

GENERAL
ASSEMBLYDistr.
LIMITEDA/CONF.6/L.8
31 August 1955ENGLISH
Original: ENGLISH/FRENCHFIRST UNITED NATIONS CONGRESS ON THE PREVENTION
OF CRIME AND THE TREATMENT OF OFFENDERS

Geneva, 22 August - 3 September 1955

Plenary meeting

PRISON LABOUR

Recommendations adopted by Section IIGeneral Principles

- I. All prisoners under sentence should be required to work subject to their physical and mental fitness as determined medically. Work is not to be conceived as additional punishment but as a means of furthering the rehabilitation of the prisoner, his training for work, the forming of better work habits, and of preventing idleness and disorder. Those who cannot legally be compelled to work should nevertheless be allowed and encouraged to do so.
- II. The interests of the prisoners and of their industrial training must not be subordinated to the purpose of making a financial profit from an industry in the institution. It is the duty of the State to ensure that adequate and suitable employment is provided for prisoners. When that work cannot be organized by private industries or by other means, the State-use system with compulsory government markets may offer a satisfactory solution. When advantage is taken of employment offered by free industry, such employment should be subject to adequate safeguards to ensure that there is no exploitation of prison labour in the interest of private industry.

III. Prison labour should be performed under conditions and in an environment which will stimulate industrious habits and interest in work. The management and organization of prison labour, whether industrial or agricultural, should be as much as possible like that of free labour, so as to enable prisoners to adapt themselves to the conditions of normal economic life.

IV. In prison labour programmes special attention should be paid to vocational training for prisoners able to profit thereby and especially to young prisoners, according to methods and standards as generally recognized in the country, so as to enable them to qualify on equal terms with persons outside the institution and to acquire, if appropriate, the same diploma or certificate as under normal circumstances.

The trades should be sufficiently varied to enable them to be adapted to the requirements of the labour market and the educational standards, aptitudes, and inclinations of the prisoners.

Outside his working hours a prisoner should be given the opportunity to improve his skill in the work he is doing already or any kind of suitable work he may be interested in, for example, by attending theoretical or practical classes.

V. It is desirable to give suitable categories of prisoners vocational examination and to take the results into account when they are assigned to a certain type of work in the institution.

Within the limits compatible with proper vocational selection and with the requirements of prison administration and discipline, the wishes of the prisoner should be taken into account in assigning the work most suitable for him. It should be such as will maintain or increase the prisoners' ability to earn an honest living after release.

It is desirable to ascertain what types of work are most suitable for prisoners, with a view to the prisoners' rehabilitation.

VI. The precautions laid down to protect the safety and health of free workmen should likewise be observed in institutions. Provision should be made to compensate prisoners for industrial accidents and diseases on terms not less favourable than those granted by law to free workmen. In addition, prisoners should participate to the greatest practicable extent in the social insurance schemes in force in their countries.

VII. Prisoners should receive an equitable remuneration for their work. This remuneration should be at least such as to stimulate keenness and interest in the work.

It is desirable that it should be sufficient to enable prisoners to help their families, to further their own interests within the prescribed limits and to set aside a part as savings to be returned to them on discharge, where desirable through an official or agency.

VIII. In planning prison labour programmes, greatest possible reliance should be placed on the use of open institutions, in order not only to provide the variety of occupational opportunities afforded by open institutions but also to enable prison labour to be carried out under conditions approximating those of free labour.

IX. Consideration should be given to the arrangement or extension of schemes under which selected prisoners, especially those serving long sentences, may qualify during the last few months prior to release to go out daily to work for a private employer or a public enterprise, preferably in the trade in which he qualified prior to, or has been trained during, his sentence.

Convention concerning Forced or Compulsory Labour

The Congress has noted with satisfaction that the International Labour Organisation has taken preliminary steps towards a review of the Convention concerning Forced or Compulsory Labour.

In any revision of this Convention, and particularly with respect to Article 2, paragraph 2, the Congress wishes to point out the desirability of excluding from the definition of Forced Labour the employment of selected prisoners under private auspices outside prison under ordinary conditions of free labour, in as much as this is a vital element of progressive penal policy.

Proposals for Further Study

It is recommended that further study be given, inter alia, by Regional Consultative Groups, to the following:

- (a) The integration of prison labour with the national economy. In this connexion it would be advisable to have the collaboration of persons outside prison administration and in particular of economists and representatives of workers' and employers' organizations.
- (b) Methods of remuneration with particular reference to the principle that prisoners should be paid for their work on the basis of normal wages paid in the free labour market. Both advantages and disadvantages of that method should be carefully studied.
- (c) Appropriate prison labour programmes for special categories of offenders such as professional classes, mentally abnormal persons and "work-shy" individuals.
- (d) The special problems encountered with respect to labour programmes for untried prisoners.

This archiving project is a collaborative effort between United Nations Office on Drugs and Crime and American Society of Criminology, Division of International Criminology. Any comments or questions should be directed to Cindy J. Smith at CJSmithphd@comcast.net or Emil Wandzilak at emil.wandzilak@unodc.org.