, etc.
- Designation of some prison wards as clean, cigarette and drug free wards for the purpose of psychiatric treatment of addicted prisoners
- Seeking the assistance of self-help groups and treated addicts to prevent a return to drug addiction

- Adoption of the necessary measures for the treatment and rehabilitation of addicts including detoxification, methadone and naltrexon maintenance treatment, etc.
- Establishment of Job-training and employment centers and provision of leisure time activities for addicts under treatment in order to prevent their return to drug consumption

In line with the measures taken to reduce the harms of high risk behaviors, triangular clinics too have registered a remarkable growth to the point that the number of such clinics has risen from 105 in 2007 to 118 in 2008. This figure has been on the rise during 2009 as well.

Also, the number of addicted prisoners under methadone maintenance treatment has surged from 10,935 in 2007 with the development of treatment programs, to 19,558 in 2008, and is predicted to reach 35,000 in 2009 as its final target.

In detoxification section, it is interesting to note that the number of prisoners receiving detoxification services has increased from 9,558 in 2007 to 22,070 in 2008.

These figures indicate that health care and treatment services relating to the reduction of harms from high-risk behaviors have registered a growth of 79% and 83% in methadone maintenance treatment and detoxification sections in 2008 as compared to 2007.

Also, the number of services provided in such clinics has increased from 790,096 cases in 2007 to 1,547,232 cases in 2008.

5) Exercise of stricter control to prevent the flow of drugs into prisons

Entrance into and consumption of drugs in prisons is a bitter reality which has led prison officials in different countries of the world to take measures, which are mostly violent, to prevent and fight this destructive plague.

There are different ways for the entrance of drugs into prisons which are difficult to control. However, full control of drug entrance into prisons has become a strategic goal of the State Prisons Organization.

To prevent drug entrance into prisons under its supervision, the State Prisons Organization has adopted an effective measure to considerably control this menace; it has imposed tighter control on the entrance and exit of prisoners and their families as well as prison staff and guards (soldiers) and uses radiography machines to detect possible concealed drugs on them.

In some cases, drugs are transferred into prisons through domestic animals such as cats and pigeons which are also strictly controlled in the new prison control system.

Also, with the fencing and heightening of the walls of prisons and transfer of prisons located near residential areas to areas outside cities, the entrance of drugs by throwing them over the walls of prisons has been prevented.

In general, the number of measures adopted to control the entrance of drugs into prisons has been increasing. And, this has led to a rising decrease in the quantity of drugs entering prisons. According to the existing figures, the violation of the rules relating to the entrance of drugs into prisons has declined by 900% in 2008 as compared to 2007.

G) Reduction of the use of imprisonment punishment

Today, the issue of prison population density and the negative social consequences of the imprisonment punishment have become serious challenges confronting criminal justice and prison systems in the world.

Most of the related international reports and also the surveys conducted in the committee for policy making and planning the reduction of criminal population of the State Prisons Organization have shown that the criminal population in the prisons of most countries of the world has been rising except for a few countries in which the criminal population has either declined or remained stable.

Prison population density not only causes the waste of human and financial resources but also seriously hurts family foundation. This problem also undermines the ability of prisons to perform duties such as provision of care for prisoners as well as positive change of behavior, rehabilitation and preparation of prisoners for reintegration into the society.

Having said that, however, one has to admit that population density and the rising number of prisoners has always been a major problem of the Judiciary and prison system of the Islamic Republic of Iran.

Since assuming the position of the chief of the Judiciary, Ayatollah Shahroudi has always been concerned that, based on the rules of Islamic law and jurisprudence as well as scientific research, and also the dictates of logic and reason, unrestrained use of imprisonment punishment is not acceptable and this type of punishment should be seen only as a last resort.

Article 130 of the 4th development plan approved by the parliament in 2006 and also the paragraph 14th of the directive issued by the State Expediency Council on judicial matters have stressed the need for the reduction of cases where imprisonment is imposed as a punishment.

In view of the said legal provisions, the Judiciary of the Islamic Republic of Iran has launched extensive efforts to reduce the use of imprisonment as a punishment. Of such efforts mention can be made of the programs for familiarizing judges with the negative consequences of imprisonment on the society, reforming the legal proceedings system in order to accelerate the investigation of the judicial cases of prisoners waiting for trial, changing or reforming some imprisonment-oriented laws and introducing alternative punishments.

