

# Country Report: The Russian Federation

Much of the information in this report is drawn from three sources; a study entitled 'Women and the System of Criminal Justice in the Russian Federation: 2000-2002' by Ludmila Alpern, the report of the Council of Europe's Commissioner for Human Rights on his visit to the Russian Federation in 2004, and the 2001 report by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT). Since these reports have been published, it should be noted that conditions have improved both for sentenced prisoners and for prisoners awaiting trial. Legislation has changed and people are imprisoned less frequently for minor offences.<sup>1</sup>

## 1. Introduction

The International Centre for Prison Studies (ICPS) reports that, as of 1 June 2006, the total prison population in the Russian Federation (including prisoners awaiting trial) was 858,900. This is equivalent to a prison population rate of 613 per 100,000 of the national population, based on an estimated national population of 142.2 million. (After the United States, Russia imprisons the greatest proportion of its citizens in the world.)<sup>2</sup>

The ICPS also states that, in 2006, there were 1,045 establishments or institutions holding prisoners including 765 corrective colonies, 211 SIZOs (pre-trial prisons), seven prisons and sixty-two juvenile colonies. Prisoners awaiting trial accounted for 16.9 per cent of the total prison population at the end of 2003, and in 2002, juveniles and foreign prisoners made up 2.5 per cent and 1.7 per cent of the total prison population respectively.

The website of the Federal Service of Execution of Punishment of the Russian Federation states that, as of November 2006, the establishments of the criminal-executive systems held 871,200 people, including: 695,800 people in 765 colonies; 161,800 people in 211 SIZOs, seven prisons and 157 premises functioning in a mode of investigatory isolators and prisons; and 13,300 people in juvenile colonies.<sup>3</sup>

Russia experienced a crime boom during the early 1990s. In 1994, the prison population was more than one million with 21,600 women in labour camps. Sixty per cent were repeat offenders.<sup>4</sup> There was no satisfactory system for release on bail, leading to overcrowding in SIZOs and prisoners spending more time awaiting trial than the length of their eventual prison sentences. The increase in prisoners led to overcrowding. As a result, prison conditions worsened (for example there was insufficient sanitary provision and isolation wards exceeded their capacity by two to two and a half times). There was a lack of funding and Soviet-style punishment continued to be reported.<sup>5</sup>

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<sup>1</sup> Alla Pokras, Penal Reform International, Moscow, personal correspondence, December 2006.

<sup>2</sup> *International Centre for Prison Studies*, World Prison Brief, Prison Brief for Russian Federation [on-line], accessed 10 December 2006, available at <http://www.prisonstudies.org/> See also *International Centre for Prison Studies*, Entire World, Prison Population Rates per 100,000 of the national population [on-line], accessed 10 December 2006, available at <http://www.prisonstudies.org/>

<sup>3</sup> Alla Pokras, personal correspondence, December 2006.

<sup>4</sup> Photius Coutsoukis, *Russia Prisons* [on-line], accessed 10 December 2006, available at [http://www.photius.com/countries/russia/government/russia\\_government\\_prisons.html](http://www.photius.com/countries/russia/government/russia_government_prisons.html)

<sup>5</sup> *Moscow Centre for Prison Reform (MCPR)*, Work of MCPR [on-line], accessed 10 December 2006, available at <http://www.prison.org/English/mcprwork.htm>

The 1990s, however, were also a time of democratisation and reform in Russia. As in other Eastern European countries, this included large scale reform of the criminal justice system, which continues today. Apart from short term detention centres and a handful of SIZOs, which are still controlled by the Federal Security Bureau, all prisons are now under the control of the Ministry of Justice.<sup>6</sup>

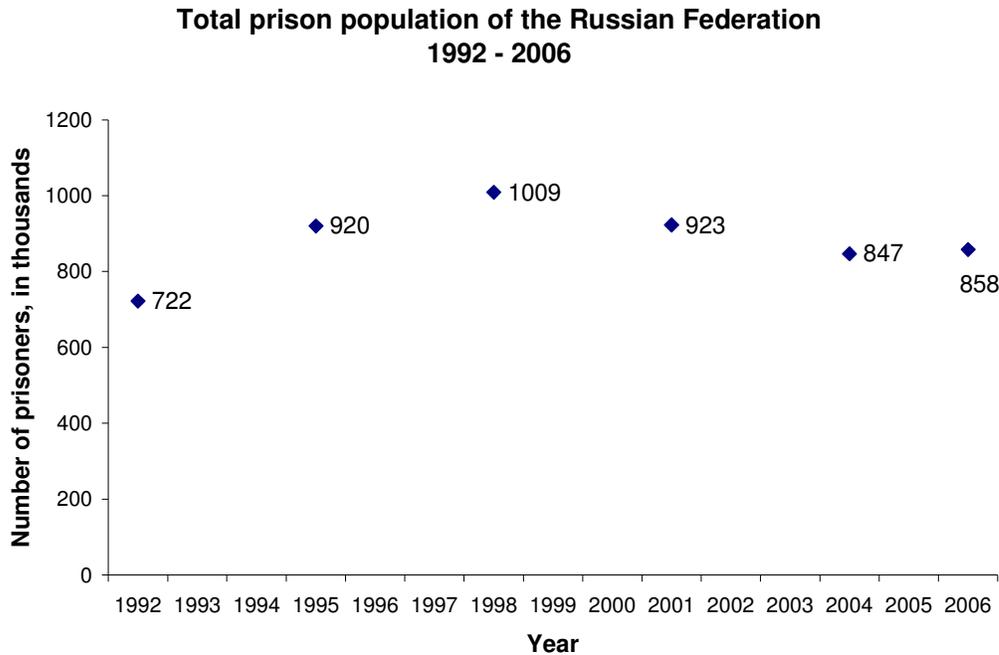


Figure 1: Change in the total prison population of the Russian Federation from 1992 to 2006. Source: International Centre for Prison Studies (ICPS), World Prison Brief, Russian Federation, <http://www.prisonstudies.org/>

