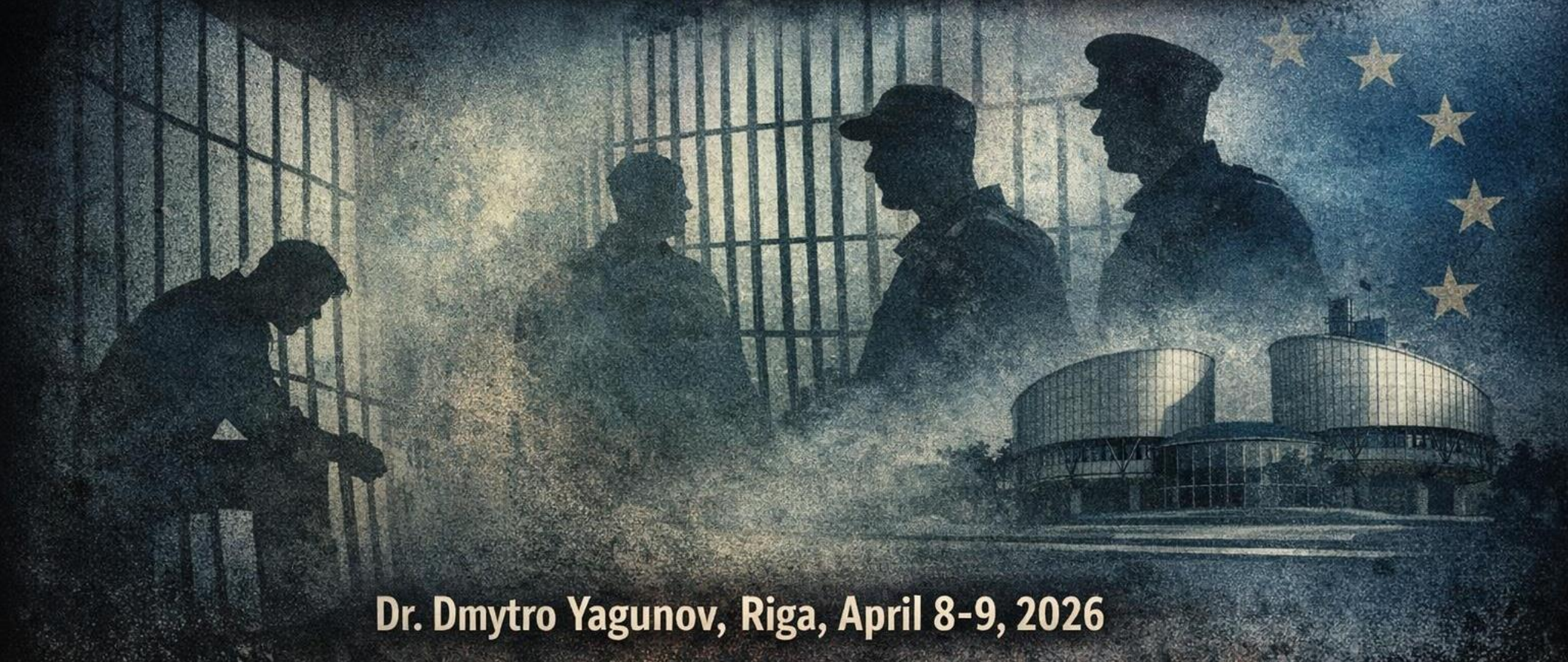


SHADOW GOVERNANCE

INFORMAL PRISONER HIERARCHIES, CPT STANDARDS AND ECTHR CASE LAW



Dr. Dmytro Yagunov, Riga, April 8-9, 2026

SHADOW GOVERNANCE

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EBERHARD KARLS
**UNIVERSITÄT
TÜBINGEN**



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WHY THIS TOPIC MATTERS TODAY

Torture prevention can no longer focus solely on *official state violence*



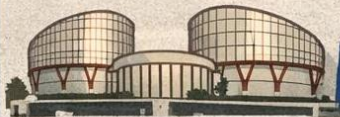
Informal prisoner governance increasingly *determines lived detention conditions*



Prison subculture creates systemic risks *invisible to traditional monitoring tools*



Growing institutional recognition by CPT and ECtHR



WHY IT MATTERS TODAY

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FROM MARGINAL ISSUE TO CENTRAL CONCERN



Informal hierarchies previously addressed only indirectly.



Treated as management failures rather than structural rights risks.



New standard reframes them as potential sources of Article 3 violations.



Elevates informal violence to the level of torture-prevention analysis.

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THE DYNAMIC CONCEPT OF TORTURE

Article 3 ECHR as a living instrument



Meaning of torture evolves with
social and institutional realities



Not limited to
physical abuse by officials



Includes structural and indirect
forms of ill-treatment
by private individuals



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POLITICAL AND GEOPOLITICAL DIMENSIONS



Prison subculture
is not politically neutral



Linked to broader questions
of sovereignty and influence



Particularly salient
in post-Soviet space



Human rights issue intersects
with security and democracy

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- Particularly salient in post-Soviet space
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THE RUSSIAN PRISON SUBCULTURE

Central role of *vor v zakone*
(thief-in-law) tradition

Normative and symbolic system
with transnational reach



Operates through organised crime networks



Carries implicit ideological content
rooted in Soviet/post-Soviet norms



THE SOVIET AND RUSSIAN PRISON SUBCULTURE

- Central role of **vor v zakone (thief-in-law)** tradition
- Normative and symbolic system with transnational reach
- Operates through organised crime networks
- Carries implicit ideological content rooted in Soviet/post-Soviet norms

CULTURAL DIFFUSION AND SOFT POWER

Prison subculture disseminated beyond prison walls



Music and aesthetics
(e.g. shanson genre, digital culture)



**Normalisation and romanticisation
of criminal hierarchies**



Functions as a vector of Russian soft power

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AUYE AS A SOCIETAL SPILLOVER

AUYe: “Unified Prisoners’ Code”



- Spread among adolescents in the 2010s
- Demonstrates permeability between prisons and society
- Confirms prison subculture as a broader security concern



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WEAPONISATION OF PRISON SUBCULTURE



Recruitment of prisoners
by the Wagner Group

Convicts sent to fight in Ukraine

Penal colonies used
as mobilisation sites

Prisons become staging grounds



Subcultural norms leveraged
for discipline and loyalty

Criminal codes and "thieves" laws" enforced

Prison hierarchies
transformed into tools
of state policy

*Convicts turned into
instruments of war*



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LEGAL ARCHITECTURE:

REPORTS, STANDARDS, JUDGMENTS



CPT Country Reports

Expert evidence, non-binding



CPT General Standards

Authoritative interpretive guidance



ECtHR Judgments

Legally binding under Article 46

Normative force emerges through

JUDICIAL INCORPORATION



LEGAL ARCHITECTURE: REPORTS, STANDARDS, JUDGMENTS

- **CPT country reports:** expert evidence
- **CPT general standards:** authoritative interpretive guidance
- **ECtHR judgments:** legally binding under Article 46
- Normative force emerges through judicial incorporation

ASHLARBA V. GEORGIA

Case name: Ashlarba v. Georgia

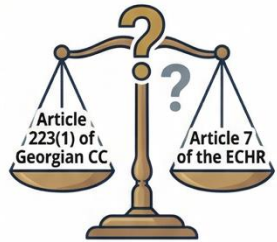
Application no.: 45554/08

Judgment date: 15 July 2014

Applicant: Mr Izet Ashlarba,
Georgian national, born 1956



CORE ISSUE



Whether Article 223(1) of the Georgian CC was sufficiently clear and foreseeable under Article 7 of the ECHR.

LEGAL FOCUS

Criminalisation of membership in the "thieves' underworld".



ASHLARBA V. GEORGIA

- Case name: **Ashlarba v. Georgia**
- Application no.: **45554/08**
- Judgment date: **15 July 2014**
- Applicant: **Mr Izet Ashlarba**, Georgian national, born 1956
- Core issue: Whether **Article 223(1) of the Georgian CC** was sufficiently **clear and foreseeable** under **Article 7 of the ECHR**
- Legal focus: Criminalisation of **membership in the "thieves' underworld"**

FACTS OF THE CASE

SECTION 1



Criminal investigation launched in February 2006 into activities to a known "thief in law" (Mr A.K.)



Authorities intercepted telephone communications showing the applicant receiving instructions from Mr A.K.



