

## The Improvement of Human Rights in Prison Systems Study Case : Casa Circondariale di Roma Regina Coeli

Item Type	Thesis
Authors	Filippi, Sara Cristina Miranda
Citation	Filippi, Sara Cristina Miranda. "The Improvement of Human Rights in Prison Systems Study Case : Casa Circondariale di Roma Regina Coeli". BA Thesis, John Cabot University, Rome, Italy. 2017.
Rights	Attribution-NonCommercial-NoDerivatives 4.0 International
Download date	2024-12-06 08:11:36
Item License	<a href="http://creativecommons.org/licenses/by-nc-nd/4.0/">http://creativecommons.org/licenses/by-nc-nd/4.0/</a>
Link to Item	<a href="https://hdl.handle.net/20.500.14490/326">https://hdl.handle.net/20.500.14490/326</a>



**John Cabot University**

Department of Political Science

Bachelor of Arts in International Affairs

Minor in Business Administration

**The Improvement of Human Rights in Prison Systems**  
Study Case: Casa Circondariale di Roma "Regina Coeli"

Sara Cristina Miranda Filippi

First Reader

Second Reader

Pamela Harris

Andrea Lanzone

Fall 2017

***“It is said that no  
one truly knows a nation  
until one has been inside its jails.  
A nation should not be judged  
by how it treats its highest citizens,  
but its lowest ones.”***

*Long Walk to Freedom, Nelson Mandela, 1995.*

## Abstract

The idea of this thesis was born almost one year ago, when on January 2nd, 2017 when 56 inmates died<sup>1</sup> as a result of rival factions inside at the Anísio Jobim Penitentiary Complex (Compaj) in Manaus. However, a significant number of prisoners not involved in the gang system has also been killed, either by prisoners themselves or by authorities with the intention to stop the uprising. One of the causes that influenced the ease of the uprising and the difficulty in controlling it is the overcrowding of the prison. In fact, according to the UNODC (United Nations Office on Drugs and Crime), “after visiting Brazil in 2015, the UN Special Rapporteur on Torture has recommended the adoption of immediate measures to reduce the overcrowding of prison units, which favors the spread of infectious diseases such as Tuberculosis and HIV, malnutrition and drug use among other human rights violations.”<sup>2</sup>

Unfortunately, Brazil is not the only country that encounters issues about the conditions of prisoners and their rights. In fact, according to the testimony of the International Committee of Red Cross (ICRC), “in very diverse environments and over many years, the ICRC has witnessed first-hand the consequences of overcrowding on detainees and on the authorities. Indeed, overcrowding is an increasingly widespread problem in several countries and places of detention.”<sup>3</sup> Since it is a worldwide issue, it is important to highlight the seriousness of overcrowding conditions and its consequences.

This thesis will explore the Human Rights of prisoners. First, I would like to introduce this topic by analyzing the role of prison systems as a legal punishment within the society. In fact, it is important to remember that prisons are not separate from the

---

<sup>1</sup> British Broadcasting Company, “Brazil sets out security overhaul after deadly Manaus prison riot,” *BBC*, January 5, 2017, Latin America section.

<sup>2</sup> “UNODC note on rebellion in Manaus prison,” UNODC Web

<sup>3</sup> “*Handbook on strategies to reduce overcrowding in prisons*,” United Nations Office on Drugs and Crime

society, they are actually part of it. Because of this, everything that is important within a society, it is also important inside of a prison system. For instance, healthcare and appropriate living conditions should be guaranteed to prisoners in the same level it is guaranteed in the rest of the society outside prisons. Moreover, it is common to link prison system with corruption and abuse of power by authorities. Because of this, I would like to understand better the relationship between prisoners and authorities, in order to have a clear explanation about the condition of prisoners in Italy.

Precisely, I am interested on which kind of prevention measures an ideal prison system should take in order to guarantee prisoners' health and safety. However, a key component of the prison system are prison guards. Because of this, I will take in consideration their condition of work and how it is important in order to have an effective and efficient prison system. Most of the time prison guards are underpaid and overworked. Unfortunately, inappropriate working conditions leads to destabilization. In fact, prison guards become more vulnerable to corruption in order to compensate for what they are not receiving from the State. Corruption have a key role in this kind of environment in which authorities are underpaid by the government and the prisoners obtain power through it. For instance, events such violent riots raised by prisoners is one of the most dangerous aftermaths; police officers are involved in prison escapes, allowing prisoners to run away, or to provide weapons and information to criminal groups.

Throughout my thesis I would like to analyze the average human rights conditions in Italian prisons. More precisely, I will take the prison system of Regina Coeli in Rome as study case. It is the best-known prison in Rome, active since 1881 and it is allocated in the center of the city in the borough of Trastevere. It is curious and unusual at the same time to know that a prison system with currently 962 detainees is located in the

center of Rome in one of the most visited boroughs of the city. I will analyze in depth how the prison system of Regina Coeli could be used as an example for other prisons in the Italian territory. The prison system has a hospital inside the building since 2013 with two surgery rooms. Moreover, a significant number of social activities are involved within the prison system of Regina Coli, such as a library, music therapy, language courses, and cultural and sportive activities are available for the prisoners. Because of this, I would like to analyze the positive outcomes of the administration of Regina Coeli, thanks to visits to the prison system with the support of educators and authorities of the prison institute.

## **Dedication**

This thesis is dedicated to my Grandmother Valeria D'Ascanio, the most persistent and loving person that I have ever known and who taught me to never give up on my dreams.

## Acknowledgements

First and foremost, I want to thank my thesis readers, **Professor Pamela Harris**, and **Professor Andrea Lanzone**. Your assistance was necessary to accomplish my project and I am grateful for your dedication and involvement. I would like to thank you very much for your support and understanding over this last semester. On the one hand, Professor Harris introduced me to the Human Rights world, which fascinates more and more. On the other hand, Professor Lanzone transferred me his care for the social minorities, thanks to his classes and the Service Learning experiences.

I would like to thank Marco Oliva, he has made available his support in a number of ways in order to obtain the approval of the visits at C.C. Regina Coeli, which was the most important experience for me. I am deeply grateful to Dottoressa Daniela Valentini, Director of C.C Regina Coeli; her work has being an inspiration for me and I will never find the most appropriate way to repay her kindness and willing to support me during the experience in the penitentiary system.

The accomplishment of this academic journey required more than academic support, and I have special people to thank for listening to and, at times, having to tolerate me over the past four years. I would like to express more than my gratitude and appreciation for their friendship.

Last but not least, my family have been my pillar of strength who supported me and always insisted to truly dedicate myself in any kind of situation. To my parents and my sister who, even though we have experienced some ups and downs in the past four years, I know that you have had always the best purpose for me. My two aunts in Brazil have been the two angels in my life, who always believed in me even if I did not in the first place, I would never thank you enough for your help in these years.



## Table of Contents

<b>1. Overview of International Human Rights, European Human Rights and Italian Constitutional Rights</b>	
Legal doctrines establishing prisoner’s Human Rights .....	1
1.1 The Concept of Dignity .....	1
1.2 The Universal Declaration of Human Rights .....	4
1.3 The United Nations Standard Minimum Rules for the Treatment of Prisoners ...	8
1.4 The International Covenant on Civil and Political Rights.....	10
1.5 Convention on the Rights of Persons with Disabilities .....	12
1.6 The European Court of Human Rights.....	13
1.7 Europe vs. Italy.....	16
1.8 Italian Constitution .....	19
<b>2. Empirical Study of Italian Penitentiary System .....</b>	<b>22</b>
2.1 Right to Work.....	22
2.2 Health Care.....	23
2.3 Education.....	25
2.4 Overcrowding Conditions .....	26
<b>3. Study Case of Casa Circondariale di Roma Regina Coeli .....</b>	<b>30</b>
<b>4. Conclusion.....</b>	<b>37</b>
Bibliography.....	38

## List of Abbreviations

ASL	Azienda Sanitaria Locale
BPTP	Basic Principles for the Treatment of Prisoners
CCNL	Contratto Collettivo Nazionale di Lavoro
CC Regina Coeli	Casa Circondariale Regina Coeli di Roma
CRPD	Convention on the Rights of Persons with Disabilities
ECHR	European Convention on Human Rights
ICCPR	International Covenant on Civil and Political Rights
ICRC	International Covenant of Red Cross
OHCHR	Office of the United Nations High Commissioner for Human Rights
SMRs	UN Standard Minimum Rules for the Treatment of Prisoners
UDHR	Universal Declaration of Human Rights
UN	United Nations
UNODC	United Nations Office on Drugs and Crime
VO.RE.CO.	Volontari Regina Coeli

# 1. Legal doctrines establishing prisoners Human Rights

The development of Human Rights throughout the years has improved the living condition of humans, more specific in this case of prisoners. In the most recent years, prisoners are not classified as criminals and the penitentiary system is not a mechanism to isolate them from the society. In fact, detainees are people that need to be rehabilitated and reintroduced in the society. Because of this, the environment inside of the penitentiary system should have the features of an ordinary society: basic rights should be guarantee, such as the right of work, health and education. Moreover, the imprisonment should never deprive people from their dignity as human beings.