All those awaiting trial are held in one of the 211 SIZOs.<sup>7</sup> According to Russian legislation, prisoners awaiting trial should be held in a SIZO for no more than six months. If convicted, prisoners are transferred to regular prisons in the countryside known as colonies.<sup>8</sup> Convicted prisoners who have been sentenced for less serious crimes, and who have demonstrated good behaviour, may be allowed to serve their sentence in SIZOs and do jobs such as cleaning, general maintenance and delivering food to cells.<sup>9</sup>

In 2002, reforms were brought in that cut the numbers of prisoners serving time in pre-trial detention. Thus, the numbers of prisoners awaiting trial fell from 199,000 in 2001 to 136,000 in 2004.<sup>10</sup>

<sup>6</sup> Communication from the Council of Europe: Council of Europe, Office of the Commissioner for Human Rights, Report by Mr. Alvaro Gil-Robles, Commissioner for Human Rights, on his visits to the Russian Federation, 15-30 July 2004 and 19-29 September 2004, CommDH(2005)2 (April 2005), paragraph 153. Available at [www.coe.int](http://www.coe.int)

<sup>7</sup> International Centre for Prison Studies, available at <http://www.prisonstudies.org/>

<sup>8</sup> Eurosurveillance, Pulmonary tuberculosis in two remand prisons (SIZOs) in St. Petersburg, Russia [on-line], accessed 18 April 2007, available at <http://www.eurosurveillance.org/em/v10n06/1006-223.asp>

<sup>9</sup> *ibid.*

<sup>10</sup> Council of Europe, CommDH(2005)2.

There is currently a moratorium on the death penalty in Russia.<sup>11</sup> Amnesty International classifies the Russian Federation as a country ‘that retains the death penalty for ordinary crimes such as murder but can be considered abolitionist in practice in that they have not executed anyone during the past ten years and are believed to have a policy or established practice of not carrying out executions.’ However, Amnesty also states that the last execution in Russia was in 1999, meaning that their last execution was carried out less than ten years ago.<sup>12</sup>

## **2. Women in the criminal justice system/ women in prison**

The ICPS reported that, on 1 November 2006, women prisoners accounted for 6.8 per cent of the total prison population. This is the equivalent of 59,239 women; forty women per 100,000 of the national population.

Women may be held in SIZOs and in general regime or half-open regime colonies. Only half open regime colonies (colony-settlements) may hold both men and women, while general regime colonies are single-sex. Since 2004, due to amendments to the criminal code, women prisoners no longer serve sentences in high security regimes.<sup>13</sup>

As of November 2006, there were forty-five general regime colonies for women holding about 40,000 prisoners, about 5,000 women serving their sentence in colonies with half-open regimes and 13,000 women in SIZOs (around 1,000 of whom have been sentenced). In two colonies there are provisions for joint accommodation for mothers and babies.

Data from 2002 show that:

- Theft was the most common offence, for which 13,430 women were convicted.<sup>14</sup> (In 1999 it was reported that over half the women in prison from small provincial towns were in prison for theft, like the majority of men). However increasing numbers of women from large cities were serving time for drug-offences.<sup>15</sup>
- The second most common crime was murder/grievous bodily harm, for which 11,427 women were serving sentences.<sup>16</sup>
- The third most common crime was robbery for which 6,034 women were serving sentences.<sup>17</sup>
- The majority of women prisoners were aged between twenty-five and fifty-five.<sup>18</sup>

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<sup>11</sup> *British Broadcasting Corporation (BBC)*, Terror Verdict for Beslan Suspect [on-line], accessed on 18 April 2007, available (since 16 May 2006) at <http://news.bbc.co.uk/2/hi/europe/4985048.stm>

<sup>12</sup> *Amnesty International*, Abolitionist and Retentionist Countries: Abolitionist in Practice [on-line], accessed 18 April 2007, available at <http://web.amnesty.org/pages/deathpenalty-abolitionist3-eng>

<sup>13</sup> Alla Pokras, personal correspondence, December 2006.

<sup>14</sup> *ibid.*

<sup>15</sup> *Penal Reform International*, Facts about women’s prisons in Russia, from the Penal Reform’s research group’s preliminary report, September 1999 [on-line], accessed 10 December 2006, available at [http://www.penalreform.org/english/vuln\\_womruss.htm](http://www.penalreform.org/english/vuln_womruss.htm)

<sup>16</sup> A. Coyle *et al.*, ‘Women in prison in Russia: Overview and Statistics’, in *Prison Reform International: Information Pack Women in Prison*, 2002.

<sup>17</sup> *ibid.*

<sup>18</sup> *ibid.*

- 33,707 women were convicted for the first time. 14, 012 had previous convictions.<sup>19</sup>
- 6,517 women were imprisoned in order to undergo compulsory drug or alcohol treatment.