Applicant arrested in July 2006 for being a member of underworld

SECTION 2



Domestic courts relied on:



- Witness testimony



- Telephone tapping evidence



- Applicant's own statements acknowledging familiarity with the thieves' hierarchy

SECTION 3



THREE KEY FACTUAL EPISODES

1

Involvement in unofficial dispute criminal authority



Involvement in unofficial dispute resolution using criminal authority

2

Acting on instructions to pressure individuals to settle a debt



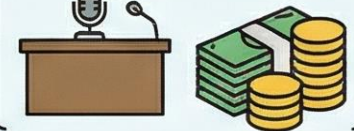
Acting on instructions to pressure individuals to settle a debt

3

Discussing criminal influence, finances (*obshyak*), and power visiting a detainee



INTERCEPTED CONVERSATION: *OBSHYAK*, POWER DYNAMICS



Discussing criminal influence, finances (*obshyak*), and power dynamics while visiting a detainee



COURT'S REASONING & OUTCOME



Court reaffirmed principles under Article 7:

- Criminal law must be accessible and foreseeable



- Absolute precision is not required if interpretation is reasonable

A

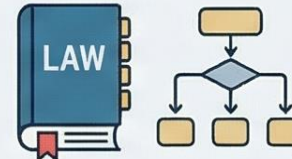


Key findings:

- Concepts such as "thieves' underworld" were widely understood in Georgian society



- Domestic law provided sufficient definitions when read as a whole



- Applicant demonstrated actual awareness of the criminal subculture and its rules



Conclusion:

- Applicant could have foreseen criminal liability for his actions
- No violation of Article 7 of the Convention



Final decision:



JUDGMENT FOR STATE



THE CPT'S NEW STANDARD: A TURNING POINT

Adoption of a dedicated CPT standard
on informal prison hierarchies



First time prison subculture
is treated as a standalone
normative issue



Signals institutional
acknowledgement of
unofficial power structures



Marks a qualitative shift
in CPT standard-setting practice

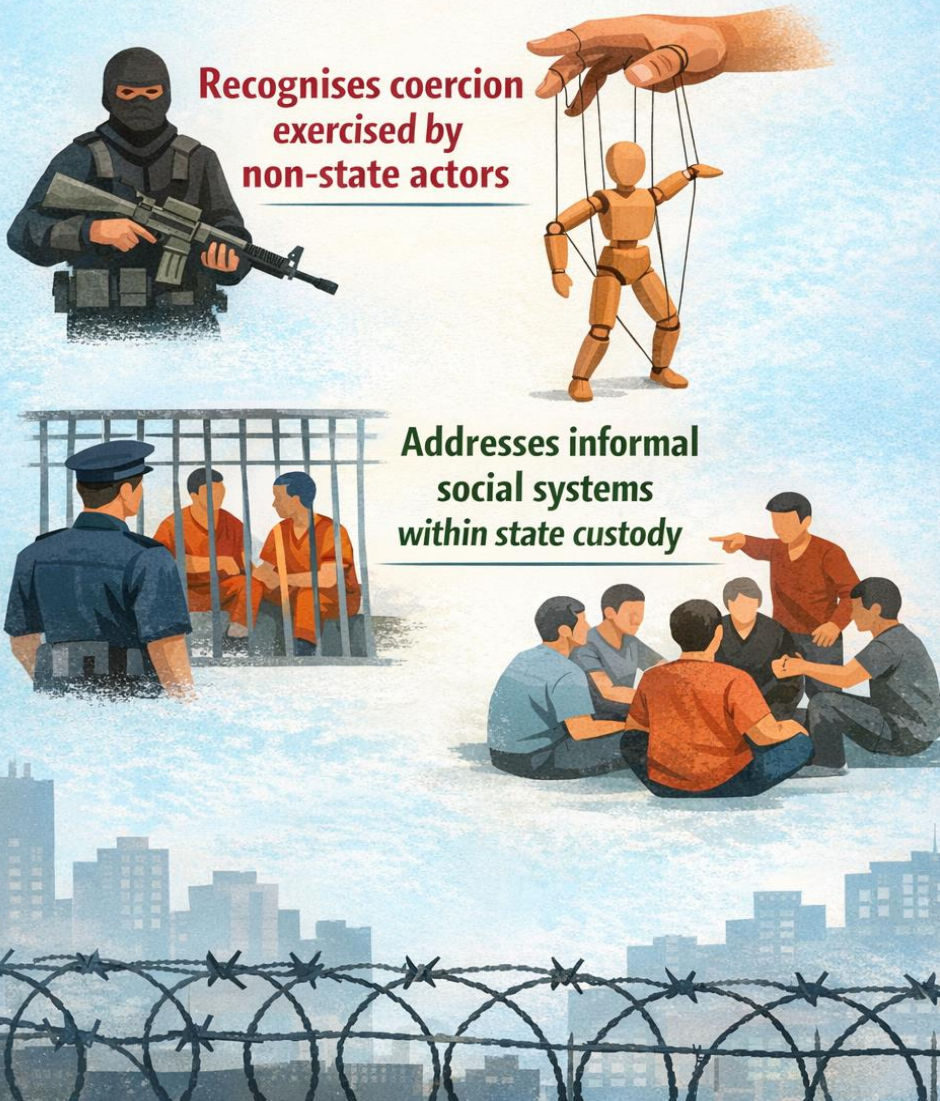


THE CPT'S NEW STANDARD: A TURNING POINT

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A CONCEPTUAL EXPANSION OF **CPT'S MANDATE**

New standard shifts focus from
infrastructure to *power relations*



Recognises coercion
exercised by
non-state actors

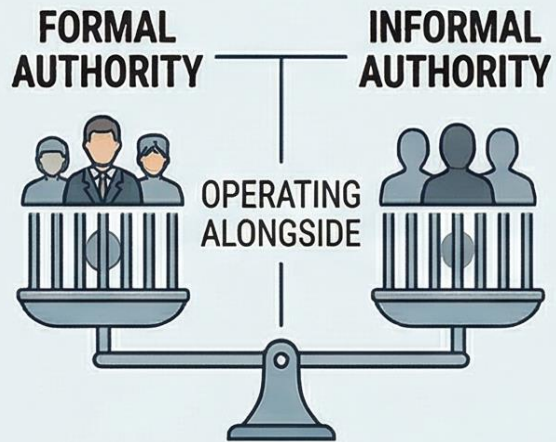
Addresses informal
social systems
within state custody

A CONCEPTUAL EXPANSION OF CPT'S MANDATE

- New standard shifts focus from infrastructure to **power relations**
- Recognises coercion exercised by **non-state actors**
- Addresses informal social systems within custody

WHAT IS THE INFORMAL PRISONER HIERARCHY

A SYSTEM OF SELF-GOVERNANCE



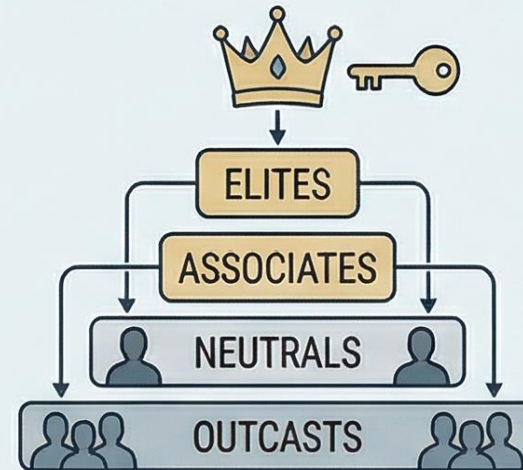
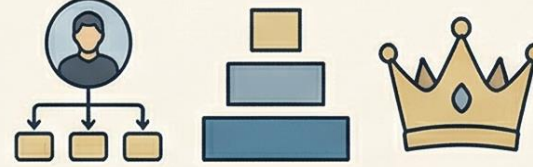
- A system of prisoner self-governance operating alongside formal authority

BASED ON UNWRITTEN RULES



- Based on unwritten rules ("ponyatiya")

DIVIDES INTO RIGID CASTES



- Divides prisoners into rigid castes

ENFORCED & REGULATES

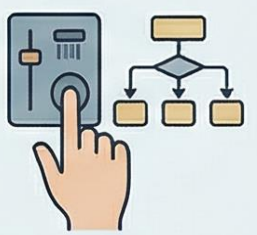


ENFORCEMENT



ENFORCEMENT
BY PRISONERS,
NOT STAFF

REGULATION

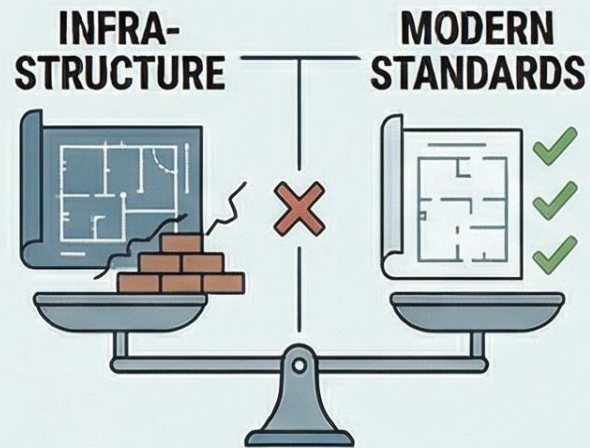


REGULATION
REGULATES DAILY LIFE,
BEHAVIOUR, &
POWER RELATIONS

- Enforced by prisoners, not staff
- Regulates daily life, behaviour, and power relations