## 1.1 The Concept of Dignity

The use of prison system as punishment has existed since early societies and it can be connected to the rise of the state as a form of social organization. Among the ancient civilizations, Romans were one of the firsts to use prisons as a way of punishment, rather than only for detention. Different types of structures were used to detain prisoners: metal cages, basements of public buildings, and quarries were common ways of detention.<sup>4</sup> “Punishment by long periods of confinement is a relatively modern phenomenon. Originally detainment was to induce payment of fines or to hold someone awaiting trial, banishment or execution.”<sup>5</sup> Individuals who were categorized as a threat to the society, they could be deprived of their personal freedom for an indefinite and long period. “The use of imprisonment as a direct punishment of

---

<sup>4</sup> Lopes, Jenna, "There's Got to Be a Better Way: Retribution vs. Restoration" (2002). All Volumes (2001-2008). 116.

<sup>5</sup> *Ibid.*

the court was introduced to Western Europe and North America in the 18th century.”<sup>6</sup> The main scope of having prisons as a method of legal punishment in today’s western societies is to detain human beings until the end of their legal process. “They might be waiting to go on trial, or for execution or exile, or until a ransom, a fine or a debt is paid.”<sup>7</sup> According to analysis by the United Nations Manual Training for Prison Officials, the use of imprisonment as a legal punishment is a practice that has been gradually adopted by most countries. However, each country, along with their local culture, has its own vision about prison systems and the treatment of human beings. The core element that differentiate each culture from one another regarding the imprisonment of human beings is the level of importance that a society gives to human dignity. However, human dignity is a concept vague enough to raise a few issues, ideological or political. Indeed, the aim of this paper is also to analyze the rights of prisoner and how they are recognized and their effective implementation in Europe, more specifically in Italy. Because of this, it is important to know how prisoners are protected by human rights. Indeed, once the accused is found guilty and incarcerated, he or she already lose their right of freedom. However, the concept of human dignity is not acquired by merit and is not lost by demerits, basic human rights should always be guaranteed in any case by the State.

The concept of Human Rights has indeed achieved a fundamental role when involving the sphere of Human dignity. “Human Rights represent the most effective response yet devised to a wide range of standard threats to human dignity that market economics and bureaucratic states have made nearly universal across the globe. Human Rights today remain the only proven effective means to assure human dignity in

---

<sup>6</sup> “Human Rights and Prisons – Manual on Human Rights Training for Prison Officials,” *United Nations and the Rule of Law*, 2005

<sup>7</sup> *Ibid.*

societies.”<sup>8</sup> However, even though the perception of dignity and human rights was already known in the mid-50s, it was solidified only during the first half of the 20th century, when “dignity” has been adopted by the legal system. For instance, “several countries in Europe and the Americas incorporated the concept of dignity [during the first three decades of the 20th century] in their constitutions: in 1917 Mexico; in 1919 Weimar Germany, and Finland; in 1933 Portugal; in 1937 Ireland; and in 1940 Cuba.”<sup>9</sup> As mentioned before, the introduction of the dignity concept in the International Human Rights level came together with The Universal Declaration of Human Rights in 1948. In fact, it can be noticed in the introduction section: “[w]hereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world”, and also later: “[w]hereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedoms”. Moreover, the concept of dignity of Human Rights is mentioned again in Article 1: “[a]ll human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.’ Furthermore, Article 22 apply the approach of dignity on the right of social security: “[e]veryone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and

---

<sup>8</sup> Donnelly, Jack. "The Relative Universality of Human Rights." *Human Rights Quarterly* 29, no. 2 (2007): 281-306. <http://www.jstor.org/stable/20072800>.

<sup>9</sup> Christopher McCrudden, "Human Dignity and Judicial Interpretation of Human Rights," *The European Journal of International Law* Vol. 19 no. 4, (2008)

the free development of his personality.” This can be considered as a guidance to the recognition of human rights and dignity not only as a general concept, but it can be considered an input to categorize the concept of basic right in more specific sections, such as the *Basic Principles for the Treatment of Prisoners* (BPTP) adopted and proclaimed in 1990. According to Art.1, “All prisoners shall be treated with the respect due to their inherent dignity and value as human beings.”<sup>10</sup> It is possible to notice that the first article of the BPTP allocates human rights and dignity on a horizontal line, which objective is to include every section of the society, without exceptions.

## **1.2 Universal Declaration of Human Rights (UDHR)**

The use of the concept of dignity and human rights of prisoners has been acquiring a significant role within the society as a basic principle of individuals thanks to the UN Charter in 1945, the Universal Declaration on Human Rights in 1948, and the German Basic Law following in 1949.<sup>11</sup> The Universal Declaration of Human Rights proclaims that "recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world."<sup>12</sup> Moreover, the UN Covenants on Civil and Political Rights, and on social and economic rights, state that "these rights derive from the inherent dignity of the human person."<sup>13</sup> It is interesting to analyze and compare two different points of view about human dignity and human rights: the German idea of dignity role in the society, as a representative of Europe, and the American one. On the one side, Germany had significant influence by the presence of the influential philosopher Immanuel Kant

---

<sup>10</sup> “Basic Principles for the Treatment of Prisoners,” *United Nations Human Rights Office of the High Commissioner*

<sup>11</sup> Moyn, Samuel (2014) "The Secret History of Constitutional Dignity," *Yale Human Rights and Development Journal*: Vol. 17: Iss. 1, Article 2

<sup>12</sup> UN General Assembly, "Universal Declaration of Human Rights,"

<sup>13</sup> “International Covenant on Economic, Social and Cultural Rights,” *United Nations Human Rights Office of the High Commissioner*

and his theories. Kant is in fact considered “a key figure in a modern transition from social and political systems based on honor to those based on dignity.”<sup>14</sup> The scholar Giovanni Bognetti, who identified Kant as the father of the contemporary concept of dignity, interprets the concept of Kant’s dignity as “man is a morally autonomous being, who as such deserves respect and must never be treated, in general and especially by the law, as only a means to contingent ends but always (also) as an end in himself.”<sup>15</sup> According to Kant, the progress of human dignity can be achieved only by giving “an equal and unconditional worth grounded in moral autonomy.”<sup>16</sup> On the one side, according to Bayevsky, the idea of human dignity in Germany was not only influenced by the theories of Kant, but also by historical events that had a global impact. In fact, it is important to take in consideration Germany because of the consequences after the Holocaust. Their idea before and after this catastrophic event had a significant impact on the idea of human dignity and they spread the importance of defending this concept in an international level. In fact, even though it is a slow procedure, the conception of dignity has been evolving in the last few decades, reaching a global level of importance “offering judicial guidance for the protection of basic values”<sup>17</sup> being incorporated in constitution and international treaties.<sup>18</sup> On the other side, Moyn claims that tragic historical events are not the key for significant changes within the society, such as the original meaning of constitutional dignity. More specifically, he believes that the crucial moment of change is not after a war or a genocide, but it is actually before it happens.<sup>19</sup> However, it is important to remember

---

<sup>14</sup> Bayefsky, Rachel. (2013). Dignity, Honour, and Human Rights: Kant's Perspective. *Political Theory*. 41. 809-837.

<sup>15</sup> *Ibis*.

<sup>16</sup> *Ibis*.

<sup>17</sup> Moyn, Samuel (2014) "The Secret History of Constitutional Dignity," *Yale Human Rights and Development Journal*: Vol. 17: Iss. 1, Article 2

<sup>18</sup> Eberle, Edward J., "The German Idea of Freedom" (2007). *Roger Williams University School of Law Faculty Papers*. 13.

<sup>19</sup> Moyn, Samuel (2014) "The Secret History of Constitutional Dignity"

that German constitution is anchored in the architectonic value of human dignity<sup>20</sup>. In fact, according to Art.1 of German constitution human dignity is a fundamental principle which government and citizens must give respect. Art.1, paragraph 1, states that “Human dignity shall be inviolable. To respect and protect it shall be the duty of all state authority.” The German constitution of dignity meet differences with the American constitution, which aims to liberty as representative of the country. In fact, the American code believes that the liberty of individual choice and thus, protecting individual freedom is a right that should not be violable. “While the idea of dignity serves as the foundation of constitutional rights in Europe and elsewhere, American lawyers generally derive their basic principles from the ideas of equal protection and due process.”<sup>21</sup> However, in order to understand the difference between human dignity and individual freedom, it is necessary to analyze the concept of individual freedom. In fact, freedom is something that American citizens had always been proud of, but what is the limit of individual freedom? How it is possible to delimitate the thin line of personal freedom and how hard it is to not cross that line? The concept of freedom is vague and can change according to the subjectivity of the involved actors, because of this it is very difficult to define what is freedom of individuals and its limits and it is culturally relative. In fact, “as historian Eric Foner has shown, freedom has always been a contested concept in the United States. In different eras, it has taken on different meanings.”<sup>22</sup> Nowadays, as Katrina vanden Heuvel argues in her article *A new definition of freedom in America*, “freedom in today’s America requires making our diversity a strength, not fanning fears of immigrants and foreigners. It means defending the equality of women and the personal freedoms and rights that have been won

---

<sup>20</sup> Eberle, Edward J., "The German Idea of Freedom" (2007).