The comparatively small number of women's colonies in a state the size of the Russian Federation means that many women have to serve their sentence outside their home region. Often prisoners are simply taken to the least overcrowded colony, regardless of where the woman's home is. Each of the three colonies for juveniles house prisoners from thirty regions of the Russian Federation.<sup>20</sup>

According to the Moscow Centre for Penal Reform, the majority of women prisoners are from broken or problem families or grew up in orphanages. Many suffered abuse in childhood.<sup>21</sup> As in many other countries, women are being imprisoned for murdering violent and abusive partners. According to the Ministry of Internal Affairs of the Russian Federation (as cited by Alpern), 14,000 women a year in Russia are being killed by their partners and a further 2000 commit suicide. Domestic violence is not listed under crimes against life and health in the Criminal Code. Women accused of murdering their partners are normally charged with 'regular' murder because 'Homicide Committed in a State of Temporary Insanity'<sup>22</sup> requires costly expert testimony to prove it. The ability to pay for a good lawyer is beyond the financial capabilities of most women taken to court and lawyers' fees are quite high.<sup>23</sup>

## Special legal provisions for women

In the Criminal Code of the Russian Federation the only article referring exclusively to women deals with infanticide.<sup>24</sup>

There are several articles in the criminal laws of the Russian Federation that govern the treatment of women in the criminal justice system. Some make provision relating to the parental responsibilities and role of women prisoners. Examples, taken from Alpern's paper,<sup>25</sup> are given below.

- A woman may not be sentenced to the death penalty.

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<sup>19</sup> *ibid.*

<sup>20</sup> L. Alpern, *Women and the System of Criminal Justice in Russia: 2000-2002*, Center for Assistance to Criminal Justice Reform [on-line], accessed 19 April 2007, available at <http://www.mhg.ru/english/1F4FF6D>

<sup>21</sup> A. Coyle *et al.*, 'Psychological and social problems of female prisoners in Russia', in *Prison Reform International: Information Pack Women in Prison*, 2002.

<sup>22</sup> *Crimes Against Human Life and Health*, The Criminal Code of the Russian Federation, Article 107 [on-line]; 'Homicide committed in a state of sudden strong mental agitation (temporary insanity), caused by violence, mockery, or gross insult on the part of the victim, or by other unlawful or amoral actions (inaction) of the victim, or by a protracted mentally traumatizing situation caused in connection with the systematic unlawful or amoral behaviour of the victim'. Accessed 19 April 2007, available at <http://www.russian-criminal-code.com/PartII/SectionVII/Chapter16.html>

<sup>23</sup> Alpern, *Women and the System of Criminal Justice in Russia*, available at <http://www.mhg.ru/english/1F4FF6D>

<sup>24</sup> *ibid.*

<sup>25</sup> *ibid.*

- A sentence may be postponed and then cancelled or reduced for a pregnant woman or a woman with children under the age of fourteen unless her sentence is for more than five years.
- Women with children under three years of age may have improved living conditions, provisions and freedoms.
- Female prisoners relieved from work because of their pregnancy or having recently given birth, and those who have infants at the penitentiary's nursery, may not be placed into punishment wards or wards of a prison cell type. In addition, convicted pregnant women or convicted women who have children with them may not be subjected to an enhanced severity prison regime.

Although women with accommodation may be granted a suspension or cancellation of their sentence if they are caring for children, it is not the courts that usually make this decision. Instead women are sent to prison and the decision is made there. In prison, this option is only available six months after the beginning of sentence and, in reality, is rarely practised.<sup>26</sup> The administration at the prison must file the request and doing so involves the prison taking on some level of responsibility for that prisoner's behaviour. This makes the prison less likely to use this deferment.

The standard regime female colony at Kozlovka did not use sentence deferment at all in 2001.<sup>27</sup> In 2002, over half of the women with children up to eight years of age did not get suspended sentences because they were charged with theft.<sup>28</sup> In Alpern's view, the involvement of the prison administration in sentence deferment leave and parole 'causes irreparable damage to the idea of a humane penal system' and she advises that these decisions should be made by courts.<sup>29</sup>

### **3. Women awaiting trial**

Conditions in the SIZOs are generally worse than in the prison colonies. In old SIZOs, windows are very small and external blinds on the outside mean there is almost no natural light or ventilation. A report by the Commissioner for Human Rights of the Council of Europe states that in Khabarovsk SIZO, fourteen women were imprisoned in a hot and confined cell with only a small window that did not let in light. The prisoners told the Commissioner that on crowded days they had to sleep in turn.