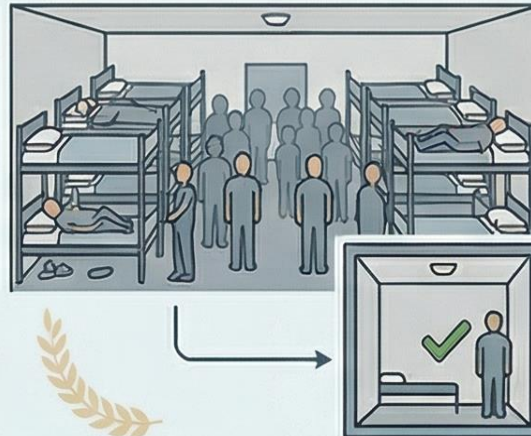
WHY IT PERSISTS TODAY – CPT PERSPECTIVE

SOVIET-ERA LEGACY INFRASTRUCTURE



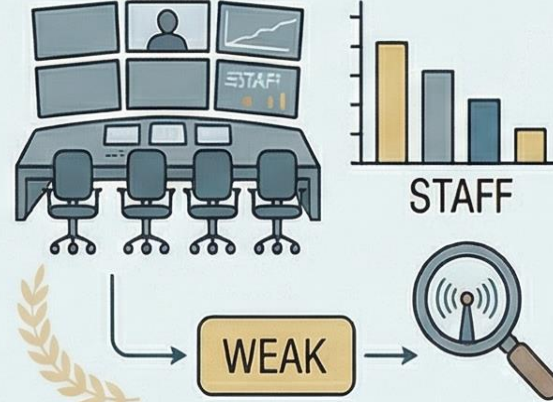
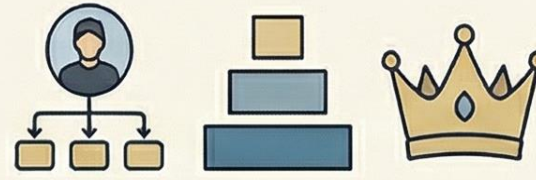
- Legacy of Soviet-era prison infrastructure

LARGE DORMITORY-STYLE ACCOMMODATION



- Large dormitory-style accommodation

STAFF SHORTAGES & SUPERVISION



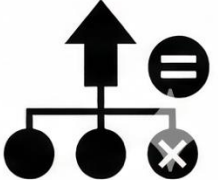
- Chronic staff shortages and weak supervision

LIMITED STATE REFORM

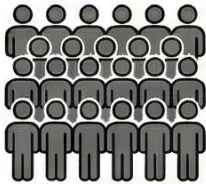
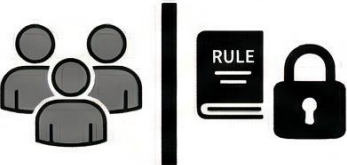


- Limited prison reform in several states

CORE STRUCTURE: CASTE SYSTEM

- Every prisoner must belong to a caste 
- Caste determines rights, duties, safety, and status 
- Movement between castes is possible but dangerous 
- Violation of informal rules leads to punishment 
- Hierarchy overrides official equality of prisoners 

THE THREE MAIN CASTES

- Highest caste: Informal leaders 
- Middle caste: Ordinary prisoners (largest group) 
- Lowest caste: Untouchables / outcasts 
- Each caste has strict interaction rules 
- Separation is social, physical, and symbolic 

HIGHEST CASTE: INFORMAL LEADERS

- Known as *blatnye* or *patsany*
- Guardians and enforcers of informal rules
- Prohibit cooperation with prison staff
- Resolve disputes and authorise punishments
- Exercise significant control over prison life

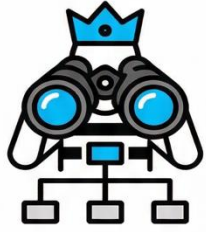


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ROLE OF THE SMOTRYASHCHIIY

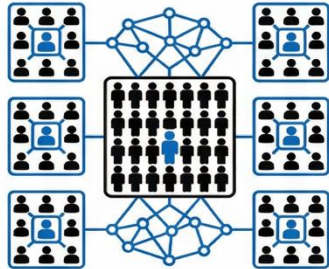
- “Smotryashchiy” = top prisoner overseeing hierarchy



- Appointed by **criminal elites** (*vor v zakone*)



- Present in each prison, with **deputies** per unit



- **Mediates** between prisoners and administration



- **Controls** discipline, punishments, and compliance



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THE COMMON FUND (OBESHCHAK)



- Collective pool of money and goods



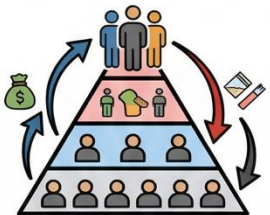
- Includes food, cigarettes, phones, drugs



- Used for prisoner support, bribes, or punishment



- Managed by informal leaders



- Reinforces hierarchy and criminal economy

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MIDDLE CASTE: ORDINARY PRISONERS



- Known as *muzhiki*



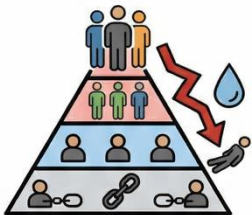
- Allowed to work and follow official rules



- Must obey informal leaders



- Avoid conflict and visibility



- Constant fear of demotion to lowest caste

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- Constant fear of de
- motion to lowest caste

LOWEST CASTE: UNTOUCHABLES



- Known as *opuschennyje* or *levye*



- Socially and physically segregated



- No right to resist, speak up, or complain



- Subject to humiliation and control

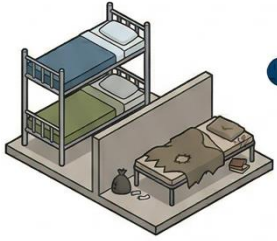


- Most vulnerable to violence and exploitation

LOWEST CASTE: UNTOUCHABLES

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- Socially and physically **segregated**
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LIVING CONDITIONS OF UNTOUCHABLES



- Separate sleeping areas and facilities



- Separate tableware and eating spaces



- Restricted access to activities and work



- Forced to perform cleaning and menial labour



- Daily erosion of dignity and identity

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VIOLENCE AND ENFORCEMENT



- Punishments include **beatings**, **sexual violence**, threats



- Violence often designed to **avoid visible** injuries



- Victims **forbidden** to **report** abuse



- Witnesses do not **cooperate** with investigations



- Culture of silence and **impunity** prevails

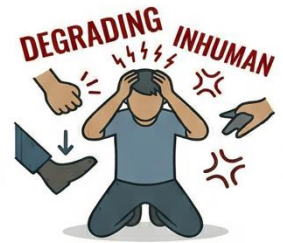
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HUMAN RIGHTS IMPLICATIONS



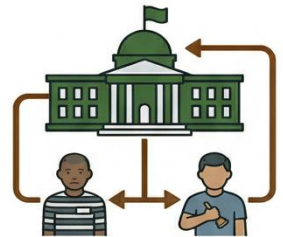
- CPT considers treatment of **lowest caste** a continuing **Article 3 violation**



- Includes **inhuman** and **degrading** treatment



- **Psychological suffering** is central



- **State responsibility** applies even without direct involvement



- **Failure to protect** prisoners from each other

HUMAN RIGHTS IMPLICATIONS

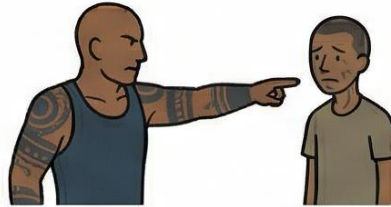
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- Includes inhuman and degrading treatment
- **Psychological suffering is central**
- State responsibility applies even without direct involvement
- Failure to protect prisoners from each other

CORRUPTION AND CRIMINAL ACTIVITY

- Control of **drugs** and **mobile phones**



- Use of **lower caste** prisoners for **crimes**



- Extortion and smuggling **facilitated**



- Staff corruption through **threats** or **bribery**



- Links between prison **hierarchy** and **organised crime**



IMPACT ON PRISON MANAGEMENT

- Informal leaders often hold **real power**.



- Staff sometimes **rely on them to maintain order**



- Tacit cooperation **undermines rule of law**



- Allocation and work decisions influenced by caste

- Allocation and decisions influenced by caste

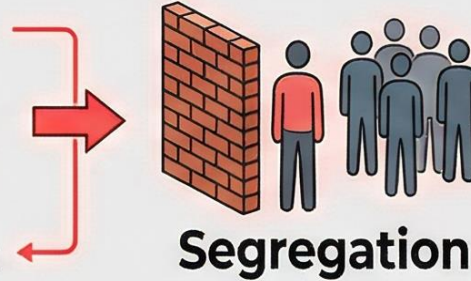


- Authority of prison administration **weakened**



CASE LAW

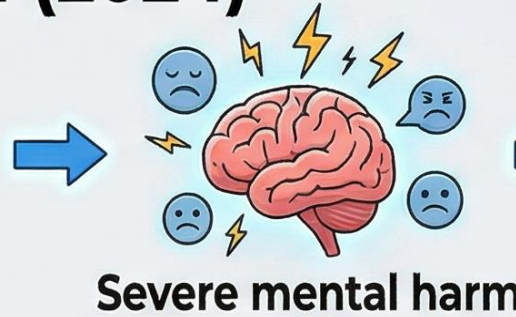
S.P. and Others v. Russia (2023)



**= Article 3
breach**



D. v. Latvia (2024)



**Violates
fundamental
rights**



Ashlarba v. Georgia (2014)



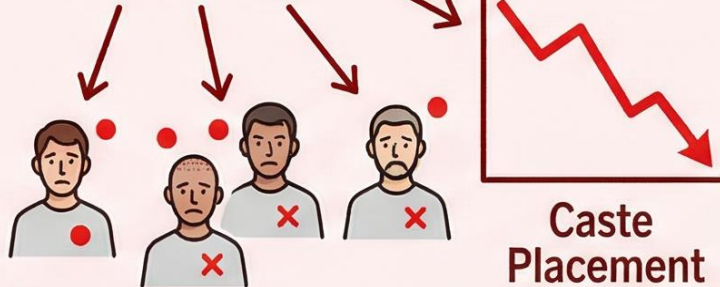
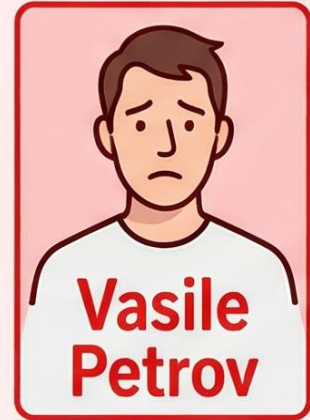
**Acknowledged
in Georgia**