<sup>21</sup> Moyn, Samuel (2014) "The Secret History of Constitutional Dignity"

<sup>22</sup> Katrina vanden Heuvel, "A new definition of freedom in America," *Washington Post*, June 9, 2015



through great struggle, not succumbing to a backlash against them.” However, individual freedom might violate the dignity of others. See for instance cases of hate speech, which are part of the sphere of individual freedom but at the same time it might hurt the dignity of individuals or even of a bigger section of the society. How it is possible to fully guarantee individual freedom without affecting human dignity of others? There is any way to conciliate human dignity and individual freedom in order to have a balanced society? It is a hard goal to achieve, but the progress has been real throughout the decades. The role of the Catholic Church has a significant influence in the sphere of human dignity, especially when it includes the dignity of prisoners. In fact, they aim to support prisoners rather than segregate them from the society. Any chance of redemption by the prisoners would be in vain if they would be excluded from the Catholic Church in the first place. The Catholic Church has a significant role in requiring basic human rights from the government. For instance, Cardinal Vincent Nichols of Westminster insists on a prison reform with a specific change on the return of prisoners in the society. In fact, he believes that in order to be efficient, the prison system should be able to reintegrate the ex-convict in the society and to eliminate any chance to be back in jail. Cardinal Nichols not only worries about the rehabilitation after the release from prison, but he also cares about the condition of prisoners within the prison itself. As Cardinal Nichols said, “People in prison have done wrong. In many cases they have caused great suffering. Yet they still have the same dignity as every other man, woman or child.”<sup>23</sup> Moreover, “the cardinal also reflected on the failings of the prison system and society. Communities have a responsibility to ensure humane conditions in prison. Communities must also help those who have left prison and ensure

---

<sup>23</sup> “Cardinal Nichols reminds Catholics: prisoners are part of the Church too,” *catholicnewsagency*, Sep 7, 2016

that they are not stigmatized and rejected in a way that leads them back to crime and gangs.”<sup>24</sup> He is not the only component of the Catholic Church that fight to guarantee basic rights to prisoners. In fact, Pope Francis defended the rights of prisoners during a speech in 2004. “All Christians and people of goodwill are called today to fight not only for the abolition of the death penalty be it legal or illegal, in all of its forms, but also for the improvement of prison conditions in the respect of the human dignity of those who have been deprived of freedom.”<sup>25</sup> He not only highlighted the opposition of the Church to capital punishment, but he also condemned inhumane prison conditions, and attempted to fix social problems with incarceration and improve human condition within the system.

### **1.3 The UN Standard Minimum Rules for the Treatment of Prisoners (SMRs) and Mandela Rules**

For instance, the right of dignity and the right of security of person are basic human rights that should always be respected. However, States do not always do it. Because of this, in 1955 the United Nations adopted the Standard Minimum Rules for the Treatment of Prisoners (SMRs); the main objective of the adoption of the Minimum Rules by the UN is to be a guideline in order to set up limits that should not be crossed in order to guarantee basic rights, specifically to prisoners in this case. According to the *Preliminary Observation 1* of the SMRs, “the following rules are not intended to describe in detail a model system of penal institutions. They seek only, based on the consensus of contemporary thought and the essential elements of the most adequate systems of today, to set out what is generally accepted as being good principles and

---

<sup>24</sup> *Ibis*.

<sup>25</sup> Jenkinns, Jack. "Pope Francis's Radical Defense Of Prisoners' Rights," *ThinkProgress*, Oct 24, 2014

practice in the treatment of prisoners and prison management.”<sup>26</sup> The consent of binding obligations upon states arise a feeling of threat and generates insecurity, which can provoke deterrent violence between states. Because of this, states avoid ratifying treaties, to not lose their sovereignty and not be bound. However, even though the Minimum Rules does not have the power to bind states because it was not arranged as a treaty, the SMRs have been a universal example regarding the recognition of minimum standards for the treatment of prisoners, and it had a significant importance in the international level a guide and as a source of inspiration for the implementation of domestic legislations. After the introduction of the Human Rights and dignity concept in a legal level, this humanitarian approach started to globally spread and to acquire importance in the international level. In fact, the UN provided a non-binding guideline in international level with the aim to protect individuals held in custody by the State.

“The UN Standard Minimum Rules for the Treatment of Prisoners (SMRs) were initially adopted by the UN Congress on the Prevention of Crime and the Treatment of Offenders in 1955, and approved by the UN Economic and Social Council in 1957.”<sup>27</sup> The objective was to have a guide with basic principles in order to provide standards of a humanitarian living conditions of prisoners. In fact, the document includes themes such personal hygiene, medical services, religion freedom, food among a list of significant priorities for a prisoner. After almost 60 years, The Standard Minimum Rules for the Treatment of Prisoners were revised after almost 60 years, in 2015. During the final meeting in Cape Town in March 2015, the UN General Assembly agreed to name the revised SMRs the Nelson Mandela Rules<sup>28</sup> to

---

<sup>26</sup> The United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules)

<sup>27</sup> The United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules)

<sup>28</sup> Muntingh, Lukas. "The Mandela Rules: A diplomatic success but will they lead to better care of SA prisoners"

honor the legacy of Mandela, who spent 27 years in prison as a political prisoner in deplorable conditions. The main reason for this revision was the improvement in the human rights sphere since 1957. In fact, since “the Rules were a key standard for the treatment of prisoners globally and were widely used”<sup>29</sup>, the revision has been developing since 2010, following the major developments to guarantee a complete guide line. “The Standard Minimum Rules are often regarded by states as the primary – if not only – source of standards relating to treatment in detention, and are the key framework used by monitoring and inspection mechanisms in assessing the treatment of prisoners.”<sup>30</sup> Even though Mandela Rules, such as the previous SMRs, is a non-binding guideline, it still has a direct influence in the international level. The main objective with the Mandela Rules is to awake knowledge about the importance of eliminating any kind of violence in the prison system and to guarantee dignity to citizens in every circumstance. However, it is not only useful for prisoners, but as the PRI Executive Director emphasized on January 15th, 2016, “the revision is in the interest of both prisoners and prison administrations. Modern notions of prison management have been recognized and prison administrations can now go to one reliable and authoritative source for information and guidance on good prison management.”<sup>31</sup>

#### **1.4 The International Covenant on Civil and Political Rights (ICCPR)**

On March 23rd, 1976, The International Covenant on Civil and Political Rights (ICCPR) entered into force.<sup>32</sup> As mentioned before, Human Rights has been improving and adapting according to the different condition of prisoners throughout the decades.

---

<sup>29</sup> "UN Nelson Mandela Rules (revised SMR)." Penal Reform International.

<sup>30</sup> *Ibis*.

<sup>31</sup> "Historic update of international prison standards by the UN," *Penal Reform International*.

<sup>32</sup> International Covenant on Civil and Political Rights (OHCHR), *Interpretation of Human Rights*

Moreover, movements had put some effort in the last fifty years to improve prisoner's lives. However, the quality of life and the probability of having an adequate "social rehabilitation" has diminished. The author demonstrates how the lack of attention by human rights activists towards prisoners had not been "planned or deliberate".<sup>33</sup> In fact, according to Article 10 of the International Covenant on Civil and Political Rights (ICCPR), states should guarantee that "all person deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person".<sup>34</sup> Moreover, in the same Article 10 it is possible to find also a passage that claims that "the penitentiary shall furnish treatment of prisoners the essential aim of which shall be their reformation and social rehabilitation".<sup>35</sup> The ICCPR improved the theme of human rights, especially of prisoners. Firstly, Article 10 claims that: "All persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person."<sup>36</sup> Secondly, Section 2 (a) of Article 10 requires a distinction in prison between those individuals who are waiting for their trial and those who have already been convicted of any crime. Thirdly, Section 2 (b) of Article 10 promotes a distinction between juveniles and adults' prisoners. Finally, Section 3 of Article 10 highlights distinctions between the rehabilitation of the prisoners and the punishment. Finally, Article 7 claims that: "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his free consent to medical or scientific experimentation."<sup>37</sup> The

---

<sup>33</sup> Drinan, Robert F., *The mobilization of shame: a world view of human rights*, New Haven, CT: Yale University Press, 2002.

<sup>34</sup> International Covenant on Civil and Political Rights (OHCHR), *Interpretation of Human Rights*

<sup>35</sup> *Ibis*.

<sup>36</sup> *Ibis*.

<sup>37</sup> *Ibis*.

stipulation of the Covenant aimed to support prisoners' rights, and all those individuals deprived by their liberty by the State such as psychiatric hospitals for instance.