Prisoners in SIZOs have no form of occupation other than one hour of exercise a day, and exercise yards are often narrow and enclosed spaces.<sup>30</sup> In the mixed-sex SIZO No. 1 in Vladivostok, where 123 women are held, outdoor exercise is offered to all prisoners daily. The exercise yards have now been equipped with benches and shelters. However, exercise yards are only fifteen and twenty-five square metres, and are in fact former cells, inside which the

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<sup>26</sup> *ibid.*

<sup>27</sup> *ibid.*

<sup>28</sup> *Moscow Centre for Prison Reform (MCPR), Psychological and Social Problems of Female Prisoners in Russia* [on-line], accessed 10 December 2006, available at <http://www.prison.org/English/mcpr.htm>

<sup>29</sup> Alpern, *Women and the System of Criminal Justice in Russia*, available at <http://www.mhg.ru/english/1F4FF6D>

<sup>30</sup> Council of Europe, CommDH(2005)2, pp. 35-36.

ceilings have been replaced with wire grills. Adult prisoners at SIZO No. 1 were not allowed to use the sports hall.<sup>31</sup>

A visit by the CPT to the mixed SIZO No. 1 in Vladivostok found the worst conditions to be in the quarantine unit where prisoners were taken on arrival.<sup>32</sup> Cell furnishings were 'in general dilapidated and filthy. Moreover, no mattresses or blankets were provided to prisoners placed in the unit. In many of the cells, there was no glass in the window, as a result of which the temperature was extremely low.' The 'deplorable state' of the quarantine unit led the delegation to request the Russian authorities to address these problems and report on progress within just three months. Following this, the Russian authorities indicated that the windows had been glazed and bedding provided.<sup>33</sup>

However, the Commissioner for Human Rights points out the difference between the old and new SIZOs. In old SIZOs, there are small, overcrowded, badly ventilated cells stained with damp and mould. In the new SIZOs, cells conform to European standards, are not overcrowded and some of them have televisions. The budget for such improvements was increased in 2005.<sup>34</sup> A new building for juveniles in SIZO No. 1 in Irkutsk has already been opened and contains classrooms, sports facilities and four-person bedrooms.<sup>35</sup>

The Commissioner for Human Rights heard no allegations of violence or ill treatment by prison staff but did hear complaints from prisoners of routine police brutality during inquiry proceedings outside of prison. Prisoners awaiting trial may be removed from the SIZOs and questioned by police. This can take place without the presence of a lawyer or prosecutor under Act 144-FZ which dates back to the early 1980s and which was amended in 1995. This piece of legislation is designed to catch serious criminals who are threatening state security and bodies that carry out inquiries under this Act are answerable to the Interior Ministry or other specialist agencies. However, ordinary prisoners are being questioned under this Act when they should be questioned in the presence of a lawyer and prosecutor. It is at this stage, the Commissioner was told by prisoners, that violence towards them and police brutality regularly occurs.<sup>36</sup>

#### **4. Convicted prisoners**

The Commissioner was pleased to note that the administration at Colony No. 12 viewed prisoners' rehabilitation as an important element of the process of serving sentences, and that efforts were made in this direction. In the light of recommendations made by the establishment's psychologists, an individual programme was drawn up in respect of each prisoner following admission. This programme covered the prisoner's correctional process and preparation for release, including family relations, education and work. The Board of Educators assessed the progress achieved by each prisoner at six-monthly intervals.

The Commissioner for Human Rights said of the prison colonies 'I do not wish to imply that the situation is excellent, but of all the establishments visited, the colonies are the ones where the benefits of the reforms and changes were most noticeable'.<sup>37</sup> Material conditions vary greatly

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<sup>31</sup> **Communication from the Council of Europe:** Council of Europe, *Report to the Russian Government on the Visit of the Russian Federation carried out by the European Committee for the Prevention of Torture and Inhumane or Degrading Treatment or Punishment (CPT) from 2 to 17 December 2001*, CPT/Inf (2003) 30 (30 June 2003), paragraph 63. Available at <http://www.cpt.coe.int/documents/rus/2003-30-inf-eng.pdf>

<sup>32</sup> *ibid.*, paragraphs 54 and 55.

<sup>33</sup> *ibid.*, paragraph 54.

<sup>34</sup> Council of Europe, CommDH(2005)2, paragraph 149.

<sup>35</sup> *ibid.*, paragraph 150.

<sup>36</sup> *ibid.*, paragraphs 158-162.

<sup>37</sup> *ibid.*, paragraph 166.

between colonies; most barracks include reading rooms, television rooms and other recreation areas and many prisoners have the use of a communal kitchen in which they can prepare their own meals.

At the time of the CPT's visit to Colony 12 for women in Zaozernyi, its population was 1,080. Although the official capacity was 1,207 the dormitories were still cramped; an example given was some cells measuring 80m<sup>2</sup> held fifty-six women. The report did note, however, that the most crowded cells were for working prisoners who were occupied with various activities outside their unit during the day and only returned there at night to sleep.

The dormitories were clean and sufficiently airy and most of them were properly heated. In the cells there were double bunk beds, stools and lockers, curtains and colourful blankets. Units for other categories of prisoner such as disabled and pregnant prisoners were more spacious but were cold and dark. There were no staff available to assist elderly or disabled prisoners, and the sanitary arrangements were unsuitable for such prisoners. Although prisoners are allowed a weekly bath, the arrangements for bathing and laundry are inadequate.