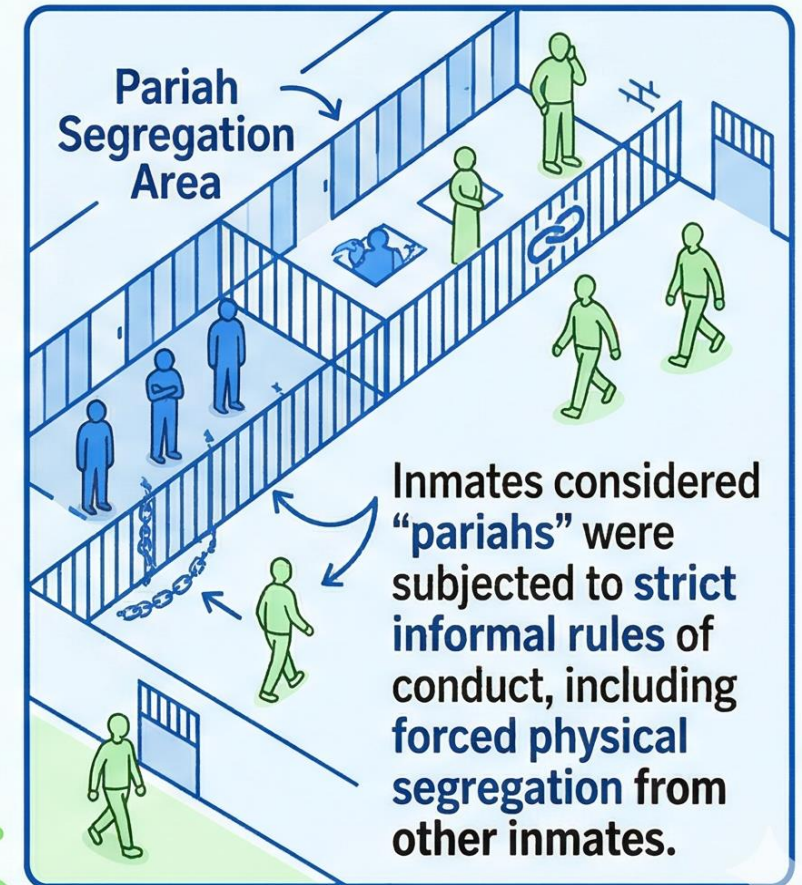
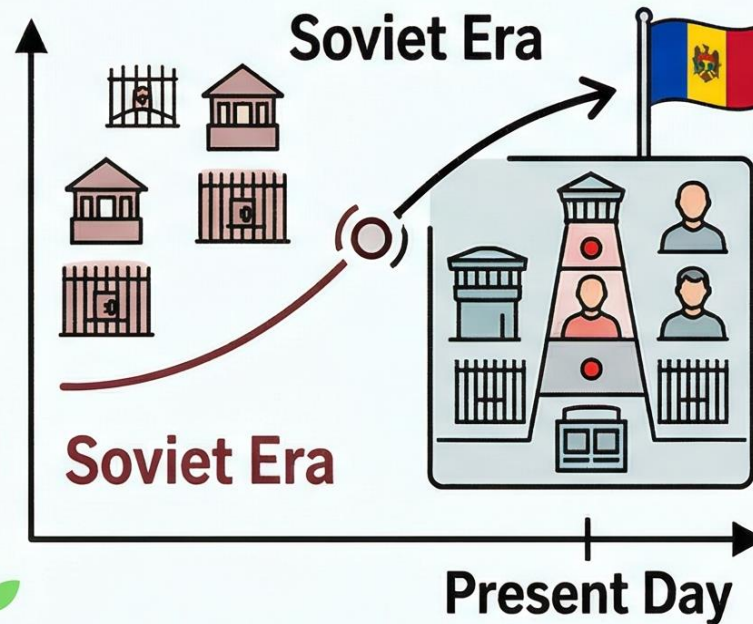
PETROV V. MOLDOVA: CASE OVERVIEW AND PRISON HIERARCHY

The ECtHR issued the judgment for the case Petrov v. Moldova on March 5, 2026.

The applicant, **Vasile Petrov**, was a prisoner placed in the lowest caste, known as “pariahs,” within an informal prison hierarchy.



This informal caste system is a legacy of the Soviet era that has persisted in Moldovan prisons.



PETROV V. MOLDOVA: **DEGRADING** **TREATMENT** AND **DISCRIMINATION**

The Court found a **violation of Article 3 combined with Article 14** of the Convention.



The applicant endured **stigmatization, physical and social segregation**, and was assigned to **unrewarding tasks** due to his 'pariah' status.



Other inmates **denied** the applicant access to basic prison resources, such as the church, the laundry room, and the gym.



State authorities were fully aware of the informal hierarchy's severity and its discriminatory effects but **failed to take adequate measures** to protect the vulnerable applicant.



PETROV V. MOLDOVA: FORCED LABOR AND SYSTEMIC IMPACT



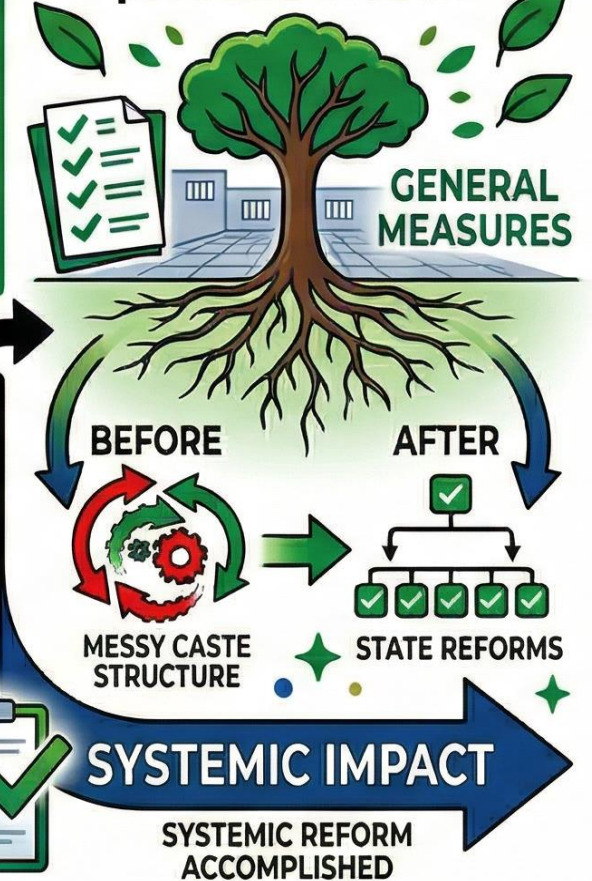
The applicant was coerced into performing hard tasks...



Labor tasks were imposed by fellow inmates...



Informal hierarchy represents a systemic problem indoc...



CPT RECOMMENDATIONS

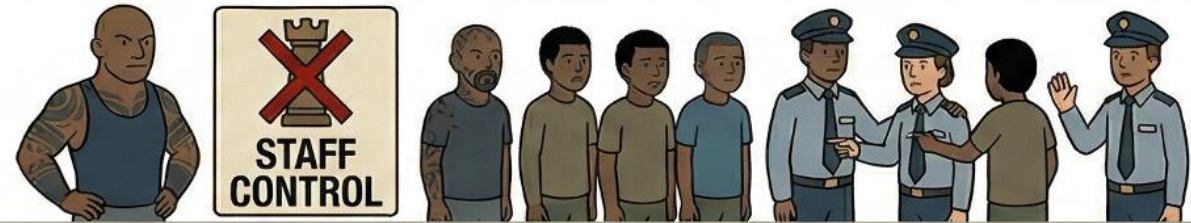
- Modernise prison infrastructure
(cell-type accommodation)



- Increase and train
custodial staff



- End delegation of authority
to prisoners



- Protect vulnerable groups and
first-time prisoners



- Adopt comprehensive national
strategies to eradicate hierarchy



MOLDOVA: THE INFORMAL PRISON HIERARCHY

Core Challenge: Subculture and Control

Decades-long Issue:
Deeply rooted
prisoner hierarchy



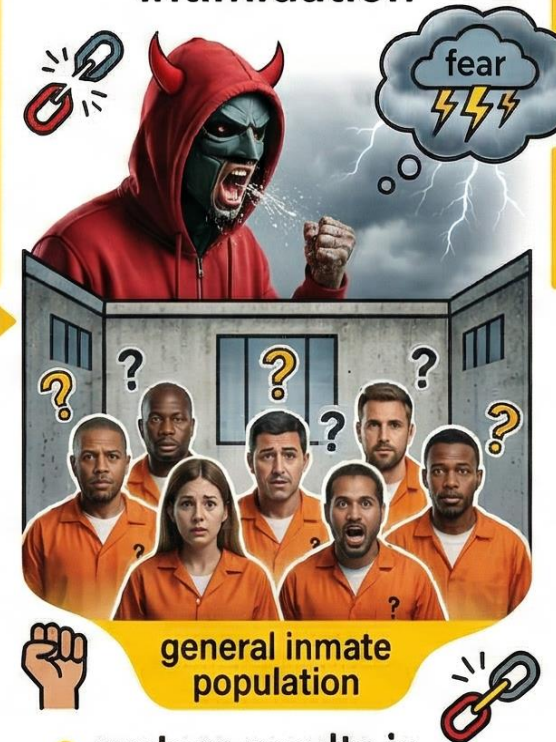
- deeply rooted hierarchy dictates daily life

Silent Agreement:
outsourcing control



- Prison administrations rely on informal leaders to maintain order

Atmosphere of Fear:
widespread violence,
intimidation



- system results in violence, intimidation, exploitation

Systemic Erosion:
undermines authority
& legitimacy



- this "collaboration" undermines authority of staff

MOLDOVA: THE "UNTOUCHABLES" AND HUMAN RIGHTS

Impact on Vulnerable Groups

The Caste System



Discriminatory Treatment



- These individuals are **forced to perform "dirty" work** (e.g., cleaning toilets)...