This change of approach and the measures adopted in that context in the prisons of the Islamic Republic of Iran have been quite effective in reducing the criminal population in the prisons of the Islamic Republic of Iran.

1) Formation of criminal population reduction policy making and planning committee

This committee was established in 2006 with the participation of some judicial authorities and the officials of the State Prisons Organization.

In cooperation with the related institutions, this committee has been executing new programs every year in educational, research and cultural fields. Also, in coordination with the media, this committee has been trying to raise the public awareness on the significance of this change of approach. Besides, it has taken measures, in consultation with legal experts, to amend some of the existing laws and enact some new laws for the same purpose.

2) Reduction of the number of the existing prisoners and new prison admissions in line with the policy of judicial development

The efforts made by the Judiciary, the State Prisons Organization and the committee for the reduction of criminal population in recent years have caused the number of prisoners which was always on the rise prior to 2001 to decrease by about 4.5% by the end of the first quarter of 2008. More important is that the admission rate of new prisoners declined by over 34% during 2001-2008 which has proven a turning point in the history of Iranian prisons.

3) Replacement of incarceration and use of substitute punishments

Social punishments are also part of the criminal justice process which is imposed by the rulings of courts on the perpetrators of certain crimes outside prisons under the supervision of the related institutions and often with the cooperation of the public.

In cooperation with the State Prisons Organization, the Judiciary of the Islamic Republic of Iran drafted the bill of law on alternative punishments and submitted it to the parliament for approval in line with the provisions of the article 130 of the 4th development plan. The outlines of this bill were approved in 2008 following its technical analysis by experts. The bill is currently in the process of the completion of its details in the judicial committee of the parliament and preparation to be submitted for a second reading on the floor of the parliament.

The bill of law has provided for four types of alternative punishment; a period of care, performance of public works, imposition of daily fines and deprivation from social rights.

4) Controlling and monitoring the environment of prisons and detection centers through electronic equipment

In accordance with the provisions of the article 9 of the law on the conversion of the prison administration council into the State Prisons and Security and Corrective Measures Organization approved in 1985 by the Islamic Consultative Assembly of Iran and also in order to ensure the effective implementation of correction and rehabilitation measures, to attain the lofty objectives of the organization, to ensure respect for the rights and human dignity of prisoners, to increase the security of prisons and also to monitor the activities of prisoners by electronic equipment, recently the draft amendment of the rules of procedure on prisoner classification and separation was prepared and sent to the chief of the Judiciary for consideration and approval, which will be implemented for some prisoners if approved by him in the current year.

H) Foreign prisoners

Based on the rules of procedure for prisoner classification and separation, foreign prisoners are kept separate from other prisoners. In addition to the enjoyment of the rights recognized for domestic prisoners, foreign prisoners enjoy some special rights regarding their visits, correspondence and telephone contacts enshrined in the executive rules of procedure of the State Prisons Organization.

1. Personal visits

Visits of foreign prisoners to their family members are subject to the provisions of the executive rules of procedure of the organization. Also, the visits of foreign political and consular representatives to the imprisoned nationals of their respective countries, provided for in the provisions of the article 193 of the executive rules of procedure of the organization, will take place with the introduction of such representatives by the foreign ministry and the permission of the competent judicial authorities (prosecutor, the investigating judge or the supervising judge of the prison).

It is to be noted that convicted foreign prisoners whose countries do not have such representatives in Iran can visit the political or consular representative of the state which represents the interests of their state provided that they observe the aforementioned provisions.

A review of such cases indicates that in all cases where consular representatives of countries have asked through the foreign ministry for visiting their prisoners such requests have been processed and answered at the shortest possible time and the ambassadors or chrged'affairs of such countries have managed to visit their requested prisoners after the completion of the legal process.

2) Correspondence

Based on the provisions of the article 205 of the executive rules of procedure of the State Prisons Organization, foreign convicts and accused can correspond with the political or consular representatives of their respective countries through the channel of the foreign ministry, and their letters are to be processed and sent to their destinations in line with the said provisions.

All prisoners including foreign prisoners, if not legally barred from visits, can correspond with their families, attorneys, relatives, friends and the judicial authorities. It is to be reminded that there are separate boxes in all prisons across the country including the boxes of the head of the organization, the office for supporting the civil rights of prisoners, the inspection office, and the supervising judge of prison, director general of provincial prison as well as intelligence and security agencies which can be used to communicate with and contact these people without intermediaries.