### **1.5 The Convention on the Rights of Persons with Disabilities (CRPD)**

The intention throughout the years and the knowledge acquired was to thin the funnel and to have an adequate guideline for every different situation. In fact, the Convention on the Rights of Persons with Disabilities (CRPD) was implemented. On March 30th the CRPD had 160 signatures.<sup>38</sup> According to the report of the Convention, "This is the highest number of signatories in history to a UN Convention on its opening day."<sup>39</sup> The intention of the CRPD is to protect rights and dignity of individuals with disabilities. It is an international human right treaty of the UN with the objective to assure rights and dignity to citizens with disabilities. The Convention is a completion of previous struggle conducted by the UN to preserve human rights of individuals with disabilities. With the implementation of this Convention, those individuals should be equally treated among the citizens. In particular, Article 13 present the access to justice for individuals with disabilities: "States Parties shall ensure effective access to justice for persons with disabilities on an equal basis with others, including through the provision of procedural and age-appropriate accommodations, in order to facilitate their effective role as direct and indirect participants, including as witnesses, in all legal proceedings, including at investigative and other preliminary stages."<sup>40</sup> It is also important to highlight the importance that the Convention gives to an appropriate training of public officers. In fact, in Article 13 Section 2, the Convention claim that: "In order to help to ensure effective access to justice for persons with disabilities, States Parties shall promote appropriate training for those working in

---

<sup>38</sup> Convention on the Rights of Persons with Disabilities (CRPD)

<sup>39</sup> *Ibis*.

<sup>40</sup> United Nations, Division for Social Policy and Development Disability

the field of administration of justice, including police and prison staff.”<sup>41</sup> It is important to understand how important is the role of the police and the prison staff and how an appropriate training could make the procedure more efficient and effective without violating human rights. The CRPD had positive reactions in Europe. In fact, the Convention is the “first international legally binding instrument setting minimum standards for rights for people with disabilities, and the first human rights convention to which the EU has become a party.” This means that the EU as well as those Member States that are parties to the UN Convention are committed to upholding and protecting the rights of persons with disabilities as enshrined in the UN Convention.

### **1.6 European Convention of Human Rights (ECHR)**

In addition, “human dignity, freedom, democracy, equality, the rule of law and respect for human rights – these values are embedded in the EU treaties.”<sup>42</sup> The role of the European Union is to be strongly committed in protecting and promoting human rights worldwide. “Human rights are at the very heart of EU relations with other countries and regions. Promoting human rights work can help to prevent and resolve conflicts and, ultimately, to alleviate poverty.”<sup>43</sup> In 2007 Europe pursued on its purpose to guarantee Human Rights, in particular to prisoners with disabilities. The European Convention of Human Rights drafted in 1950 established the recognition in Europe of Human Rights of prisoners in an international level and made a step ahead in order to prevent torture and degradation in the treatment of the prisoners. It is important to notice that regional human rights protections and universal ones have the same function of determining limits on the power of governments on their citizens. European and International protection of human rights are not only similar in the content, but they

---

<sup>41</sup> *Ibis*.

<sup>42</sup> “Protecting fundamental rights within the EU,” *European Union*.

<sup>43</sup> *Ibis*.

were also created with a short amount of time between one and another. In fact, they were both established after 1945 because of the massive violations of basic rights before and during World War II. “This filled what were major gaps in the coverage of *both* domestic and international law.”<sup>44</sup> However, it is important to analyze not only the similarities, but also the differences between the two legal systems. In fact, according to Stephen Gard Baum, there are some potential differences between the regional system of human rights and the international one. The main difference is their methods of enforcement. Because of this, “while the tremendous growth in the number of constitutional and other courts exercising various powers of judicial review and compulsory jurisdiction over their governments has led to the recent coining of such terms as ‘juristocracy’ and ‘juridification’, international human rights courts with similar powers remain the exception rather than the rule, especially at the global level.”<sup>45</sup> However, the main goal of both entities is to deter future people to commit crimes against humanity, and because of this, even though they might have gaps in their jurisdictions, their existence is a step towards the accomplishment of their task.

According to Article 3 of the European Convention of Human Rights, “the State must ensure that a person is detained in conditions which are compatible with respect for his human dignity, that the manner and method of the execution of the measure do not subject him to distress or hardship of an intensity exceeding the unavoidable level of suffering inherent in detention and that, given the practical demands of imprisonment, his health and well-being are adequately secured by, among other things, providing him with the requisite medical assistance...”<sup>46</sup> A significant progress has been right after the establishment of the European Court of Human Rights. In fact, in 2005,

---

<sup>44</sup> Gardbaum, “Human Rights as International Constitutional Rights.”

<sup>45</sup> *Ibis*.

<sup>46</sup> *European Court of Human Rights*.



the Deputy Secretary General of Council of Europe, Gabriella Battaini-Dragoni, made a powerful speech of the 65th anniversary of the Convention. She claimed that:

The adoption of this Treaty [Convention for the Protection of Human Rights and Fundamental Freedoms] was Europe's way of guaranteeing the political and civil liberties that had been written into the Universal Declaration of Human Rights two years earlier. Indeed, it was a way to ensure the common understanding of the rights and freedoms upon which, as stated in the Declaration, freedom, justice and peace depend. In the last 65 years the Convention has achieved a great deal. It has rid us of the death penalty and outlawed torture. It has enshrined fundamental freedoms in the legal systems of 47 countries. Liberties such as freedom of expression, assembly, thought and religion, as well as the right to privacy, fair trial and equality before the law.<sup>47</sup>

Unfortunately, the European Court of Human Rights condemned Italy often for violating the major rights that the State should guarantee according to its Constitution. In most cases, the violations involved the situation of Italian prisons because of their inhuman conditions due to overcrowding. This issue was the center of debates until the intervention of the Constitutional Court in 2007 appealing to Art.10, which affirms that the Italian Government has the duty to accomplish the rules of international law generally recognized. According to the ECHR, Italy was responsible of the degrading conditions of its prisoners related to mass prison beatings cases, such as the Saba vs. Italy case. In fact, on July 1st, 2014, the ECHR accused Italy of violating Article 3 of the European Convention of Human Rights, which prohibits torture, inhuman and

---

<sup>47</sup> "The Role of the European Court of Human Rights for the Protection of Human Rights."

degrading treatment. The case was related to an Italian prison in Sassari, Sardinia, where back in 2000 a prisoner received injuries and humiliating treatment. “It resulted in 90 people being placed under investigation, ranging from prison officers and officials to prison police officers.”<sup>48</sup> In fact, a significant progress has been made thanks to the leading role of Europe on the recognition of the Human Rights. On March 1st, 2002, The European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment came into force. According to the Council of Europe, “The Convention provides for the setting up of an international committee empowered to visit all places where persons are deprived of their liberty by a public authority. The committee, composed of independent experts, may make recommendations and suggest improvements to strengthen, if necessary, the protection of persons visited from torture and from inhuman or degrading treatment or punishment.”<sup>49</sup> All information gathered during a visit is strictly confidential and can be only exceptionally used in cases of national defense and public safety. The confidentiality allows States to maintain their authority and power. It would be a threat to states if other states would have the power to be in contact with its own domestic issues.

### **1.7 Europe vs. Italy**

Along with all this international development towards the recognition of Human Rights, Italy also joined the progress. In fact, on January 1st, 1948 the new Italian Constitution became effective, after being assigned to a commission of 75 members to elaborate and discuss about the changes to be made. After these changes, the rights of the citizens were considered inviolable by the State. In fact, according to Article 2 of the Italian Constitution, “The Republic recognizes and guarantees the inviolable rights

---

<sup>48</sup> ECTHR: Italy Guilty of Degrading Treatment

<sup>49</sup> *European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment.*

of the person, both as an individual and in the social groups where human personality is expressed.”<sup>50</sup> According to Art.2, rights linked to citizens are inviolable and absolute. The recognition of the individual's rights is the base of the recognition of all the different branches of the society. In fact, when we analyze the international development of Human Rights, it is possible to identify that the necessity of specific laws evolved along the history, depending on the different necessities of the States. In fact, the first paragraph of Art.3 insist on the equal treatment of the citizens: “All citizens have equal social dignity and are equal before the law, without distinction of sex, race, language, religion, political opinion, personal and social conditions.”<sup>51</sup> After the reform of the Italian Constitution, the State had the full responsibility and duty to guarantee human dignity to its citizens.