- ...and are denied access to common areas like gyms or libraries.

Article 3 Violations & High-Risk Categories

- The **CPT** considers this ongoing degradation a violation of the **European Convention on Human Rights** (prohibition of degrading treatment).



VIOLATED

- High-Risk Categories:** Sex offenders, LGBTQI+ individuals, and those with disabilities are primary targets for this systemic mistreatment.



MOLDOVA: JUVENILE JUSTICE AND RECRUITMENT

The Cycle of Violence for Minors

Goyan Prison: Mixed Results



Goyan Prison Progress: While some improvements in staff-relations were noted, informal structures still persist.

Formal Delegation Abolished

Informal structures (marked with red X's)

Formal relations (marked with green checkmarks)

Pressure to Assert & adult recruitment

Recruitment

Minors

Recruitment to Adult Prison

Pressure to Assert: Juvenile inmates often feel forced to commit violence to earn a 'rank' before being transferred to adult prisons.

a NIGHT **b** Rank Pyramid **c** transfer **d** adult prison

Sexual Violence & zero Tolerance for indoctrination

- Sexual Violence:** The reports highlight alarming cases of sexual assault and "press cells" used as punishment for certain categories of offenders
- Early Indoctrination:** Informal leaders are sometimes allowed to "interview" newly arrived minors, immediately pulling them into the subculture

interview **minor**

ZERO TOLERANCE

RIGHTS PROTECTED (ECHR logo)

Sexual Assault **Indoctrination** **Press Cell** **Informal leader** (all marked with red X's)

MOLDOVA: STRATEGIC RECOMMENDATIONS FOR REFORM

Regaining Control and Protecting Rights

Ending Informal Delegation



- **Abolish Delegation:** End the practice of using informal leaders for 'order' and administrative tasks.

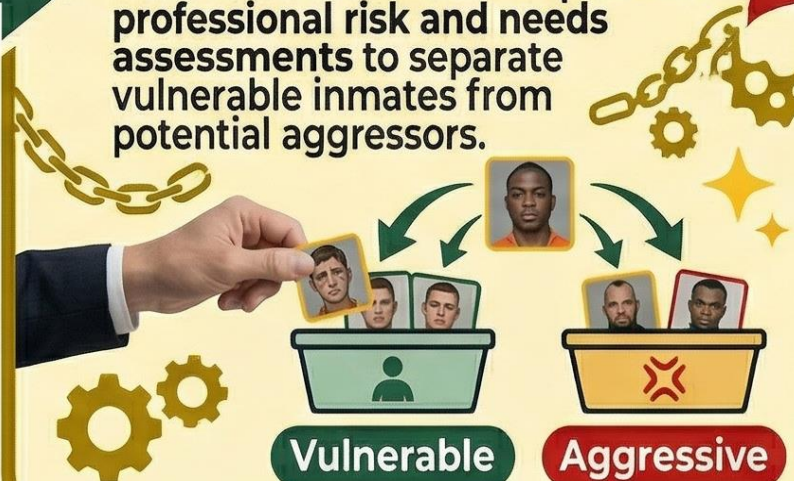


Staffing, Training, & inmate Classification

- **Staffing and Training:** Increase personnel levels (especially at night) and train staff in "dynamic security" to intervene early.



- **Inmate Classification:** Implement professional risk and needs assessments to separate vulnerable inmates from potential aggressors.



Structural Reform & zero tolerance for privilege

- **Structural Reform:** Move toward smaller housing units and provide "safe sectors" for those wishing to exit the prison subculture.



- **Zero Tolerance for Privilege:** Eliminate the luxury conditions and special privileges enjoyed by the informal 'elite'.

ZERO TOLERANCE



CYPRUS: SYSTEMIC FAILURES AND THE CULTURE OF IMPUNITY

Current State of Nicosia Central Prison

Management & Administrative Failures



Lack of Proactive Management: Prison leadership often fails to take a preemptive stance against inter-prisoner violence, creating an environment where abuse occurs without consequence.

Proactive leadership



Administrative negligence

(ignore info, poor investigation)

Atmosphere of abuse



Reporting and the Discrepancy

- Administrative Negligence:** Information regarding violence is frequently ignored or poorly investigated unless a formal complaint is filed, which discourages victims from speaking out.

No formal complaint

Information ignored

Official records

reality

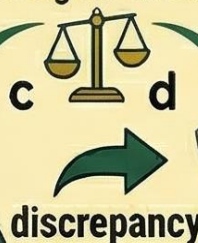
- Inadequate Reporting:** There is a significant discrepancy between official records and reality; the actual number of violent incidents is believed to be much higher than registered.



NIGHT



violence pyramid



discrepancy



Official records

Staff Inaction & a zero Tolerance for Impunity



UNREPORTED VIOLENCE



RIGHTS PROTECTED

- Evidence suggests that personnel do not always react promptly to ongoing incidents or take necessary steps to protect vulnerable inmates.



RIGHTS PROTECTED

ZERO TOLERANCE



Slow Reaction



Failure to Protect



Prison building



Informal impunity

CYPRUS: CRITICAL GAPS IN INVESTIGATING SEXUAL VIOLENCE

Failures in Protection and Forensic Rigor

Gaps in Immediate Care & Internal Inquiries



Forensic Rigor & Evidence Misinterpretation

- Forensic Misinterpretations:** Authorities often cite a lack of physical evidence as proof of a false claim, ignoring the fact that many types of sexual violence do not leave permanent physical traces.



Violation of Duty of Care & state responsibility



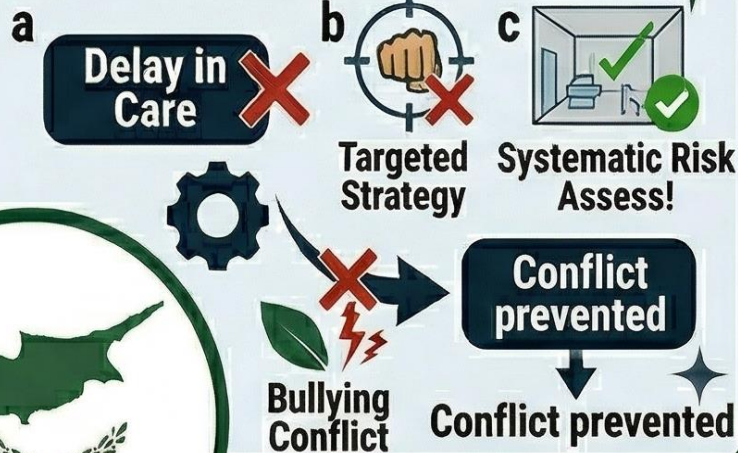
CYPRUS: RECOMMENDATIONS FOR URGENT REFORM

Pathway to a Safer Prison Environment

Anti-Bullying & risk assessment



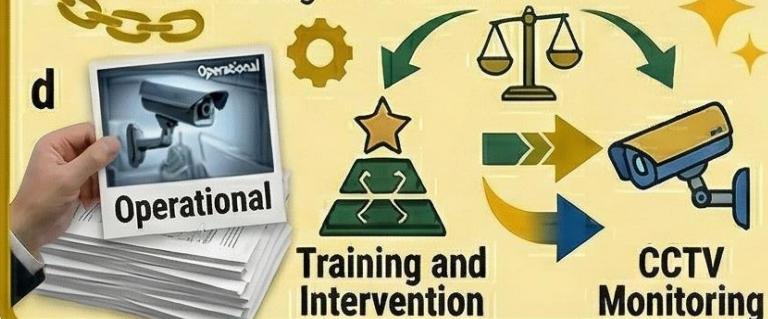
- **Comprehensive Anti-Bullying Policy:** Implementation of a targeted strategy to identify and neutralize intimidation and physical aggression.
- **Systematic Risk Assessments:** Establishing a rigorous process for evaluating how prisoners are and placed to prevent foreseeable conflicts.



Staff Training & Technical Surveillance



- **Technical Surveillance:** Ensuring full operational capacity and regular maintenance of CCTV systems to monitor high-risk areas.



Independent Oversight & a safe Sector for all

- **Independent Oversight:** Enhancing the accuracy of reporting mechanisms to ensure every allegation is recorded, investigated, and addressed professionally.