3) Telephone contacts

Under the provisions of the article 206 of the said executive rules of procedure, in emergency conditions, foreign prisoners can contact persons or officials by phone or

telegraph at personal costs in line with the provisions of the said executive rules of procedure.

It is to be noted that with the installation of card operating telephone sets in prisons, all prisoners including foreign prisoners can easily contact the outside world through telephones.

In addition to the special attention given to the rights of foreign prisoners, another measure which has been recently taken is the possibility of the commutation of the punishments or the pardon of foreign nationals like local prisoners on the occasion of the anniversary of the appointment of Prophet Mohammad (P.B.U.H) to prophethood.

4) Extradition of convicted prisoners

Agreements on the extradition of convicts between the Islamic Republic of Iran and other countries

- Extradition of prisoners agreements have so far been signed between the Islamic Republic of Iran and Azerbaijan, Syria, Kuwait and Ukraine, which have been ratified by the Islamic Consultative Assembly (Parliament).
- The first case of extradition of prisoners between the Islamic Republic of Iran and Syria took place in April 2009 with the transfer of seven Iranian convicts from the prisons of Syria to Iran; one convict who was not transferred on the same date due to some problems was transferred to Iran in July 2009.
- So far, a total of 54 prisoners have been transferred in four phases from the Islamic Republic of Iran to the Republic of Azerbaijan and 355 prisoners have been transferred in 11 phases from the Republic of Azerbaijan to the Islamic Republic of Iran.
- The laws on the extradition of convicts between the Islamic Republic of Iran and the states of Kuwait and Ukraine have not yet gone into effect.

1) Prisoners waiting for trial

1) Reduction of the number of prisoners waiting for trial

In many judicial systems of the world, the sluggish judicial proceedings system which causes the number of prisoners waiting for trial to increase is mostly responsible for high prison population density.

Based on the statistics available in different parts of the world, by the end of the first quarter of 2009, the number of prisoners waiting for trial accounted for 50% of the total prison population in the world.

In the past and even until ten to twenty years ago, the situation of prisons in Iran, too, was the same. But, in recent years, through a reform in judicial proceedings system of Iran, the population of prisoners waiting for trial has declined between 25% to 40%.

2) Separation of prisoners waiting for trial from convicted prisoners

Since the rules and regulations governing prisons are originally intended for the management of convicted prisoners, prisoners waiting for trial are assumed innocent in accordance with the laws of the Islamic Republic of Iran. Thus, they should not be subjected to the rules and regulations governing the conduct of convicted prisoners.

To ensure full respect for the human dignity and social prestige of citizens and also to reduce the adverse effects of life in prison, the prison system in the Islamic Republic of Iran has witnessed a great development and that was the separation of convicts from prisoners waiting for trial which came with the approval of the executive rules of procedure for detention centers governing the status of accused prisoners; the State Prisons Organization is obliged to build such detention centers. During the past three years, construction of 47 detention centers has been planned in big cities and so far 19 detention centers have been completed and started their work.

J) Juvenile offenders

1) Separation of juvenile offenders from adults

This is a bitter reality that in many countries of the world, a number of adolescents and youths are kept in detention centers and prisons as offenders while basically they should not be kept along with adults in the same prisons because their ages and their special needs at those ages should be considered and addressed.

Young adults are more vulnerable than adults and must be protected against any kind of violence and abuse from other prisoners. More important than that is the fact that young adults better respond to positive impact of education.

Thus, they should not be deprived of such important opportunities. The laws of the Islamic Republic of Iran and particularly the executive rules of procedure of the State Prisons Organization have paid special attention to this important fact to the

point that the paragraph(a) of the article 5 of the executive rules of procedure reads: "the age group of children and adolescents includes prisoners below the age of 18 who should be kept and cared for in correction and education institutions; in case of the absence of correction and education institutions in one province, such prisoners should be kept in a separate place outside prisons; note 2 of the same paragraph has banned the dispatch of child and adolescent offenders below the age of 18 to prisons and in case such prisoners are dispatched to prisons by the order of judicial authorities, the heads of prisons have a duty to send them immediately to correction and education centers; paragraph (b) of the article 5 stresses that the age group of young people including prisoners above the age of 18 up to 30 should be also kept separate from other prisoners.