The progress in the international and European level had a significant impact also within the national level. Governments had to change their national jurisdiction in order to adapt to the international standard. For instance, the Italian State has not only obligations towards its own government, but also towards The Council of Europe. In fact, it can be useful to analyze the Case of Torreggiani to understand the role of Europe in a national jurisdiction, such as the Italian one. The “Case of Torreggiani and Others v Italy” in 2013 deals with the Art. 3 of the European Convention for the Protection of Human Rights and Fundamental Freedoms about the prohibition on torture or inhuman and degrading treatment. In specific, the applicants of this case were accusing the Italian government for not respecting the European norms within the context of prison overcrowding. Two Italian prisons, in Piacenza and Busto Arsizio, were reported to not conceding human rights to their inmates. They were accused to not

---

<sup>50</sup> *Constitution of the Italian Republic.*

<sup>51</sup> *Constitution of the Italian Republic.*

provide sufficient space in cells to their prisoners. According to the case summary of Torregiani, two prisoners were kept together in cells of 9sq. m in size, which results in 3 sq. m for each prisoner. One of the main cause of the lack of space reported by the applicants is a direct result overcrowding condition in the Italian prison system. In fact, it was considered such a dangerous issue that a national state of emergency was issued by the Italian Prime Minister in 2010.<sup>52</sup> Since overcrowding condition was considered an issue involving many Italian prisons, the case was considered an important case for many other prisons that were affected by the same issues. On the one side, it was confirmed by the Prime Minister that prisons in Italy have been suffering from the lack of sufficient space due to overcrowding conditions. On the other side, the Italian Government claimed that conditions had been improved by extending the space inside the cells from 9 sq. m to 11 sq. m. However, they had no proof of this allegation. In fact, it was demonstrated that prisoners were allotted in 3 sq. m. for each one, and because of this, Art. 3 was being violated and government's arguments have been rejected considering the lack of proofs. Moreover, since overcrowding conditions were affecting many of Italian prisons, the ECTHR applied the Pilot Judgment procedure, which is a "procedure is aimed at dealing with large numbers of repetitive cases stemming from the same structural issues in a state by only ruling on one test case and using it to produce requirements which the state ought to meet in order to avoid the need to hear all similar cases."<sup>53</sup> The final decision of the court was to concede Italy one year to develop effective solutions in order to provide sufficient and adequate space for prisoners within the Italian territory.

---

<sup>52</sup> European Court of Human Rights, 'The Court calls on Italy to resolve the structural problem of overcrowding in prisons, which is incompatible with the Convention' (2013) Press Release issued by the Registrar of the Court, ECHR 007 (2013) 08.01.2013

<sup>53</sup> Costas Paraskeva, 'Human Rights Protection Begins and Ends at Home: The 'Pilot Judgment Procedure' Developed by the European Court of Human Rights' (2007) Nottingham Law School.

The impact of Torregiani case was positive. In fact, the direct impact was a change in the Italian legislation with the intention of reducing the overcrowding condition. For instance, “amending its early release laws, shortening some sentences and relying more heavily on methods such as house arrest and electronic bracelets”<sup>54</sup> were the main changes within the Italian system. Torregiani Case can be considered as an example where the Council of Europe had a real impact on a national level, in this case on the Italian level, which main purpose was to improve human conditions in a massive level. I will further discuss what measures the Italian Ministry of Justice adopted in order to avoid overcrowding conditions, in particular how the Prison of Regina Coeli in Rome works in order to follow the European directives after Torregiani Case.

### **1.8 Italian Constitution**

It is necessary to analyze the Italian Constitution and its changes throughout the decades to have a clear vision about the Italian standards involving the prison system administration. In 1975, the Italian Penitentiary Reform between Security and Treatment Needs caused a significant change regarding the vision of the social function of the prison system. In particular, it is important to highlight the most important change: according to Article 27, Section 3 of the Italian Constitution, “Punishment cannot consist in treatment contrary to human dignity and must aim at rehabilitating the offender.” The objective of the penitentiary system after the reform is not to punish the ones who does not follow the law, but the aim is the "re-education" of the condemned in order to have an efficient reintegration into society. “In the reform context, punishment loses its main value as repression of crimes, and undertakes the “collective

---

<sup>54</sup> Ministry of Justice (Italian Republic), 'Progress of the Action Plan Submitted to the Department for the Execution of Judgements of the ECHR' (2014) April 3.

responsibility” which leads the individual to violate the criminal law, witnessing the positive obligation that the State has put in act for his reintegration into society.”<sup>55</sup> Moreover, most part of the changes within the Italian Constitution regarding prisoner treatments recalls principles already mentioned by the Standard Minimum Rules for the Treatment of Prisoners. For instance, regarding the Rules Applicable to Prisoners Under Sentence implemented by the SMRs, now called Mandela Rules, n.61 claims that:

“The treatment of prisoners should emphasize not their exclusion from the community, but their continuing part in it. Community agencies should, therefore, be enlisted wherever possible to assist the staff of the institution in the task of social rehabilitation of the prisoners. There should be in connection with every institution social workers charged with the duty of maintaining and improving all desirable relations of a prisoner with his family and with valuable social agencies. Steps should be taken to safeguard, to the maximum extent compatible with the law and the sentence, the rights relating to civil interests, social security rights and other social benefits of prisoners.<sup>56</sup>”

It is possible to notice the importance that n.61, such as the new Italian legislation, gives to the inclusion of the prisoners in the society, rather than inclusion. In fact, another main change of the Italian Penitentiary System Reform concerns the flexibility of the punishment after being sentenced: the sentence can be reduced according to the good behavior of the detainee according to prison rules. Good conduct time is measured with the actual behavior of the detainee while he is incarcerated. The more the prisoner is collaborative with the environment, such as with prison officers, educators and other

---

<sup>55</sup> Esposito, Maurizio. "The Rehabilitation Role of Punishment in Prisons in Italy. Theoretical Development

<sup>56</sup> "Standard Minimum Rules for the Treatment of Prisoners," United Nations High Commissioner for Human Rights (UNHCHR)

detainees, the more probability the prisoner must receive a sentence reduction.

Therefore, with the implementation of Article 27 Section 3 in the Italian Constitution, not only all the treatments categorized as "contrary to the sense of humanity" are illegal and against the Italian Constitution, but it is legally necessary for the prison facility to provide concrete instruments for the prisoner to exercise all the fundamental rights guaranteed by the Constitution, such as the right to work, health and education. Of course, the rights guaranteed must be compatible to the security standards of custody.

## 2. Empirical Study of Italian Penitentiary System

As mentioned before, the Italian Penitentiary System is now based on the education and reintroduction of the prisoner in the society. Because of this, the three main aspects that represent a solid base of a citizen are: work, health care and education. These three are the core elements that contribute in the reintroduction of the prisoner in the society.

### 2.1 Right to Work

Prison work is one of the fundamental aspect for the reintegration in the society of the detainee. Because of this, the new legislation within the Italian Constitution has always been given an attention to this element. Before the new legislation, work for prisoners was strictly punitive. In fact, the R.D. 18/06/1931 n. 787 configured the work as an integral part of the sentence. The convicts, considered to be deprived of any ability to act, had the obligation to work in the various productive activities organized in the prison institutes: there was no proportion between the quantity and quality of the work performed with respect to remuneration, they had no right to any insurance protection and social security. However, on January 1st, 1948, a change in the Italian legislation had a significant impact on the concept of penal sanction. In fact, the detention, which had merely a scope of repression and affliction of the sanction, turned to be a tool with the objective of rehabilitation of the condemned. Because of this, the work is intended as a re-educational and non-punitive instrument, and the worker is therefore guaranteed minimum rights and protections.

Moreover, the right to work is not only a basic right that should be guaranteed within the society outside of the prison system, but it is a useful tool that can be used as a normalizing and corrective function for detainees. In fact, work in prison has assumed a connotation of an instrument aimed at stimulating a positive change in the life of the



detainee. Because of this, according to Art. 15 of the current Italian penitentiary order<sup>57</sup>, work is guaranteed to detainees, except for cases in which the security of prisoners themselves and all the people in contact could be in risk.

Apart from particular cases in which the work is impossible, prison work keeps prisoners away from the negative consequences of idleness, favors their rehabilitation treatment, and offers them the opportunity to earn money, useful to satisfy their needs and subsidize the family. The remuneration is provided based on the quantity and quality of work performed, not less than 2/3 of the economic treatment envisaged by the Contratto Collettivo Nazionale di Lavoro (CCNL). Of course, detainees are obliged to reimburse the state for the costs of keeping him in prison. In fact, our law requires the reimburse of the costs of the maintainment of prisoners, which are partially paid by themselves, as by law they are required to pay the state a monthly amount that is called "maintenance fee". The Department of Penitentiary Administration, with Circular GDAP-PU-0298924 of 7 September 2015<sup>58</sup>, informed the directors of prisons and regional administrators that the amount of maintenance in prison charged to the prisoner increased to 3.62 euros per day with a total of 108,6 euros per month. Because of this, part of the proceeds of the prison labor are withheld by the administration, while the remaining part of the income can be used to buy determined goods regulated and provided by the administration, and to fulfill other needs or obligations, such as providing means of support for the family or paying debts for fines.