RIGHTS PROTECTED



- **Every allegation is recorded, investigated, and addressed professionally**

- **Every allegation is recorded, incored, investigated, and addressed professionally**

ZERO TOLERANCE



HUNGARY: ERADICATING INTER-PRISONER VIOLENCE

A Multilateral Approach to Safety and Management

ENHANCED MONITORING & SURVEILLANCE



Continuous monitoring & control monitoring & to Surveillance

Continuous behavior monitoring to identify potential aggressors and victims

Prioritizing cell safety during evening and night hours through frequent, irregular staff patrols



CCTV Cameras



Motion Sensors



Night Patrols



ACCOUNTABILITY & INVESTIGATION



Mandatory reporting of all suspected or confirmed cases of intimidation

Mandatory reporting of all suspected or case of intimidation

Rigorous investigation of every incident followed by the application of proportionate sanctions



Formal Complaint Procedures



Evidence Collection



Fair Trials



Disciplinary Actions



STRATEGIC INMATE MANAGEMENT



Professional risk and needs assessment for all incoming prisoners

Processing inmate needs assessing new prisoners

Improved classification and cell allocation to prevent vulnerable inmates from being exposed to harmful influences



Classification Systems



Needs Identification



Conflict Resolution Training



Separate Housing Units



INSTITUTIONAL RESPONSIBILITY



Development of effective, long-term violence reduction programs

Development of effective, long-term violence reduction programs

Requirement for management and staff to prioritize the physical and psychological integrity of the prison environment



Staff Training on De-escalation



Mental Health Support



Rehabilitation Opportunities



Policy Development



GEORGIA: THE RESURGENCE OF INFORMAL HIERARCHIES

Core Challenge: Prison Subculture and Control

INFORMAL POWER STRUCTURES




Influence of informal leadership meeting

- ▶ Influence of informal leaders in Colony No. 15 and No. 17
- ▶ Hidden hierarchies and unofficial rules

-  Influence Meeting
-  Eye Cameras
-  Hidden Hierarchies
-  And unofficial rules



DELEGATION OF AUTHORITY




Privileged prisoners enforce prison guard

- ▶ Administrations "outsource" order due to critically low staffing
- ▶ Privileged prisoners enforce security

-  Delegation of Authority
-  Evidence Collection
-  Over-staff Guard
-  Disciplinary Actions



ATMOSPHERE OF SILENCE




International delegation for all incoming prisoners

- ▶ Inmates visibly afraid to speak with international delegations
- ▶ Fear of retaliation from the informal hierarchy

-  International Systems
-  Fear of Retaliation
-  Conflict Resolution
-  Separate Housing



VISIBLE SYMBOLS




Symbols over original official signage

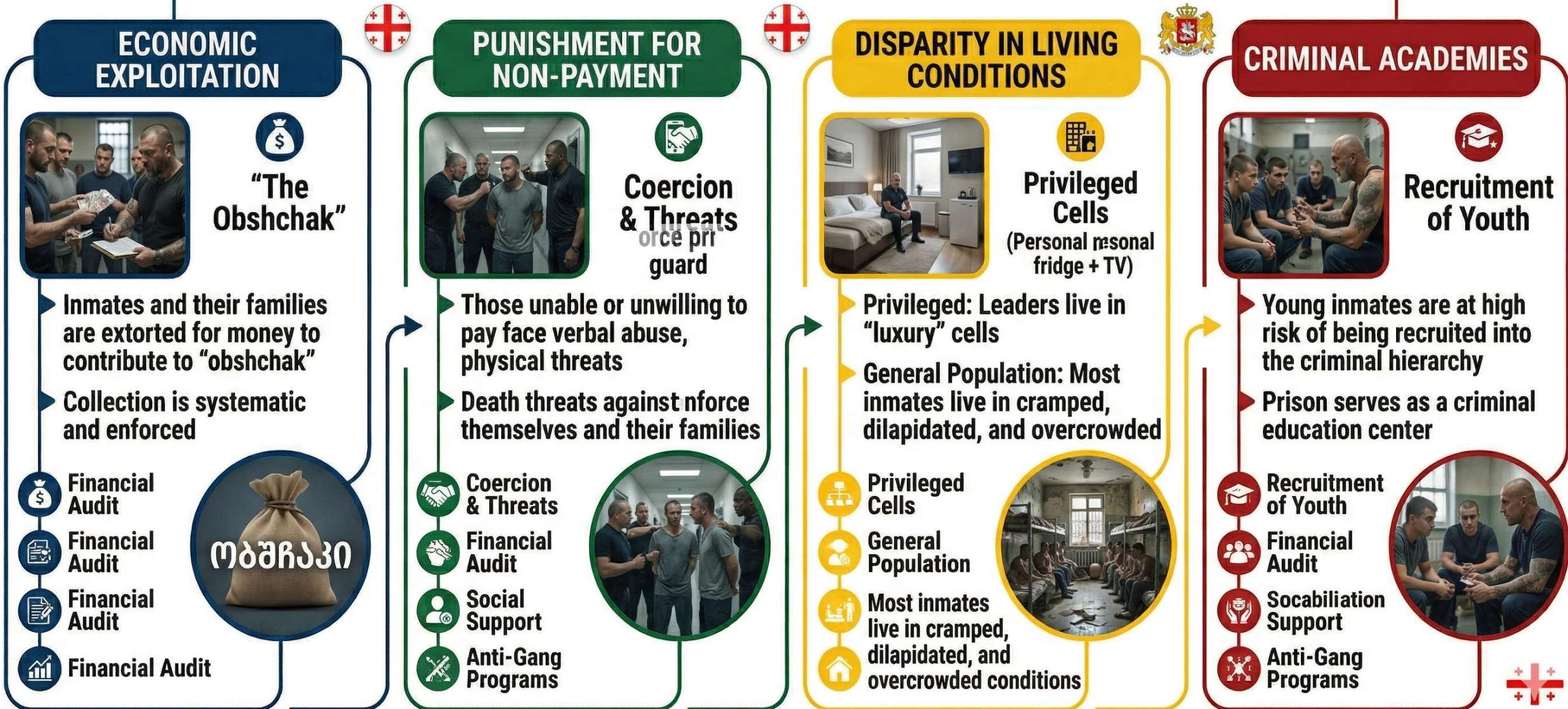
- ▶ Presence of "thieves" world symbols marks dominance of criminal subculture
- ▶ Symbols over official administration

-  Presence of official world
-  Official Signage
-  Rehabilitation Opportunities
-  Dominance Development



GEORGIA: EXPLOITATION AND MATERIAL INEQUALITY

Economic and Living Conditions within the Hierarchy



GEORGIA: STRATEGIC RECOMMENDATIONS FOR GEORGIA

Restoring State Control and Dynamic Security

END POWER DELEGATION



Professional administrator make official decisions

Prison administrations must stop using informal leaders to maintain order; this practice is deemed "unacceptable"

- Official Control
- Formal Authority
- Formal Authority
- Formal Authority

PRACTICE IS UNACCEPTABLE

DYNAMIC SECURITY



Positive, constructive and respectful conversation

Focus on building professional staff-inmate relationships based care and interpersonal skills rather than just locks and bars

- Communication & Staff
- Training Staff
- Practicing Workshop
- Communication Skills

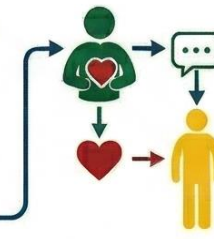


RISK AND NEEDS ASSESSMENT



Inmate's risk profile than determine

Implement at assessment system to identify separation



- Privileged Cells
- General Population
- Communication Control
- Practicing communication Skills



RISK AND NEEDS ASSESSMENT



Formal, computerized risk assessment

Implement an effective individual assessment system to identify and separate potential victims from aggressors

- Recruitment of Youth
- Separate profiles
- Classified Housing Units
- Separate, classified Housing Units



SLOVENIA: ADDRESSING INMATE VIOLENCE AND STAFF PASSIVITY



Key Findings from the CPT Report

Staff Response & Dynamic Security

Safer Prison Units

New guard were guardt.

Instances were reported where prison personnel failed to intervene even when physical violence (kicking and punching) occurred in their

VIOLENCE OCCURRING

a **Staff Passivity** failure to Intervene

b **Delayed Response**

Dynamic security prioritized

Dynamic prevenized **CONFLICT PREVENTED**

Black Market & Risk Assessment

Conflict is primarily driven by the **black market** for prohibited items (illicit drugs, prescription medication, and mobile phones).

Conflict is primarily driven by the **black market** for prohibited items (illicit drugs, prescription medication, and mobile phones).

Root Causes of Violence

High-Risk Individuals

a **Individual assessment**

b **Needs assessment!**

c **Risk Assessment!**

d **Vulnerable Sector**

Confidentiality & Inaction

ECHR

Prison officers showed official complaints to the very inmates being complained about . . . leading to further intimidation.