According to Alpern, there is a shortage of furniture, meaning that having worked a ten or twelve-hour shift, women have to sit or lie on the floor. They are not allowed to sit on their clean, perfectly made beds which are made up to ensure 'camp beauty' in case of inspections or ministerial visits.<sup>38</sup>

There was a case of ill-treatment involving three female prisoners at the time of the Commissioner's visit but he was unable to speak with the women involved. Staff appeared 'evasive' on this issue. Several weeks before the Commissioner's visit the prisoners had mutinied but he did not find out why.<sup>39</sup>

Women can buy foodstuffs and basic supplies, such as toothpaste, from the prison shop but stocks are invariably low, even in prisons where the administration is concerned for prisoners' welfare. Prisoners are supposed to pay for such items out of their wages but they often do not have any money in their accounts. Only twenty-five per cent of women receive reliable parcels of supplies from relatives.<sup>40</sup>

At Colony No. 12 prisoners had suitable winter clothing and shoes.<sup>41</sup>

## Conditions for female prisoners in transit

Because of the small number of colonies for women in Russia, many women prisoners have to travel long distances when being taken to prison, and if they are transferred from one prison to another. Prisoners consider transit conditions even harsher than in the notorious SIZOs. In part, this is due to the length of time that the transit can take. A journey from Perm to Novy Oskol, which takes two days by passenger train, may take prisoners up to two months because they have to pass through collection stations of the five regions they pass through. In such collection stations cells are dirty and overcrowded with no individual beds, no linen and no normal meals or medical facilities. During transportation, persons with contagious diseases are not separated and prisoners may not get fed every day. Prisoners are fed salted herring, making the body retain water, so that there are fewer toilet breaks in the journey.

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<sup>38</sup> Alpern, *Women and the System of Criminal Justice in Russia*, available at <http://www.mhg.ru/english/1F4FF6D>

<sup>39</sup> Council of Europe, CommDH(2005)2.

<sup>40</sup> Alpern, *Women and the System of Criminal Justice in Russia*, available at <http://www.mhg.ru/english/1F4FF6D>

<sup>41</sup> Council of Europe, CPT/Inf (2003) 30, paragraph 79.

In 2002, nineteen female prisoners were interviewed about their journey:

- Five had spent more than a month on the road and four more than a week.
- Fourteen said they had received no food, three who had been travelling a long time said they had only eaten bread and salted herring.
- Nine had not had any toilet breaks at all; three had had only one toilet break per day and four twice per day.
- Two had reported being beaten by guards.

Prisoners at Ryazan and Novy Oskol colonies describe their transportation there:

Tamara Ch., seventeen years of age: “When we were loaded into the railroad car, we were thrown about as if we were things to throw away, and those who moved slowly were beaten with truncheons on the back...My impression was as if I found myself in a jungle, and this feeling will stay with me for my entire life. There were much too many of us in the triplet (railroad car), no room to move, and there was a long way ahead of us, we were hungry, sleepy, and longed for a wash. They would take you out to relieve yourself only once during the whole day, and some guards wouldn’t take you out at all, so girls had to pee in bottles and plastic bags, it’s such cruelty. They scattered a load of dry chloride [of] lime<sup>42</sup> in the car, and we had to breathe it the entire travel. Forwarding is horrible, and to live through it, you need stamina, and it affects you psychologically, people become even harsher.”<sup>43</sup>

Anastasia P., seventeen years of age: “They put me into a sort of small cell with a toilet and a bench and a thick layer of dirt on the floor. The next morning they transferred me up into a transit cell; there I spent four days in the stale air among a tight crowd of women cursing like sailors; we took turns to sleep and in the four days I slept three times and caught lice from an old woman, but, fortunately, I was promptly treated and got rid of them. On March 9, there was another ‘forwarding’ to Ryazan – that’s where there was real hell – I slept for two months on the floor, then they shut us up for a quarantine for 21 days, and finally they called us up and took us to the colony. Finally, this torture was over.”<sup>44</sup>

## ***5. Contact with the outside world***

### **Correspondence**

Contact with family outside is made more difficult for prisoners as envelopes and stationary are always in short supply.

### **Visits**

Some of the prisoners that the Commissioner for Human Rights spoke to, while on his visits to three SIZOs, complained that their families had to obtain authorisation prior to being able to

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<sup>42</sup> A white powder comprised of calcium hydroxide, chloride and hypochlorite used to bleach and/or disinfect

<sup>43</sup> Alpern, *Women and the System of Criminal Justice in Russia*, available at <http://www.mhg.ru/english/1F4FF6D>

<sup>44</sup> *ibid.*

visit. This is unlike the situation in most Council of Europe member states where there is a presumption of authorisation; visits are considered to be authorised but may be restricted by order of the authorities or a judge.

## Prison leave

Women prisoners have particular privileges relating to short and long-term leave, which are 'completely erased by subordinate regulations and circulars, and the existing practices'. This is because the prisoner is still the responsibility of the prison when on leave and should the prisoner fail to return to the prison it is the prison that would have to search for and bring back the prisoner.<sup>45</sup> Release on parole is subject to the same problems.

A second factor is work targets: when the production targets rely on the number of prisoners on shift 'the administration may resort to hampering parole on a mass scale'.<sup>46</sup>

## 6. Motherhood in prison

The state did not keep any statistics on the parental status of female prisoners until the late 1990s when a census was done. This showed there to be 250 pregnant prisoners and 515 mothers with children under the age of three in penal colonies. 635 women had children under the age of three who did not live in prison with them.<sup>47</sup> Eighty per cent of convicted women are mothers.<sup>48</sup> In 2003, there were 528 children under the age of three kept in children's homes at female colonies.<sup>49</sup>

Mothers can keep their children with them in SIZOs. In the case of sentenced prisoners, young children must go to a nearby 'children's home', and women can visit for several hours a day. The Human Rights Commissioner was 'very impressed' by the material conditions and the care children are given in the children's unit at the women's colony IK-6 in Nizny Tagil. Mothers visit the children's unit daily and can breastfeed.<sup>50</sup>

The children's unit at Colony No. 12 is in a separate building a kilometre away from the colony's perimeter. At the time of the CPT's visit the children's unit was well under capacity with fifteen children living there. The unit is divided into three sections according to children's ages. There are several big playrooms with a variety of toys. The large rooms were clean and cheerful with good natural light. There are thirty-six staff members in this unit including three doctors, as well as nurses and teachers. The unit has a separate kitchen as well as a garden and small farm.

