RESPONSE OF THE GOVERNMENT OF THE REPUBLIC OF ESTONIA\textsuperscript{1}
TO NOTE CU 2011/26 AND NOTE CU 2012/157/DO/JS

\textsuperscript{1} This document is reproduced in the form and language in which it was received.
Response to request

In order to enable the Secretary-General to collect information on the issues raised in General Assembly resolution 65/230 and to comply with the reporting obligations for the twenty-first session of the Commission on Crime Prevention and Criminal Justice, to be held in April 2012, you asked information on best practises, as well national legislation, on the implementation of the United Nations standard minimum rules for the treatment of prisoners.

Hereby we submit the information about requested matters.

According to the Estonian Imprisonment Act the objective of the imprisonment is the guiding of a prisoner to lead a law-abiding life and protecting the legal order or in other words: the imprisonment is expected to help prisoners to cope in the society after being released and thus reduce crime. For the prisoner to be able to cope in the society after release he or she will be provided with the possibility to communicate with the world outside of the prison, acquire general and vocational education, work and receive assistance from social worker or psychologist and religious activity organised by a chaplain.

As mentioned, the Imprisonment Act is the main source which provides the procedure for an organisation of execution of imprisonment, detention, custody pending trial and detention after service of the sentence, and the definition and conditions of prison service and service as a prison officer. Imprisonment Act is available in English from following link: http://www.legaltext.ee/et/andmebaas/tekst.asp;loc=text&dok=X30079k6&keel=en&pg=1&ptyp=E&y=2010&query=vangistuseseadus

In addition to Imprisonment Act there is a list of procedure legislations (Government regulations, Regulations from Ministry of Justice, Regulations from Ministry of Social affairs etc) which are specifying enforcement of the sentences.

At the moment there are altogether four prisons in Estonia: Harku and Murru, Tallinn, Tartu, Viru. The fundamental change in the Estonian prison system started with the building of Tartu Prison (2002), which was the first chamber-type prison in Estonia. Presently Viru Prison (2008) is also chamber-type prison.

Imprisonment is divided into three phases: the reception, main and release phase. The purpose of the reception phase is to help the detainee to integrate into the prison life and to compile a resocialization program. In the main phase, the means planned in the action plan will be implemented. The goal of the release phase is to prepare the detainee for life after being released from prison.
The resocialization activities are accomplished according to the evaluation of the individual risks and needs of the prisoner. The Estonian Prison Service is using several social rehabilitation programmes for achieving this goal. Hereby we underline some programmes as examples of the best practise:

1. **Anger Management** programme is for those who are unable to control their temper and emotions. They are taught to contain their anger in order not to let it take control.

2. By participating in **Social Skills Training** offenders learn to express themselves in daily life, analyse their thoughts and control their behaviour. They improve and develop skills necessary for communicating with other people through practical exercises, role-play, discussions, and other exercises, which teach them to cope with a range of situations without harming themselves or others.

3. **Aggressiveness Replacement Training** - offenders learn to use positive social skills instead of aggressive behaviour. The aim is to change the participants in such a way as to make considering other people a key factor in their thinking and behaviour.

4. **Lifestyle Training for Offenders** - This training is for abusers/addicts of addictive substances and gambling addicts, whose addiction is leading to unlawful behaviour. The general aim is to change the abuse of addictive substances. The ultimate aim is to quit using drugs and/or gambling, and the minimum aim is to gain control over using/gambling.

5. **EQUIP** - The aim is to teach young people to think and act responsibly by helping their companions. The participants are violent young people at 14-21 years of age with moderate or higher risk of recidivism who want to change their behaviour.

6. **Traffic Safety Programme** - This programme is for those convicted of traffic offences, the causes of which are connected with thinking, behaviour, and attitude, not alcohol addiction.

7. **The Right Moment** - This is an individual programme for those encountering problems with income. The aim is to help convicted offenders acquire, develop, and apply skills related to resolving various social problems to cope with problematic situations.

The medical ward in each prison complies with the Health Care Services Organisation Act and there is a family doctor system in prisons. HIV/AIDS prevention in prisons takes place in accordance with the national HIV/AIDS strategy. There are primary HIV diagnostics laboratories in all prisons and voluntary testing/counselling is carried out by health care professionals.

As an example of best practice we would like to mention HIV testing and medical aid offered to HIV positive patients in prison settings. Prisoners have been tested for HIV since 2002 and last HIV infection case inside of the prison was 2007. Annually over 4500 tests are made. Counselling activity is carried out in advance to each test and post-test counselling upon notification of the result. The teaching of the HIV and AIDS issues in order to deepen the knowledge of the prison officers is also carried out by health care professionals. The ongoing training of prison officers ensures a secure environment for prisoners as well as for the entire staff. The World Health Organization (WHO) announced the Best Practice Award in 2003 to recognise the best health care practices in Tartu Prison.

Estonian prisons have large number of detainees who have drug problems. According to the 2011 1st quarter drug monitoring report 24 % of the detainees are drugs addicts. Prison service has invested efforts to improve the work with drug users. Drug prevention in the prison system was commenced in 1998. Until 2003 it was focused primarily on reduction of the supply – the availability of drugs was limited by improvement of inspection, detection systems of prisons. Nowadays a lot of attention is being paid to reduction of the demand, treatment and rehabilitation of addicts, reduction of damages, and prevention of the related offences and infectious diseases. As a best practice example we are presenting Drug Rehabilitation Unit which is situating in Tartu Prison. In this unit we have 174 places in four sections for inmates who have problems with drugs. The main
rehabilitation is taking place in third section, where we have 44 places for active rehabilitation. In 2011 post rehabilitation unit with 44 places was created as well.

In order to support the work with drug users and HIV positive detainees Ministry of Justice has commenced a contract with NGO called Convictus Estonia. Their task is to provide group work activities about drugs misuse and HIV related topics in all prisons. Cooperation with Convictus started in 2002 when the first group work activity started and it is presently successfully proceeding.

Prisons pay a lot of attention to establishment of healthy prison environment. The project „Smoking free prison environment“ was developed in the beginning of 2010. Its purpose was to improve prison living and working conditions and to influence on inmates and workers health condition. With this activity prisons have limited number of smoking areas/places for workers and as well for inmates. Currently prisoners aren’t allowed to smoke in their cells or places which are not accordance with Estonian Tobacco Act. Inmates aren’t allowed to hold cigarettes in the cell, but must to keep cigarettes in special boxes outside of the units.

Please do not hesitate to contact us if you have further questions or comments on requested subjects.

With respect

Pille Teder

Prison Department
Adviser of Rehabilitation Division