Complaint shown to inmates

High-Risk Individuals

atmosphere of impunity

BREACH OF CONFIDENTIALITY

aggression

Impunity & rights violated

atmosphere of impunity

ZERO TOLERANCE

a **Smaller Unit**

Dynamic Security

Independent Oversight

UNITED KINGDOM: ESCALATING PRISON VIOLENCE

Critical Findings from the CPT Periodic Visit (2021)

PERSISTENT ALARM



Inter-prisoner violence remains a deeply "disturbing phenomenon"

Inter-prisoner violence remains a deeply "disturbing phenomenon"

Shows high levels of consistency and severity



Shows high levels of consistency and severity



Formal Authority



Frequent incident reports



CPT

RESILIENCE OF VIOLENCE (COVID-19)



Episodes of violence remained high despite strict pandemic restrictions

Episodes of violence remained high despite strict pandemic restrictions
s based care and
Indicates deep-seated systemic issues not tied to standard factors



Indicates deep-seated systemic issues not tied to standard



Violence during limited-contact hours

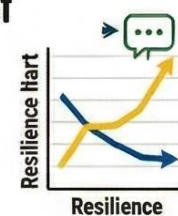


THE STAFFING CRISIS



A primary driver of violence is the lack of "boots on the ground"

A primary driver of to violence
ratio of inmate
is a critical safety factor



Staffed shortages



and high turnover



Communicate Control



Increased violence

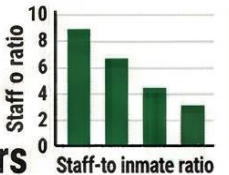


THE STAFFING CRISIS



A primary driver of violence is the lack of "boots on the ground"

ratio of trained staff to inmates is a critical factor
Unawareness from aggressors



Staff shortages



and high turnover



Classified Housing Units



Increased violence



LITHUANIA: THE CASTE SYSTEM AS PARALLEL GOVERNANCE

A Deep-Seated Informal Hierarchy Dominating Inmate Life

1

DOMINANCE OF TRADITION



Higher caste inmates keep a respectful distance

- ▶ A rigid "caste system" is the primary framework disturbing inmate life
- ▶ Traditions take priority over official prison regulations



Traditions take priority over official prison regulations



Ancient hierarchical structure



2

THE UNTOUCHABLES



Inmates at the lowest level of this hierarchy 'untouchables'

- ▶ Inmates at the lowest level of this hierarchy are the primary victims
- ▶ Face highest risks of physical violence, psychological pressure, and



Face highest risks of physical, violence, pressure, and extortion



Marginalized and vulnerable



3

ENFORCED SUBMISSION



Lower-caste inmates must follow orders inmates

- ▶ Lower-caste inmates must follow orders from the "elite"
- ▶ Orders can include: committing new crimes, violating rules, purchasing drugs for others



Staffing shortages and high turnover



Systematic coercion



4

PROHIBITION OF SELF-DEFENSE



Lower-caste inmate may not self-defense

- ▶ Under the informal code, "untouchables" are strictly forbidden from striking back
- ▶ No retaliation allowed even if physically assaulted



No retaliation allowed even if assaulted



Code-based subjugation



LITHUANIA: SEGREGATION AND DAILY HUMILIATION

Living Conditions of the Lowest Caste

1

RESTRICTED MOVEMENT



Untouchables are relegated to sleeping near toilets or doors

Can only safely share cells with others of their same status



Can only safely share cells with others of their same status



Cell space is richly stratified



2 FORCED LABOR



'imates at the lowest level of this hierarchy 'untouchables'

Tasked with cleaning all common areas (kitchens, hallways, sanitation)

Also clean the private rooms of higher-caste prisoners



Also clean the private rooms of higher-caste prisoners



Manual, degrading labor is mandatory



DISCRIMINATORY ACCESS: HYGIENE & FOOD



restricted to fewer showers and toilets assigned by higher castes

Eat at separate tables using marked cutlery/plates



Eat at separate tables using washed in separate machine/suggested



Separation in all daily routines



DISCRIMINATORY ACCESS: SHOPPING



May only visit the prison shop after higher castes have finished

Often finding shelves empty or forced to buy items for others



Often finding shelves empty or forced to buy items for others



Consumption is strictly controlled by caste



LITHUANIA: ADMINISTRATIVE COLLUSION AND SYSTEMIC FAILURES

Institutional Challenges

STATUS AS A WEAPON



Prison administrations have been known to "unofficially" punish high-status inmates

Threaten to move them into "untouchable" sectors

Threaten to move them into "untouchable" sectors

Cause them to lose their informal rank



FEAR OF 'CONTAMINATION'



Fear of losing status is so extreme that higher-caste inmates refuse to share a floor

Believe this could lower their rank in future incarcerations

Believe this could lower their rank in future incarcerations

Systematic avoidance



INEFFECTIVE TRANSFERS



Some informal leaders have been moved to separate units

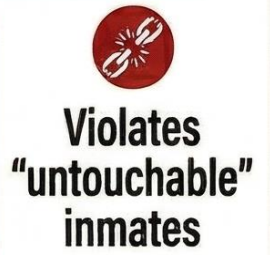
These measures have failed to "break the backbone"

These separate measures have failed "break the backbone"

Subculture remains deep-seated



LEGAL BREACH



The CPT considers the situation of "untouchable" inmates a continuous violation of Article 3 or forced to buy others

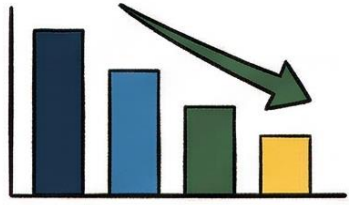
Violations of inhuman or degrading treatment

Legal and moral breach



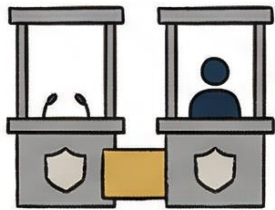
GREECE: A SYSTEMIC CRISIS IN PRISON SAFETY

KORYDALLOS PRISON: SLIGHT VIOLENCE DECREASE



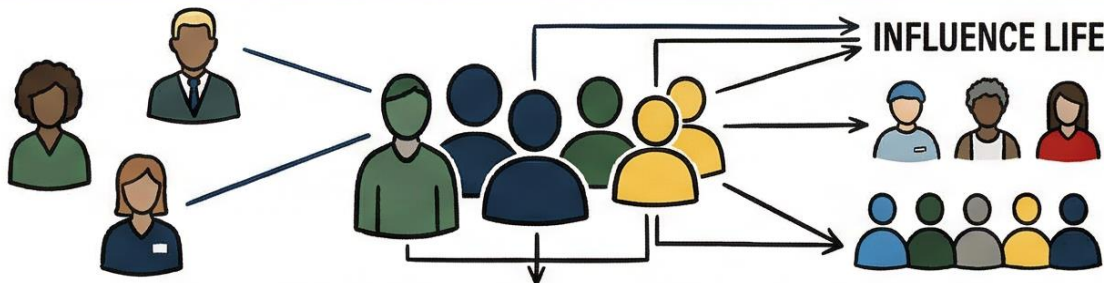
DESPITE THIS, MOST FACILITIES
UNABLE TO PROVIDE
SAFE ENVIRONMENT

EXTREME UNDERSTAFFING



COLLAPSE
OF OFFICIAL
AUTHORITY

DOMINANT INMATE GROUPS



CONTROL CEDED TO DOMINANT GROUPS, FREQUENTLY
ORGANIZED ALONG ETHNIC LINES.