## **2.2 Health Care**

According to Art. 32 of the Italian Constitution, health is a “fundamental right of the individual.”<sup>59</sup> It is necessary to distinguish the two main groups inside a prison

---

<sup>57</sup> <http://www.ristretti.it/areestudio/giuridici/op/opitaliano.htm#ART15>

<sup>58</sup> [http://www.ristretti.it/commenti/2015/settembre/pdf4/spese\\_mantenimento.pdf](http://www.ristretti.it/commenti/2015/settembre/pdf4/spese_mantenimento.pdf)

<sup>59</sup> Costituzione Italiana, Art. 32.

system who will require a medical support. The first group, those prisoners who are healthy and does not present any infectious diseases, demand the right to maintain their health condition. The second group includes all those prisoners who present diseases. The major part of this group are usually individuals who present physical and psychological effects of drug addiction, including HIV-positive. Therefore, the dignity of the human person requires the state powers to guarantee an appropriate right to health in prison through the maximum possible efforts.

Because of this, the Italian Penitentiary Regulation includes some provisions established with the aim of safeguarding the right to health. According to Art. 32 of the Constitution, the right to health is a necessary treatment for its protection and is guaranteed to every person. The right of a good health and health care, including the right to psycho-physical integrity, the right to health treatments and self-determination, the right to a healthy environment, must be guaranteed to citizens by the state, including the section of the population in prison. According to Art.11 of the Italian Penitentiary Order states that every prison institute should be is “equipped with a medical service and a pharmaceutical service that meets the prophylactic and health care needs of prisoners and inmates and it also requires the presence of at least one specialist in psychiatry.”<sup>60</sup> However, even though the penitentiary system has the duty to guarantee health care to detainees, measures of prevention and treatments can be refused by the detainees themselves. In fact, according to Art.32 Section 3, the concept of freedom of choice is implicated regarding the freedom of refusing therapies. The right to refuse the therapies or health check-ups is the negative implication of the right to health claims and the freedom of the individual. In fact, there is a form of inconsistency within the law. On the one hand, Art. 32 states that "nobody can be

---

<sup>60</sup> La tutela della salute nell'Ordinamento Penitenziario, (Legge 345 del 26 luglio 1975)

obliged to a specific health treatment, except by law"<sup>61</sup>, and at the same time, even in this case “the law cannot under any circumstances violate the limits imposed by respect for the human person.”<sup>62</sup> In this way, absolute priority is given to the right of individual self-determination in the medical field: except for the mandatory and exceptional cases prescribed by law, the doctor can not intervene without consent or in spite of dissent of the patient. This could be a controversial problem when, for legal reasons, people are forced to live closed to each other 24 hours a day.

In fact, nowadays in Italy there is a health emergency in prison, with 6,500 HIV-positive inmates, 5,500 with serious mental disorders, very serious discomforts, deaths due to overdose and lack of adequate assistance. Because of this, the responsibility of providing the adequate structure and employees is now up to the Regions, the Municipalities, the A.S.L. and the penitentiary Institutes. Their main objective is to reconstruct the pieces of a mosaic that returns to the detainees, to the detained citizens, like free citizens, the same right to health with a provision of prevention, diagnosis, treatment and rehabilitation, effective and appropriate.

### **2.3 Education**

In most cases, detainees are people with low basic skills. In Italy in recent years there has been an increase in foreign prisoners, with little or no knowledge of Italian, representing a significant part of the almost 60,000 inmates registered in our territory in 2017. Studies demonstrate that education in the prison system plays a fundamental role in promoting social rehabilitation and reintegration, and that there is a direct correlation between the percentage of participation in educational initiatives and the decrease in the rate of recidivism. Because of this, the Italian Penitentiary System is expected to

---

<sup>61</sup> Costituzione Italiana, Art. 32.

<sup>62</sup> *Ibis*.

guarantee a school program for detainees. The school courses begin parallel to the external ones, with the same scholastic program, starting from the first year up to the fifth, and several prisoners are able to obtain the diploma. Bringing the school to prison is equivalent to bringing the culture where ignorance has often reigned undisturbed. Moreover, most prisoners do not bring with them an acceptable cultural baggage, but they only training school they had is the street, with delinquency. Because of this, educating prisoners offers the opportunity to those who have never had the opportunity to learn new perspectives of life through their studies, opportunities to improve themselves. The school is also an important point of re-socialization, thanks to the people who in prison come only to work, like the teachers, who always work without prejudice, thus giving the best lesson of life that a human being can receive. Moreover, education in prison is not only learning what is written on books, but also, through volunteers and teachers, understanding that life is made with sacrifices and knowing that the rules must be respected regardless of our desires, if you want to be part of a civil society.

## **2.4 Overcrowding Conditions**

As a direct effect of the overcrowding condition in Italy, the number of foreign prisoners increases according to the total number of prisoners. According to statistics, “this problem becomes even more acute when considering the fact that in many Italian prisons the number of foreign inmates exceeds the number of the Italians detainees. Jails in Milan and Vicenza, for example, more than 60% of inmates are foreign, while in the mountain territories of Trentino Alto Adige and Valle d’Aosta, the proportion reaches nearly 70%.”<sup>63</sup> Of course, with a growth of foreign inmates, the chance to have

---

<sup>63</sup> Francesco Alicino, “Prison and Religion in Italy. The Italian Constitutional Order Tested by a New “Religious Geography,” *Diritti Comparati*, January 28, 2016.

a more differentiated cultural sphere increase as well. However, it is ambitious to give priority to religion freedom when the Italian government still find difficulties to guarantee appropriate living conditions with basic needs to prisoners. In a place where basic human conditions are not guaranteed, such as living conditions, legal aid, poor hygiene, medical care and other rights drop in a second level; for instance, the freedom to exercise a personal religion is not considered when the right to appropriate food and shelter cannot be assured. “Tens of thousands of people are forced to live for extended periods in congested accommodation, with insufficient space to move, sit or sleep. This seriously compromises the ability of the administration to fulfil detainees’ basic needs in terms of living conditions, medical care, legal aid and family visits.” However, even though overcrowding condition can be avoided, it is not only a matter of the prison system itself, but it includes external factors that are involved within the prison jurisdiction. “It therefore cannot be addressed only at the level of prisons but requires a holistic and coordinated response from a broad range of authorities, including at the policy level and in society at large.”<sup>64</sup> In fact, freedom of religion is a right that is indirectly connected with other rights that involve external factors, not only the internal administration. For instance, each religion has its own rules and customs regarding ordinary diet, and it should be noticed that there is no regulation regarding the nutritional regime in Italy. However, “the jurisprudence of the Constitutional court and the Court of Cassation has affirmed that the respect for specific diets should be considered a direct expression of religious freedom.”<sup>65</sup> Because of this, prisoners should have access to food according their religion. According to this statement, the Italian prison system “shall be organized, as far as possible, to allow detainees to

---

<sup>64</sup> “Handbook on strategies to reduce overcrowding in prisons,” United Nations, New York, 2013.

<sup>65</sup> Francesco Alicino, “Prison and Religion in Italy. The Italian Constitutional Order Tested by a New “Religious Geography,” *Diritti Comparati*, January 28, 2016.

practice their religion and follow their beliefs, which implies to feed themselves based on some religious rules.”<sup>66</sup> However, as mentioned before, freedom of religion, such as other human rights, involve other external factors that influence the outcome of the condition of prisoners. In fact, condition in prison systems rely on the economic support by the government, and without this incentive it is difficult to have a real improvement. For instance, what are the political reasons to make investments to improve prisoners’ rights? A potential reason to make investments on prison systems could be the necessity to reduce crime. But how it can be related with the improvement of rights through economic investment? It has been demonstrated that prisoners that receive an appropriate treatment with dignity can reduce the percentage of crime. Hate feeling and dissatisfaction decrease, and the process of reintegration becomes easier if the environment inside the prison system resemble how the society works outside the prison system.

Even though the concern of this paper about the condition of prisoners developed after a prison riot that took place in a Northern Region of Brazil, lack of appropriate living conditions within prisons systems is an issue that has been affecting a significant number of prisons worldwide during the last decades. I will focus in Italy, and I will analyze the progress that evolved throughout the years in terms of safety and security, and rights of prisoners. “There are about 10.000.000 prisoners in the world, most of whom are finally sentenced. The Prison population rate per 100,000 inhabitants is 112.6 In Italy, 127.7, in Europe, 156 in the World.”<sup>67</sup> Overcrowding condition in Italy has substantially improved. Thanks to alternative measures to detention, the number of prisoners has significantly decreased (by as much as 14,763 persons). Even

---

<sup>66</sup> *Ibis*.

<sup>67</sup> “Prisoners in the Italian Penal Institutions,” *Istat - Istituto nazionale di statistica*, December 18, 2012.

though overcrowding condition in Italy has significantly changed in a positive direction, the government still need to improve its conditions to ensure fully rights to detainees. Unfortunately, the condition of prisons system in Italy change according to the geographic location; the northern regions in Italy better conditions, while the southern ones have more logistic problems, usually connected to the number of detainees versus the effective space that they can arrange. “Overcrowded prisons are a problem. There are 146 prisoners for 100 places. The worst situation is in Puglia (182 prisoners for 100 places), the best one is in Trentino Alto Adige (72).”<sup>68</sup>

---

<sup>68</sup> *Ibis*.