The CPT delegation, who visited Colony No. 12 in Zaozernyi, found that prenatal care was adequate. The colony's gynaecologist informed the delegation that all babies were born in city hospitals and that women were not handcuffed or restrained during labour. The director of the colony said that breastfeeding mothers were accommodated with their infants. However, all but one of the prisoners interviewed by CPT inspectors said that they had been separated from their children after the birth.

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<sup>45</sup> *ibid.*

<sup>46</sup> *ibid.*

<sup>47</sup> *Penal Reform International*, available at [http://www.penalreform.org/english/vuln\\_womruss.htm](http://www.penalreform.org/english/vuln_womruss.htm)

<sup>48</sup> Alpern, *Women and the System of Criminal Justice in Russia*, available at <http://www.mhg.ru/english/1F4FF6D>

<sup>49</sup> *MCPR*, Information about the Penal System [on-line], accessed 19 April 2007, available at [http://www.prison.org/English/ps\\_data03.htm](http://www.prison.org/English/ps_data03.htm)

<sup>50</sup> Council of Europe, *CommDH(2005)2*.

Alpern writes that women ‘who are lucky enough to give birth in outside hospitals’ are escorted back to their cells only two hours after delivery because the prison administration cannot afford to keep prison guards in the hospitals.<sup>51</sup> All but one of the mothers interviewed by the CPT visitors said they had not been allowed to breastfeed. There were different reports from staff and prisoners as to the frequency of visits by mothers to the mother and baby unit. Some mother alleged that there had been periods of up to two months when mothers had not been escorted to the unit.

In 1999, there were ten colonies that had accommodation for children.<sup>52</sup> In 2002, one of these colonies began a pilot project which enabled women to live with their children. Alpern writes that the head of this project was ‘almost the only one in the system who can see a difference between the needs of the child and the needs of the prison and who appreciates that no normal development of a child is possible without a mother’.<sup>53</sup>

## 7. Health

### General

‘Prisoners’ state of health continues to be a worrying problem’, according to the Commissioner for Human Rights, and both colonies and SIZOs lack modern equipment. Although the supply of medicines has increased it is still not adequate, despite the ‘courage and devotion’ of prison doctors. Tuberculosis is a serious problem, although there has been some progress in recent years which has mostly come about because of aid resources from international agencies such as the World Health Organisation and Médecins Sans Frontières.

An elderly woman who had recently been in Rybinsk hospital, a mental hospital servicing the penitentiary system was interviewed in 2002. She said she had been expected to spend one year in hospital but had returned after three months because she could not bear the treatment any longer. She said the hospital had used Haloperidol (a powerful antipsychotic drug) to treat all conditions but without the usual corrector drugs to lessen the severe side effects. The head of the colony’s medical service confirmed this and said he would only send patients to Rybinsk under extraordinary circumstances. Patients who had been sent to Saratov prison hospital often returned untreated because they had no money to pay for medical care. Withholding treatment until payment is made is an increasingly common practice in the penitentiary system.<sup>54</sup>

It is difficult for prisoners to go to a normal public hospital as guards do not wish to disturb the running of the prison by escorting prisoners to hospital. When prisoners do arrive at a public hospital, members of hospital staff do not always wish to spend time and medicine on treating patients from a prison colony.<sup>55</sup>

Overcrowding presents a serious health risk, as many women’s colonies hold twice the maximum capacity. The international standards for minimum space are not adhered to. Wooden boards are often propped between top bunks in order to provide another sleeping place.<sup>56</sup>

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<sup>51</sup> MCPR, available at [www.prison.org/english/mcprwork.htm](http://www.prison.org/english/mcprwork.htm)

<sup>52</sup> *Penal Reform International*, available at [http://www.penalreform.org/english/vuln\\_womruss.htm](http://www.penalreform.org/english/vuln_womruss.htm)

<sup>53</sup> Alpern, *Women and the System of Criminal Justice in Russia*, available at <http://www.mhg.ru/english/1F4FF6D>

<sup>54</sup> *ibid.*

<sup>55</sup> *ibid.*

<sup>56</sup> *ibid.*

The health care resources at Colony No. 12 consisted of sixteen full time staff; however, the CPT expressed concern that the nursing complement of four nurses was not sufficient for an establishment holding over 1,000 prisoners. The establishment's baby unit had separate health care staff and the unit was well resourced in this respect.

Figures given below on the health of women prisoners are estimates as precise data on diseases of women prisoners are not available.

## Diet and hygiene

Although the situation has improved, prisons have only twenty roubles a day (less than sixty euro cents) to spend on food for each person.<sup>57</sup> Despite small scale farming within the prisons, problems remain in a large number of establishments.<sup>58</sup> Prisoners may receive food parcels from home.

On their visit to Colony No. 12, the CPT found that prisoners are provided with only one litre of drinking water a day because of the prison's antiquated equipment for producing fresh water. There is a problem with the quantity and quality of food and there were complaints from prisoners about the lack of vitamins. At Colony 12, special diets are provided to sick prisoners, those with TB and HIV and pregnant prisoners.