**SAFETY
VACUUM**

PRISON SYSTEMS



PROOVED
MINIMAL LIT

VIOLENCE AND INSECURITY

COMPOUNDING FACTORS

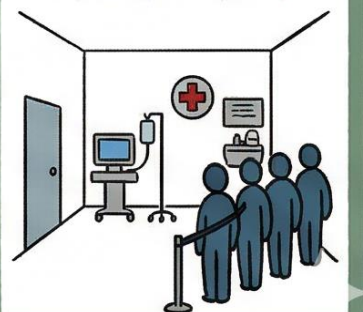
SEVERE OVERCROWDING



INADEQUATE MATERIAL CONDITIONS



POOR MEDICAL CARE



MOLDOVA AS AN ILLUSTRATION





2025 CPT VISIT REPORT TO MOLDOVA:

SYSTEMIC INTIMIDATION AND VIOLENCE



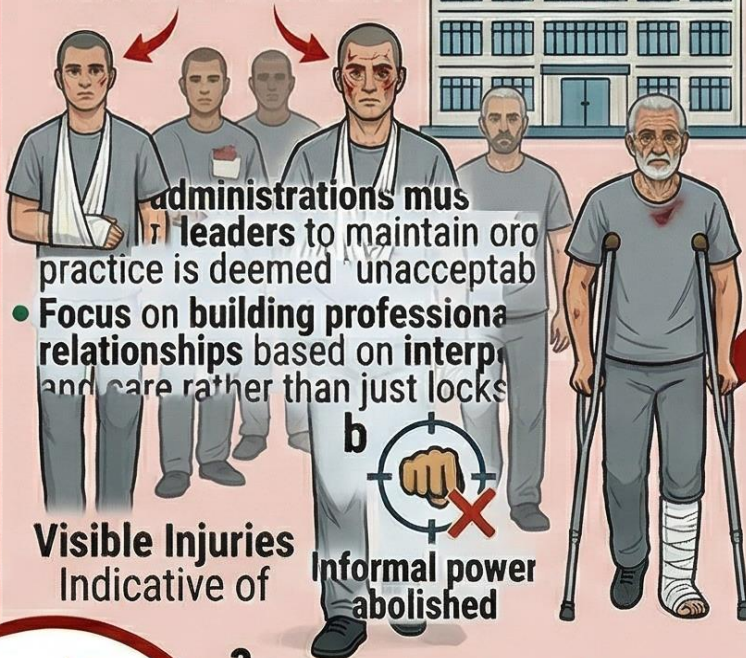
ATMOSPHERE OF FEAR

Systemic Violence: Injuries Found

Visible Injuries

Indicative of violence

Prison No. 2



Visible Injuries
Indicative of

Informal power
abolished

a injuries found

Systemic
Violence

Visible and
regular found

Systemic
Violence



RETALIATION FEARS

Fear to Speak with Delegation



SPECIFIC BRUTALITY

Severe Beating for Refusal





2025 CPT VISIT REPORT TO MOLDOVA:

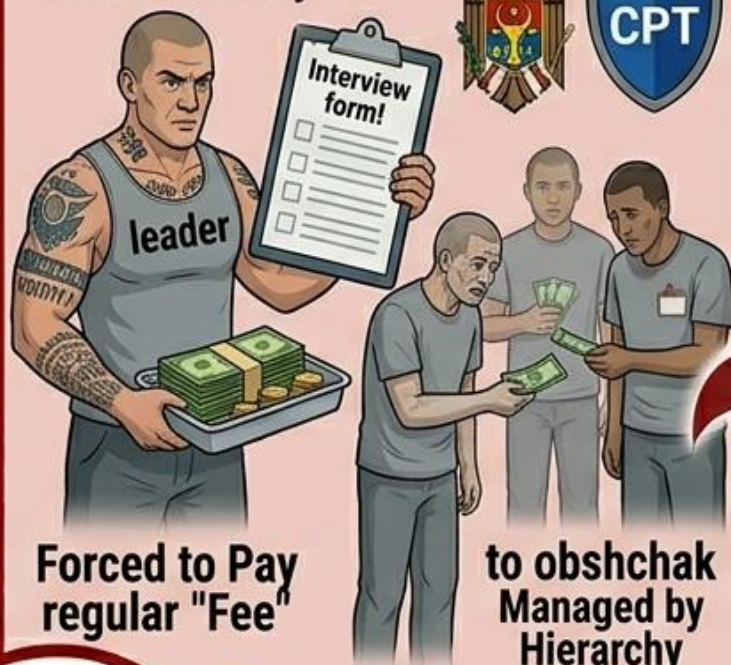
— EXTORTION AND THE “ILLEGAL COLLECTIVE FUND” —



MANDATORY FEES

Fee to obshchak

• Forced to Pay



Forced to Pay regular "Fee"

to obshchak
Managed by Hierarchy

a Managed by hierarchy leaders → Fee to obshchak

Managed by hierarchy leaders → Fee to obshchak



METHODS OF EXTORTION

Extortion Tactics

• Forced Gambling



• High-Interest "Loans"



• Forced Alcohol Consumption



PUNISHMENT FOR NON-PAYMENT

• Systematic Beatings for Obedience



Systematic Beatings

Refused to Pay



2025 CPT VISIT REPORT TO MOLDOVA:

DE FACTO CONTROL OVER OPERATIONS



STEMIC D SHADOW ADMINISTRATION

Prison No. 2

Staff Passively Accept Prisoner Lists

Authority collapsed power

Prisoner Cell Allocations List

- ✓ Petrov, room 4
- ✓ Petrov, room 4
- ✓ Petrov, room 5
- ✓ Petrov, room 4
- ✓ Petrov, room 5
- ✓ Petrov, room 5
- ✓ Petrov, room 5

Chronic Staff Lists Maintained by Prisoners

Delegated Power (to dominant inmate groups along ethnic lines)

Failure for ABUSE

Staff Leaders' Lists

Loss of control delegated to groups

Chronic understaffing

Violence and insecurity are compounded by interconnected deficiencies (overcrowding, poor conditions, poor care).

CLASSIFICATION POWER

Newly Admitted Prisoner Interview

High-Caste Interviewers Determine Caste

any types of sexual violence leave permanent physical

Informal leader

False claim

Forensic records

Violence and insecurity are compounded by interconnected deficiencies (overcrowding, poor conditions, poor care).

Room Occupancy

Interview Results: Caste Classification

Material conditions

Room Assignment Dictated

INTERFERENCE WITH OVERSIGHT

Prison No. 15

High-Caste Pressure: Stop Interviews!

comprehensive state intervention

RIGHTS PROTECTED

abuse

CPT Condition violate standards

ZERO TOLERANCE

Passivity: Staff Stand and Observe

Refusal to Leave Private Rooms

Interference



2025 CPT VISIT REPORT TO MOLDOVA:

STRIKING INEQUALITY IN LIVING CONDITIONS



LUXURY FOR LEADERS

Spacious "Flats" with Amenities

• Spacious "Flat"



PRIVILEGED AMENITIES

Hierarchy Leaders have Access

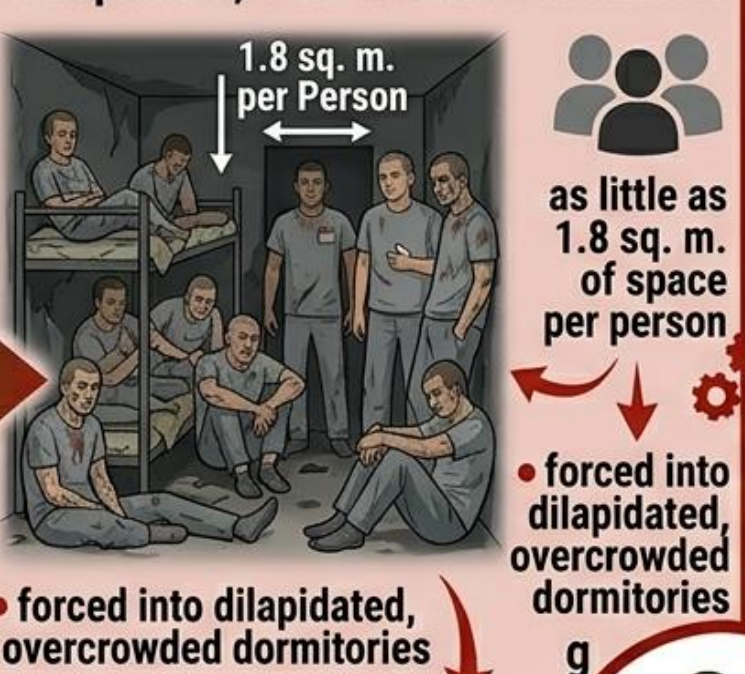
• Well-Maintained Outdoor Swimming Pool



SQUALOR FOR THE "HUMILIATED"

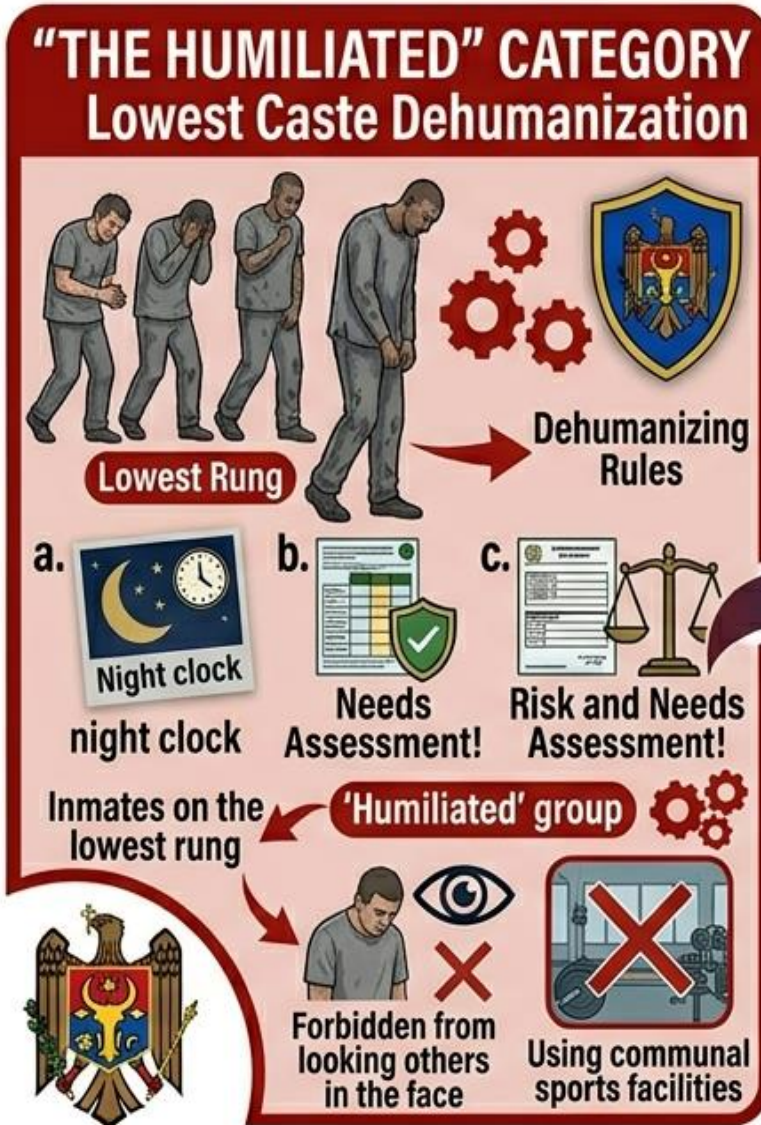
Dilapidated, Overcrowded Dormitories

• Dilapidated, Overcrowded Dormitories



2025 CPT VISIT REPORT TO MOLDOVA: EXPLOITATION OF VULNERABLE CASTES

EXPLOITATION OF VULNERABLE CASTES





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This presentation was prepared within the framework of the academic research programme at the University of Tübingen, supported by the Philipp Schwartz Initiative of the Alexander von Humboldt Foundation.



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