### 3. Study Case: *Casa Circondariale di Roma “Regina Coeli”*

After an overview of the development of Human Rights throughout the decades and the analysis of the Italian Penitentiary System, I would like to take in consideration the System of Casa Circondariale di Roma “Regina Coeli” because of the recent experience of a training period that I had in the prison system in the last month. The period to obtain the permit to visit the prison system was long. From May to October 2017 numbers of agreements and permits had to be signed and review by the Ministry of Justice in order to visit the prison institute.

During the last month I had the chance to have six visits in the intern of the prison system. Thanks to the Director Dottoressa Valentini, it was possible to have the support of different specialists of different areas working at Regina Coeli, and because of this, to have a concrete idea of how the prison system works. However, it is necessary to know that there is a distinction between “casa circondariale” and “casa di reclusione”, which are the two main types of penitentiary systems present in Italy. On the one hand, the Circondariale is a type of Precautionary Institute, a Penitentiary Institute in which there are mainly subjects waiting for their trial, precautionary custody and individual with sentences of less than five years or with a residual sentence of less than five years. On the other hand, the Casa di Reclusione, also called Casa di Pena, is a type of institution for the execution of sentences assigned by the judge. In this last case the sentence is usually longer, and the administration is different from the casa circondariale, because the type of needs is different and the period of treatment of detainees are longer, hence the reintroduction in the society is more difficult.

The two main prison system in Rome are the Casa Secondarily di Roma Regina Coeli, with only male prisoners, and “Polo Penitenziario di Rebibbia”, which includes four penitentiary institutes: Casa di Reclusione, Casa Circondariale, la Casa a custodia



attenuata - Terza Casa Rebibbia (only for detainees with drug addiction), and La Casa Circondariale Femminile (for female prisoners). In this case, the CC Regina Coeli has an ancient structure date back to 1654 when it was a religious monastery until 1870 when it was adapted to a penitentiary system.<sup>69</sup> The structure, although restructured, remains the major limit for the livability of the institute. The space is limited and there is always at least one department closed for restructuration reasons and inaccessible for security reasons. More recently, renovations have improved the overall appearance of the rooms, greater hygiene.

During the first visit with the one of the educators, it was possible to have a real vision of main concerns of detainees. In fact, the main objective of the educators is to take care of the journey of the detainee, since they are convicted until the release. The amount of work that they have to confront is very delicate: they have the responsibility of every aspect of their life inside of the prison. The request of permits of extra visits, calls and e-mails, or a solicitation to be transferred in another penitentiary institution. There are currently 14 educators at C.C. Regina Coeli, each one is established in a determined section, usually more than 2 in each section, and they have a determined group of detainees to attend. The first visit was very significant for me, because since the first moment I had the chance to talk with some detainees and listen their concerns and their histories. Most part of them have a disrupted family scenario, usually involving drugs since the early childhood. Actually, 90% of the detainees that I had the chance to talk with have been sentenced because of drug related crimes. Some of them were caught with a large quantity of drugs, others were accused of armed robbery because they needed money to buy drugs, and some others, usually immigrants who

---

<sup>69</sup> "Casa circondariale 'Regina Coeli,'" Schede trasparenza istituti penitenziari – 2017, *Ministero della Giustizia*.

could barely speak in Italian, were accused of dealing drugs. First of all, a specific case about a detainee sentenced for possession of illegal drugs shocked me the most. He told us that his father died for overdose when he was very young, and his mother's partner had addiction from heroine. He started using hard drugs when he was 10: hashish, cocaine and heroin were part of his daily routine. After a long term of drug abuse, with physical and psychological addiction, at the age of 3, he robbed money from a pharmacy with the intention of buying drugs and, because of this, he is now serving a prison sentence of two years. It is possible to notice that since his early childhood, this person had significant and thorny problems do deal with: being in contact with hard drugs since the youngest age is not an appropriate environment for a child.

Unfortunately, this is not the only case in which the entire family is involved with drugs and criminality. In fact, most part of the detainees have been sentenced more than once and they usually have relatives in other penitentiary institutes. Moreover, they usually ask help to educators to be inserted in some rehabilitation program in order to cure their drug addiction. However, the problem that some of them mentioned, is the vulnerable moment of when they are released: they usually live in neighborhood of Rome in which there is a high rate of criminality. Furthermore, drug dealers are their closest friends and it is easy to fall into temptation and to break the law again. In fact, they were arguing that the most difficult part of being sentenced is not the time that you spend in jail, but the moment that you are released: they told me that even the most common things, such as crossing the road, are scaring. They feel physically sick and they feel scared about everything around them. This is another reason why they are prompted to commit another crime, life in prison feel safer and it is difficult to have a reintroduction of the prisoner in the society. In these cases, the presence of educators and the assistance of a psychologist is necessary. Of course, because of the freedom of the

individual, the request of extra assistance must be solicited by the prisoner himself, otherwise the administration and the specialists cannot intervene.

During the following visits it was possible to listen to other cases and to see how the administration of C.C. Regina Coeli deals with all the requests and the approval of transfer between one prison system to another. As you can imagine, bureaucracy is always involved, and it is a crucial element when involving requests. However, even though the solicitation, the approval and the submit is a long procedure and requires time, I noticed that the procedure at Regina Coeli is not long. Usually, detainees who ask to be transferred in another penitentiary institute are relocated in the new place within two weeks. Of course, the facility that Regina Coeli has to satisfy this kind of requests is because, as mentioned before, not only the space is limited and they cannot deal with an overcrowding situation, it is a “casa circondariale” and detainees are usually moved to another institutes when the sentence is too long. It was interesting to know how the administration deals with overcrowding condition. The Command Department has a database in which there is a continuous supervision: every 30 minutes, the database receives a systematic calculation of the number of detainees in every prison cell. After the Torreggiani Case, the limit is three prisoners for each cell and the CC Regina Coeli is required to follow the Italian Jurisdiction. Because of this, the number of prisoners should never exceed the expected limit. In fact, the penitentiary inspector explained me that all the internal relocation has to be complete without overlaps. For instance, if a detainee must be moved to another cell where there are already three detainees, he will be waiting with a penitentiary police officer outside while the other prisoners is removed and relocated in another cell. If the prisoner is moved before to the new cell before removing the third individual, the monitor in the database send a red alert in the monitor and the penitentiary system receive a

notification. Until November 2017, the number of detainees is of 962 prisoners, whereas the expected number of prisoners is 907; however, even though the current number of detainees exceeds the expected limit, CC Regina Coeli is still not considered an emergency situation, considering the constant monitoring that does not allow to exceed three detainees for cell. It is important also to consider the improvement that the CC of Regina Coeli is making through the years. In fact, in October 2012 the number of detainees was about 1.044.<sup>70</sup> Nowadays, since the most overcrowding years, the administration is managing to not reach 1000 detainees and to establish a limit around the current number. The recent overcrowding condition is also a direct result of the emergency over immigration present in Italy. In fact, 482 detainees out of 962 are immigrants. In fact, according to the VO.RE.CO. Association, which offers moral and material support to prisoners, “since the 90s, the majority of prisoners confined to the penitentiary in Trastevere are foreigners from all over the world. Their massive presence is linked to the phenomenon of immigration, which sees Rome as a point of support for at least 25% of the entire foreign population present on the Italian territory.”<sup>71</sup>

However, even though there is a significant presence of foreigners’ detainees, the difference of cultures does not create disagreement between the detainees. In fact, they not only found an equilibrium to live together and share personal space, but they also find a good compromise to work together. For instance, while visiting the jail kitchen, it is possible to notice how Italians and foreigners work together with a single scope: to prepare food for the inmate population. The penitentiary police officer told me that there is a good relationship between the prisoners themselves and between the

---

<sup>70</sup> “Regina Coeli, sovraffollamento e degrado,” *la Repubblica*, 27 febbraio 2017

<sup>71</sup> “Prima accoglienza,” *Vo.Re.Co.*

prisoners and the police officers. The most recent hired workers rely on the training from not only the police officers, but also from those workers who already know the procedures and the rules of the job. As a consequence, this mechanism of reciprocity develops a sense of community, promoting respect for work and colleagues, training the inmates for life outside the prison. It was interesting also to know that Regina Coeli support the requirements not only of a balanced diet, but they also support the requirements of specific religions. In fact, they have a daily schedule which, according to the present number of prisoners and their specific requests, indicates the number and the type of food that need to be prepared in that determined day. A large number of Muslim detainees is present at Regina Coeli, and they all have a specific dietary diet and they have also the right to celebrate the Ramadan. The police officer present in the jail kitchen explained me that there are exceptions regarding the food distribution during the month of Ramadan: inmates receive milk, water and food after sunset directly in their cells.