Alpern reported that women are not issued with any feminine hygiene products, nor are such items always on sale. Even when such products are on sale the women do not always have the money to buy them. Women tear up clothes or mattresses to use and at one prison stole industrial cotton from their factory to use as tampons; this presented a serious gynaecological health risk. One prisoner reported 'laundry can only be done once a week in the laundry facility, no matter what your menstrual cycle is. You cannot do your laundry in the sinks at the barracks - you'll be reported and punished'.<sup>59</sup> However, according to Penal Reform International, changes made by the order of the Ministry of Justice mean that since 2005, imprisoned women must receive ten feminine sanitary products a month, as well as other hygiene products such as soap, toilet paper and toothbrushes.<sup>60</sup>

Showers/baths are available once a week at the most, clothes can also be washed then, and bed linen is washed every ten to fourteen days.<sup>61</sup>

## Mental health (including self-harm and suicide)

The CPT expressed concern that both male and female seriously mentally ill prisoners are imprisoned at colonies without adequate facilities, and that they should be transferred to a hospital facility where there are appropriate facilities and trained staff.

Precise statistics for women prisoners are unavailable but Alpern estimates that twenty per cent of women prisoners suffer from a mental disorder.<sup>62</sup> There are a few inter-regional prison

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<sup>57</sup> For comparison, the monthly gross statutory minimum wage in the Russian Federation in 2006 is 1100 roubles, which is the equivalent of between 31 and 32 euros (on 1 May 2007).

<sup>58</sup> Council of Europe, CommDH(2005)2, paragraphs 169-171.

<sup>59</sup> Alpern, *Women and the System of Criminal Justice in Russia*, available at <http://www.mhg.ru/english/1F4FF6D>

<sup>60</sup> Alla Pokras, personal correspondence, December 2006.

<sup>61</sup> *ibid.*

<sup>62</sup> *ibid.*

hospitals, including one, Rybinsk, for the mentally ill, where prisoners from across Russia are sent.

During their visit to Colony No. 12, the CPT were told that prisoners who are agitated or suicidal are normally placed in the unit's disciplinary units (ShiZOs) 'until they calm down' and the delegation witnessed evidence of such an approach adopted in respect of one mentally disturbed prisoner. The CPT recommends that Colony 12 find other, more suitable accommodation for the purpose of holding temporarily mentally disturbed prisoners as ShiZO cells are totally inappropriate and can only exacerbate the condition of the persons concerned. For a full description of ShiZOs see section on Security and Discipline below.

## **HIV and sexual health**

More than 3,000 women are infected with HIV and are often co-infected with hepatitis C. The Commissioner for Human Rights said that he had the impression that medical services were totally unprepared for HIV/AIDS and that nothing is being done to treat those patients who are HIV positive.<sup>63</sup> In Colony No. 12, HIV positive patients are separated and have their own dormitory.<sup>64</sup>

Between a third and one half of women arrive at penal colonies with sexually transmitted diseases, particularly syphilis and trichomoniasis.

## **8. Education, training and work**

### **Work**

Work is no longer obligatory for prisoners and is a paid activity. The majority of prisoners that the Commissioner for Human Rights spoke to on his visits said they were glad to have some activity and earn some money.

Out of the 123 women held at SIZO No. 1, twenty women were provided with work sewing mattresses and sacks. The remainder of the adult prisoners spent twenty-three hours a day locked up in their cells with hardly anything to occupy their time.<sup>65</sup>

At Colony No. 12 for women, the CPT was told that fifty-two per cent of the prisoners who were fit to work had jobs. The majority of the workplaces were provided at the colony's factory which specialized in the production of work clothing, sportswear and uniforms. In addition, seventy women were employed on maintenance duties and twenty-five worked outside the colony.<sup>66</sup> Prisoners worked from 08:00 to 21:00 and occasionally as late as 01:00. Staff told the delegation that prisoners had signed a declaration agreeing to such hours. However prisoners said they were unable to exercise free choice and that the targets they were expected to meet were unrealistically high.<sup>67</sup>

According to Alpern many women prisoners work in garment factories located in penal establishments, often for between ten and twelve hours per day, with no days off and with remuneration amounting to 300 roubles each month (approximately eight and a half euros) or less. Contracts for these garment factories are set up by middlemen demanding tight deadlines

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<sup>63</sup> Council of Europe, CommDH(2005)2, paragraph 156.

<sup>64</sup> Council of Europe, CPT/Inf (2003) 30, paragraph 77.

<sup>65</sup> *ibid.*, paragraphs 50 and 61.

<sup>66</sup> *ibid.*, paragraph 82.

<sup>67</sup> *ibid.*

and paying so little that normal factories do not even bid for such orders. Workers do not choose their jobs but are assigned tasks that they may not be qualified to do. Equipment is often old and obsolete and so makes the work even harder. Prisoners who refuse to work may be punished by being sent to the punishment ward (ShiZO) (see section on Security and punishment below). Such working conditions, Alpern believes, 'constitute a direct violation of Russian laws and international human rights standards'.<sup>68</sup>

A large part of the money earned by prisoners, up to seventy-five per cent, goes back into the running and improving of the prison, and some prisoners complained to the Commissioner for Human Rights on his visit that this was too much.<sup>69</sup>

## **Training and education**

Colony No. 12 for women, visited by the CPT, had a vocational training school in which prisoners could qualify as seamstresses, cloth-cutters and sales assistants. 150 women were enrolled on these courses and another eighty-one were in general education in the colony's secondary school.

