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**OPEN-ENDED INTERGOVERNMENTAL EXPERT GROUP
ON THE STANDARD MINIMUM RULES FOR THE
TREATMENT OF PRISONERS**

VIENNA, AUSTRIA, 25 – 28 March 2014

**RESPONSE OF THE GOVERNMENT OF AUSTRIA¹
TO NOTE VERBALE CU 2013/129/DO/JS**

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**PERMANENT MISSION OF AUSTRIA TO THE UNITED NATIONS
(VIENNA), IAEA, UNIDO and CTBTO (PrepCom)**

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The Permanent Mission of Austria to the UN (Vienna) presents its compliments to the United Nations Office on Drugs and Crime and has- with reference to Verbal Note CU 2013/129/DO/JS of 3 July, 2013- **"Standard Minimum Rules for the Treatment of Prisoners"** - the honour to submit the following comments:

Area (a):

- To extend the grounds on which discrimination should be prohibited to "membership of a national minority".
- To add a rule addressing the respect of the prisoner's freedom of thought and religion.

Area (b):

- To add a new rule requiring adequate medicine supply in prison.
- To introduce a rule governing hunger strikes.
- To address the specific situation of children living in prison with their mother – beyond the provision of healthcare – by making sure that they are not treated as prisoners and that the best interests of the child concerned are taken into account.

Area (c):

Disciplinary Punishment:

- To add a rule establishing procedural safeguards for prisoners charged with disciplinary offences, including the right of information on the accusations against them, of having enough time to prepare their defence and of requesting the hearing/attendance of witnesses.
- To add a rule providing the right to appeal against disciplinary punishment (to be addressed to an independent higher authority)

Searches:

- To address in the foreseen principles the search of persons who are suspected to have smuggled drugs in their bodies (so-called bodypackers).

Area (d):

- To require the investigations being carried out by institutions being independent from prison administrations.

Area (e):

- To include an obligation for prison administrations to inform foreign national prisoners of the possibility of requesting that the execution of their sentence could be transferred to another country.

Area (g):

To establish two pillars of monitoring:

1. inspections carried out by governmental authorities
2. inspections carried out by independent institutions

The Permanent Mission of Austria to the UN (Vienna) avails itself of this opportunity to renew to the United Nations Office on Drugs and Crime the assurances of its highest consideration.

Vienna, 27 September 2013



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