



The Doha Declaration:  
PROMOTING A CULTURE  
OF LAWFULNESS



## Workshop (outcome document)

*Enhancing prison-based work programmes in Indonesia  
in line with the Nelson Mandela Rules*



**Jakarta, 11-13 December 2017**

*Ayana Midplaza Hotel*

# OUTCOME DOCUMENT

## Background

From 11 to 13 December 2017, the Directorate General of Corrections (DGC) and the UN Office on Drugs and Crime (UNODC) jointly convened a workshop in Jakarta on enhancing prison-based work programmes in Indonesia in line with the Nelson Mandela Rules. The Workshop was supported by the State of Qatar through the Doha Declaration Programme being implemented globally by UNODC.

The objectives of the workshops were (i) to create a common understanding of the regulatory framework governing prison-based work programmes in Indonesia as per national law and international standards; and (ii) to take stock of promising examples of prison-based work programmes at national level and in the region of South-East Asia. In total, 60 participants from DGC, other governmental and non-governmental stakeholders of Indonesia, diplomatic representatives, UNODC, other international organizations as well as visiting experts from Malaysia and Thailand attended the workshop.

## Findings and recommendations

The below set of findings and recommendations was jointly reviewed and endorsed by all workshop participants on 13 December 2017. Overall, DGC expressed its intention to enhance the number of prisoners enrolled in suitable work programmes, to be implemented by the Directorate of Corrections with its own resources or in cooperation with the private sector and relevant non-governmental entities. More specifically, participants agreed on the following:

### *National law and international standards related to prison-based work programmes*

- Along with National Law No. 12 on Corrections (1995), all relevant provisions in the UN Standard Minimum Rules for the Treatment of Prisoner (the Nelson Mandela Rules) should be equally observed in the context of work programmes in Indonesia.
- Working conditions in prisons should be organized in a way which resembles, as much as possible, those of similar work in the community, including with regards to maximum working hours as well as health and safety precautions at the workplace.
- Any form of exploitative or afflictive work schemes are in breach of Law No. 12 on Corrections (1995) and of the Nelson Mandela Rules, and should therefore be prohibited. Prisoner should be paid for the work which they perform.

### *The overall objective of and core principles related to prison-based work programmes*

- The core objective of prison-based work programmes should be to maintain or increase prisoners' ability to earn an honest living upon release – an objective which will not be subordinated to the purpose of making a profit from prison-based industries.
- The selection of work programmes should be in line with local / national market needs, and should therefore be preceded by a corresponding market analysis. The aspirations of prisoners will equally be taken into account.

- The above notwithstanding, prison-based work programmes may equally contribute to the supply of goods which are required to satisfy the basic needs of prisoners (e.g. nutrition, clothing, etc.);
- The sustainability of prison-based work programmes is contingent upon programme revenues being re-invested into the continued operation of the work programme and related expenses.
- DGC will actively pursue the conclusion and implementation of partnership agreements with relevant line Ministries, other governmental stakeholders as well as civil society actors in its journey towards an enhancement of prison-based work programmes.
- DGC has valuable experience with regards to on-going work programmes in prisons, and will build on success stories and lessons learned when planning for an enhanced engagement in this field. Good practice examples which were highlighted include, in particular, the work programmes in the prisons of Porong, Cirebon Class I and Pahuwato.

### ***National regulations governing different aspects of prison-based work programmes***

- The current regulatory framework related to prison-based work programmes will need to be amended following consultations between DGC, the Ministry of Law and Human Rights, the Ministry of Finance and the Ministry of Workforce, with a view to:
  - (i) adjust the rules applicable to the management of non-taxable State income as far as prison-based work programmes are concerned, including their sale at national and international level;
  - (ii) increase the percentage of revenues generated through prison-based programmes which can be retained by the prison administration in order to cover programme maintenance costs and the remuneration of prisoners;
  - (iii) specify a fair and consistent remuneration scheme for prisoner enrolled in work programmes as well as other applicable incentives and rewards;
  - (iv) ensure the application of insurance schemes to working prisoners as well as occupational health and safety standards; and to
  - (v) refine the eligibility of different categories of prisoners to enrol in prison-based work programmes.
- In light of the current dispersal of guidance on prison-based work programmes in different regulations and other guidance documents, these should be replaced by one coherent and comprehensive regulation on prison-based work programmes

### ***Marketing and branding of prison products***

- Further investments need to be made to generate high-quality prison products, and to brand these as “social products” through which the consumer support the social reintegration of offenders.
- The long-term objective of DGC is to create a nation-wide and coherent brand of prison products in Indonesia, building on on-going initiatives in this regard.

- DGC noted with great interest the up-coming initiative of UNODC, under the Doha Declaration Programme, to support Member States in the above by exploring ways to initiate a Global Brand of Prison Products, and requested to be informed of its further progress.

### **Continued cooperation with UNODC**

Participants expressed their gratitude to the Government of Doha for its generous contribution to UNODC's Doha Declaration Programme, under which this workshop had been held. They further welcomed the constructive partnership between DGC and UNODC in fostering prison reform, and encouraged its continuation in the future.

Jakarta, 13 December 2017