There were also interest groups for prisoners such as music, theatre, dance, painting, poetry, aerobics, English language and others; the library was also well stocked. Some social activities were organised by the regional prison administration.<sup>70</sup> The CPT surmised that the majority of the prisoners at Colony No. 12 could spend a reasonable part of the day engaged in various activities.

## **9. Minority groups**

### **Juveniles**

There are three colonies for juvenile girls.<sup>71</sup> There are known to be about 21,000 juveniles in custody; of these, 1,300 are girls, or over 6.2 per cent of the total number of minors. This is around two per cent of the female prison population.

## **10. Security and punishment**

The security and discipline situation in female colonies is fundamentally different from that in male colonies. One guard describes the difference between male and female colonies in this way: 'in a male colony, you must have an eye on the back of your head to watch the situation, listen to conversations, pick up any sounds and even thoughts of the inmates, as you are in danger at all times. Women are much easier; they are not such a threat to us.' However male and female prisons have the same rigorous rules and staffing.<sup>72</sup>

There are various standards of regime and women may be sent down a level as a disciplinary measure. Strictures include limited walks, being kept in a continuously locked cell, reduced

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<sup>68</sup> Alpern, *Women and the System of Criminal Justice in Russia*, available at <http://www.mhg.ru/english/1F4FF6D>

<sup>69</sup> Council of Europe, CommDH(2005)2, paragraph 174.

<sup>70</sup> Council of Europe, CPT/Inf (2003) 30, paragraph 77.

<sup>71</sup> Alpern, *Women and the System of Criminal Justice in Russia*, available at <http://www.mhg.ru/english/1F4FF6D>

<sup>72</sup> *ibid.*

rations if outputs are not met (women in confined conditions usually work at weaving nets), no leniencies and no early release. Transfer to a more lenient regime is rare.

Women may be put under strict conditions of confinement for cursing, arguing with other prisoners, fighting with other prisoners, theft, refusal to work, smoking outside the smoking area, visiting other barracks within the camp, and for self-harm or attempted suicide.<sup>73</sup>

A survey of thirty-one women who were among prisoners subjected to strict confinement found that:

- Nine women reported that they had been sent there after two violations
- Six after three violations
- Three after multiple violations
- Three from the very beginning of their sentence
- All had been familiarised with the rules of the colony but not in full
- Seventeen women had not had a medical examination before being sent there
- Three had been beaten by prison staff.

## ShiZOs

A ShiZO is a punishment cell or a colony section where punishment cells are located.<sup>74</sup> According to Alpern, ShiZOs are the most inhumane part of the Russian penitentiary system. By 1992, many limitations were abolished. Maximum terms were introduced of not more than fifteen days at a time and not more than two months in the course of a year. However, it is quite normal for prisoners to spend as long as that there.

Prisoners can be placed there for refusing to work, failure to meet work targets, for being rude, for smoking outside the smoking area and for homosexuality (it was not specified whether this was the case for women as well as for men). Decisions on punishment lie with the head of the penal colony. Cells are for between two and four people with 'benches' that are raised and held against the wall during the day, and a prison toilet bowl. In some prisons, these benches do not have mattresses or bed linen and the benches are only unlocked for six hours each night. There is no other furniture so women have to sit on the floor, which may be concrete, during the day. Women's clothes except underwear are taken away and they are issued with dresses with ShiZO written on them. This is the same both in winter and summer. The psychological effect of such punishment may be severe. A head of a prison colony said he could not issue women with tights to wear with their inadequate dresses or they would hang themselves.<sup>75</sup>

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<sup>73</sup> *ibid.*

<sup>74</sup> *MCPR*, Abbreviations and Glossary [on-line], accessed 6 October 2006, available at <http://www.prison.org/English/rpprabb1.htm#ShiZO>

<sup>75</sup> Alpern, *Women and the System of Criminal Justice in Russia*, available at <http://www.mhg.ru/english/1F4FF6D>

Alpern writes that when administrators were questioned about the excessive brutality in ShiZOs 'even people who were not otherwise ferocious were used to this practice, and were hard-pressed to even imagine something more humane.'<sup>76</sup>

The use of ShiZOs in SIZO 1 in Vladivostok was frequent and disciplinary cells used for women were less than five square metres. The CPT recommended that Russia review its use of such cells to ensure that usage was proportionate to the offence and was not overused.

### **Other disciplinary measures**

On visits to SIZOs, the CPT delegation 'noted the presence of a number of extremely small cubicles (some 1m<sup>2</sup>) scattered around the establishment. The cubicles were deprived of any form of lighting or ventilation (other than two holes near the ceiling). Some of them were fitted with a narrow bench, while others were completely empty.'<sup>77</sup>

Such cubicles are not used for disciplinary measures, but newcomers or prisoners waiting for a meeting with a lawyer or investigator may be placed in one for some time in order to avoid contact with other prisoners.<sup>78</sup>

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<sup>76</sup> *ibid.*

<sup>77</sup> Council of Europe, CPT/Inf (2003) 30, paragraph 58.

<sup>78</sup> Alla Pokras, personal correspondence, December 2006.