Based on the provisions of the said executive rules of procedure and religious and ethical criteria and, also given the criticality of the age of adolescence and maturity, the age classification and separation of prisoners below the age of 18 are fully observed in the prisons of the Islamic Republic of Iran to the point that the number of correction and education institutions has risen from 7 in 1998 to 28 in 2009 and all these institutions are equipped with sophisticated health care, education and vocational training facilities. Tehran Correction and Education Center, as acknowledged by the related international authorities in their comments reflected in the documented appendixes, has become a good model at the regional and international levels. Fortunately, juvenile offenders constitute only a small minority (0.5%) of the whole prison population of the country.

2) Provision of educational as well as technical -vocational facilities for juvenile offenders

In correction and education institutions, in addition to appropriate living environment, the per capita physical space rose from 20 meters in 1998 to 34 meters in 2008, which continues to increase year by year.

Also, provision of health care and treatment, education (secondary education), vocational training and sports facilities and services in such institutions has been quite remarkable and all offenders have had access to such facilities. Also, the number of educational trainers and specialists, psychologists and social workers serving in such institutions is desirable, though the expansion of such services is provided for in the annual plans of such institutions.

3) Maintenance of close relations with the family and the society

To maintain and develop family ties, no limitations have been imposed on the visits of juvenile offenders. Parents are allowed to visit their children, at least one or twice per week, in person and in a cordial family environment. Apart from that, psychologists and social workers invite the families of prisoners to closely investigate their problems and hold family therapy sessions for them.

The State Prisons Organization is also focusing on collaboration with local and foreign agencies to further improve and enrich the programs of correction and education institutions. Of the measures so far taken for that purpose mention can be made of the following:

1- Conclusion of cooperation agreements with entities such as the ministry of education, the technical-vocational training organization, the national youth organization, the state welfare organization, the organization for intellectual development of children and young adults, the socio-cultural organization of municipalities and the cultural heritage and tourism organization; initiation of effective collaboration with justice departments and association bars.

2- Cooperation with the directorate for judicial development and education of the Judiciary and UNICEF through participation and delivery of speeches by the directors of the State Prisons Organization in over forty training workshops on the new methods of correction and education of children and young adults deprived of freedom.

3- Cooperation with the representative office of UNCF in activities such as delivering speeches in Afghanistan and paying visits to countries such as the Netherlands, Austria, South Africa,... to study the possibility of the formation of children's police.

4- Membership in the national authority group responsible for monitoring the implementation of the provisions of the Convention on the Rights of the Child and holding meetings for that purpose in the ministry of foreign affairs.

5- Visits by eighty human rights groups and related authorities from other countries of the world to correction and education institutions which they admired and described as a model which can be followed by others in the region and the world.

6- Interactions with the office for the rights of children and women and the directorate general for cultural and social affairs of the Judiciary, which have resulted

in the control of the criminal population of the correction and education institutions as a minimum and the lesser use of incarceration punishment as a maximum.

K) Woman prisoners

1) Women, a small minority in the prisons of the Islamic Republic of Iran

Female prisoners constitute a small minority (about 4%) in the prisons of the Islamic Republic of Iran. The situation of female prisoners in Iran is a bit different from that of males; they receive more care and attention.

In societies like that of Iran where women are responsible for the affairs of the family as well as the rearing and education of children, the consequences of the imprisonment of women can be graver.

Article 4 of the executive rules of procedure of the State Prisons Organization, too, has provided special rights for women. It states that in addition to what has been provided for in the prisoner classification and separation rules, it is necessary to observe the following provisions with regard to female prisoners:

A) Female prisoners are allowed to keep their suckling infants in prison or detention center up to the age of two; this period can be extended up to the age of six with the support of the prisoner classification council.

B) In compliance with the provisions of the paragraph (a), social workers are obliged to make the necessary arrangements for children of female prisoners to be given to their families and in case of the refusal of their families, to the state welfare organization or charity institutions which care for children.

C) The officials of prisons and detention centers are obliged to provide the necessary sanitary and hygienic facilities as well as appropriate nutrition for female prisoners and their infants living with them.

D) Pregnant female prisoners and also suckling infants living with their mothers in prisons or detention centers are to be provided with specific diets and be kept in a separate place of the prison or detention center.

2) Special attention of the State Prisons Organization to female prisoners

To realize the rights of female prisoners provided for in the executive rules of procedure of the State Prisons Organization, the following measures and programs are executed in the prisons of the Islamic Republic of Iran for female prisoners:

- **Health care and treatment programs**

- I. Hygienic facilities for each prisoner
- II. Establishment of triangular clinics for treatment of diseases such as AIDS, hepatitis, and communicable diseases
- III. Screening and disease diagnosis
- IV. Establishment of clinics
- V. Provision of sufficient and healthy water and food
- VI. Dental health and treatment services
- VII. Child-delivery and post-natal care services
- VIII. Nursery services for infants who are cared for by their mothers in prisons
- IX. Keeping prisoners with mental and communicable diseases in separate places
- X. Provision of mother and child care services including child nutrition, control of weight and height as well as vaccination of children and conducting the tests required for pregnant mothers
- XI. Addiction treatment services in prisons in the form of detoxification and group therapy

- **Cultural and educational programs for female prisoners**

- I. Training courses on Islamic rules, ethics and ideology
- II. Training courses on life skills particularly on how to control stress and anger as well as communication and problem-solving skills
- III. Showing instructive and moral movies in prisons
- IV. Provision of access for prisoners to radio and TV programs in their leisure time
- V. Organizing religious rites and rituals on various religious occasions
- VI. Training courses on arts; theatre and choir performance
- VII. Awarding prizes and letters of commendation to female prisoners on different occasions
- VIII. Formal education classes at the primary, low and high secondary levels as well as literacy classes
- IX. Holding special ceremonies to celebrate women's week and mothers' day

- **Job-training and employment programs**

- I. Based on the decision of prisoner classification council, prisoners may be dispatched to classes outside prisons for job-training and employment
- II. Holding training courses on handicrafts such as needlework, carpet weaving, etc.
- III. Provision of facilities for creation of works of art in leisure time

- IV. Possibility of the sale of the works of art created by prisoners
- V. Organizing exhibitions to display the handicrafts of prisoners
- VI. Provision of loans for the job training and employment of volunteer prisoners (by government institutions)

- **Sports programs**

- I. Provision of sports and physical exercise facilities as well as coaches and trainers
- II. Arranging for female prisoners' participation in competitions outside prisons with the permission of the related legal authorities
- III. Performance of daily morning physical exercises in all prisons
- IV. Organizing local games in the leisure time of prisoners
- V. Holding coach and referee training courses
- VI. Organizing competitions in track and field, table tennis and physical fitness fields for female prisoners

L) Aged prisoners and prisoners with acute and terminal diseases

1) Aged prisoners

Based on the provisions of the article 75 and note 101 of the executive rules of procedure, aged prisoners are exempt from daily chores such as the cleaning of corridors, wards, etc.

According to the provisions of the article 5 of the rules of procedure for classification of prisoners, aged prisoners should be separated from other prisoners due to their emotional and physical conditions.

It is to be noted that in view of the policies of the Judiciary of the Islamic Republic of Iran, efforts are made on different occasions to secure the freedom of certain groups of prisoners including aged prisoners; a case in point was the amnesty declared by the Supreme Leader of the Islamic Republic of Iran on the anniversary of the appointment of the Holy Prophet of Islam on July 20, 2009 forgiving the rest of the prison terms and pecuniary penalties of male prisoners aged above 65 and female prisoners aged above 50.

The executive rules of procedure of the State Prisons Organization has paid attention to the health of prisoners and obliged the organization to carry out the necessary medical tests on all and particularly ill prisoners, disinfect the wards, take measures to prevent the spread of communicable diseases, provide vital medicines for ill prisoners, separate prisoners with mental disorders and dangerous communicable diseases in line with the policies of the ministry of health and medical education and examine and treat ill prisoners. Such prisoners receive illness certificates from the physician of the prison which will be attested by the clinic of the prison for the period of time mentioned in the certificate exempting them from daily chores of the prison such as the cleaning of halls, corridors, etc.

2) Prisoners with acute and terminal diseases

Regarding prisoners with acute diseases who, according to the opinion of the physician of the prison, can not be treated inside the prison or their continued incarceration may aggravate their illness or delay their improvement or if they are not able to bear prison conditions, the prisoner classification council, based on the provisions of the article 229 of the executive rules of procedure, is obliged to grant them a one-month leave with the possibility of its extension; also, the provisions of

the article 291 of the penal law have provided for the treatment of such prisoners outside prisons.

Regarding terminally ill prisoners, based on the provisions of the article 229 of the executive rules of procedure, prison officials can submit proposals to the related judicial authorities to grant an amnesty for such prisoners.

Also, the article 13 of the rules of procedure for classification of prisoners has provided specific diets for such ill prisoners and keeping them in separate places in line with the policies of the ministry of health and medical education.