Another important meeting that I had in CC Regina Coeli was with Padre Vittorio Trani. He is being the chaplain of the prison system for the past 25 years, and he is also the Founder and current president of Vo.Re.Co. Onlus founded in 1978. Since 1972 he has worked as a chaplain in Roman prisons: the first three years in Rebibbia, then since 1978 he has the pastoral care of the CC Regina Coeli. He believes that “whatever the story that led the man behind bars, he always remains a person with his rights and his dignity.”<sup>72</sup> In fact, the main objective of his association is not only to help prisoners with the material support, but also with moral one. In fact, most part of the detainees feel the necessity to talk with someone, to be treated as a human being, and not as a marginalized of the society. The overwhelming majority of prisoners are

---

<sup>72</sup> Trani, Vittorio, and Giovanni Prandini, “Tra il serio e il faceto,” Roma: Herald, 2003.

people who already defeated in their life. Even though family visits are essential for the treatment of the prisoner, and the administration of the CC Regina Coeli cares about the importance of a human contact during their sentence, it is not easy. Usually, their relatives are also in prison, or it is difficult for them to reach the penitentiary institute for many reasons, and it becomes more problematic to maintain a real and significant human contact. Because of this the moral help of the volunteers is necessary in their journey, their help cannot be replaced by any other professional of the area. Of course, there are also prisoners who commit crimes because of their own will, but most of them come from difficult realities. The marginalized are usually poor people, drug addicted, alcoholics, foreigners, and AIDS patients. A significant number of individuals are imprisoned because they get lost in their lives and the criminality seems to be the only solution in their journey.

Because of this, nowadays, the role of the educators is essential to have an efficient re-integration of the detainee in the society. However, it is not an easy task. External factors are the main influence in someone's life, and when the everyday reality of an individual is degrading and without hope, it is easier to give in to temptation. Moreover, it is important to highlight that not only specialists who are in direct contact with detainees are the only ones responsible for their good outcomes. In fact, everyone, in their own role, should commit himself to do the maximum so that these social realities improve from every point of view. Politicians and administrators can make a significant change to improve the laws and conditions of life of prisoners. They have a very delicate and demanding task and they should never forget it.

## 4. Conclusion

After this project, I believe that the most important lesson to remember is that prisoners are human beings and they should not never, in any case be deprived of their dignity and rights. As Yury Fedotov, the Executive Director of UNODC claimed: “In our efforts to make societies more resilient to crime and to promote social cohesion, we cannot disregard those in prison. We must remember that prisoners continue to be part of society, and must be treated with respect due to their inherent dignity as human beings.” The progress throughout the decades have been significant, and the concern about the condition of the prisoner and its reintegration in the society is becoming every time more powerful. In Italy, with the participation of the EU, the condition of prisoners is improving. Overcrowding conditions are rarer, and the monitoring is more efficient, basic rights such as work, health care and education are guaranteed. Thanks to the visits at the CC of Rome Regina Coeli it was possible to be involved in first person with the ordinary activities in the penitentiary system, and also to understand how it feels to be in touch with such particular environment. It was not easy to listen to all those detainees, bagging for any kind of help to educators. I believe that trying to solve a problem already stabilized is not easy. However, trying to prevent the poverty within the population, mostly through the incentivization of education and work, would be a better solution. However, as mentioned before, the reintegration of the prisoners is not only a task assigned to the penitentiary systems; external factors involve life of detainees at 360 degrees, and because of this, every section of the society should collaborate to eliminate poverty and create a more engaged society.

## Bibliography

- Alicino, Francesco. 2016. "Prison And Religion In Italy. The Italian Constitutional Order Tested By A New "Religious Geography" \* - Diritti Comparati". *Diritti Comparati*. <http://www.diritticomparati.it/prison-and-religion-in-italy-the-italian-constitutional-order-tested-by-a-new-religious-geography/>.
- "Basic Principles For The Treatment Of Prisoners". 1990. Basic Principles Treatment Of Prisoners, United Nations Human Rights.
- Bayefsky, Rachel. 2017. "Dignity, Honour, And Human Rightspolitical Theory - Rachel Bayefsky, 2013". *Journals.Sagepub.Com*. <http://journals.sagepub.com/doi/abs/10.1177/0090591713499762>.
- "Brazil Plans Jails Overhaul After Riot". 2017. *BBC News*. <http://www.bbc.com/news/world-latin-america-38525872>.
- "Cardinal Nichols Reminds Catholics: Prisoners Are Part Of The Church Too". 2017. *Catholic News Agency*. <https://www.catholicnewsagency.com/news/cardinal-nichols-reminds-catholics-prisoners-are-part-of-the-church-too-91751>.
- "Convention On The Rights Of Persons With Disabilities (CRPD) | United Nations Enable". 2017. *Un.Org*. Accessed December 12. <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html>.
- "Convention On The Rights Of Persons With Disabilities (CRPD) | United Nations Enable". 2017. *Un.Org*. Accessed December 12. <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html>.
- Costas Paraskeva, 'Human Rights Protection Begins and Ends at Home: The 'Pilot Judgment Procedure' Developed by the European Court of Human Rights' (2007) Nottingham Law School, available: <https://www.nottingham.ac.uk/hrlc/documents/publications/hrlcommentary2007/pilotjudgmentprocedure.pdf> accessed 30 October 2015.
- Direzione Generale Delle Risorse Materiali, Dei Beni E Dei Servizi Ufficio Contratti Di Lavori Forniture E Servizi*. 2015. Ebook. Dipartimento Dell'Amministrazione Penitenziaria. [http://www.ristretti.it/commenti/2015/settembre/pdf4/spese\\_mantenimento.pdf](http://www.ristretti.it/commenti/2015/settembre/pdf4/spese_mantenimento.pdf).
- Donnelly, Jack. 2007. "The Relative Universality Of Human Rights". *Human Rights Quarterly* 29 (2): 281-306. doi:10.1353/hrq.2007.0016.
- Drinan, Robert F. *The Mobilization of Shame: A World View of Human Rights*. Yale University Press, 2001. <http://www.jstor.org/stable/j.ctt32btw5>.



- Echr Finds Italy Guilty Of Degr Ading Treatment Without Adequate Judicial Remedy In Mass Prison Beatings Case*. 2014. Ebook. State Watch.  
<http://www.statewatch.org/analyses/no-251-italy-prisons-final.pdf>.
- Eberle, Edward J., "The German Idea of Freedom" (2007). *Roger Williams University School of Law Faculty Papers*. 13. [http://lsr.nellco.org/rwu\\_fp/13](http://lsr.nellco.org/rwu_fp/13)
- European Convention On Human Rights*. 2017. Ebook. Strasbourg: Council of Europe. Accessed December 12.  
[http://www.echr.coe.int/Documents/Convention\\_ENG.pdf](http://www.echr.coe.int/Documents/Convention_ENG.pdf).
- European Court of Human Rights, 'The Court calls on Italy to resolve the structural problem of overcrowding in prisons, which is incompatible with the Convention' (2013) Press Release issued by the Registrar of the Court, ECHR 007 (2013) 08.01.2013.
- "Handbook On Strategies To Reduce Overcrowding In Prisons". 2017. *Unodc.Org*.  
[http://www.unodc.org/documents/justice-and-prison-reform/Overcrowding\\_in\\_prisons\\_Ebook.pdf](http://www.unodc.org/documents/justice-and-prison-reform/Overcrowding_in_prisons_Ebook.pdf).
- Heuvel, Katrina. 2015. "A New Definition Of Freedom In America". *The Washington Post*, 2015. [https://www.washingtonpost.com/opinions/a-new-definition-of-freedom-in-america/2015/06/09/b545da2c-0e1d-11e5-adece82f8395c032\\_story.html?utm\\_term=.229a9bc8287a](https://www.washingtonpost.com/opinions/a-new-definition-of-freedom-in-america/2015/06/09/b545da2c-0e1d-11e5-adece82f8395c032_story.html?utm_term=.229a9bc8287a).
- "Historic Update Of International Prison Standards By The UN - Penal Reform International". 2015. *Penal Reform International*.  
<https://www.penalreform.org/news/10071/>.
- Human Rights And Prisons: Manual On Human Rights Training For Prison Officials*. 2017. Ebook. New York and Geneva, 2005: United Nations.  
<http://www.ohchr.org/Documents/Publications/training11en.pdf>.
- "Human Rights - European Union - European Commission Protecting Fundamental Rights Within The EU". 2017. *European Union*. Accessed December 12.  
[https://europa.eu/european-union/topics/human-rights\\_en](https://europa.eu/european-union/topics/human-rights_en).
- "Human Rights As International Constitutional Rights". 2008. *Ejil.Org*.  
<http://ejil.org/pdfs/19/4/1660.pdf>.
- "International Covenant On Civil And Political Rights Adopted And Opened For Signature, Ratification And Accession By General Assembly Resolution 2200A (XXI) Of 16 December 1966 Entry Into Force 23 March 1976, In Accordance With Article 49". 2017. *Ohchr.Org*. Accessed December 12.  
<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CCPR.aspx>.

- Lopes, Jenna, "There's Got to Be a Better Way: Retribution vs. Restoration" (2002). All Volumes (2001-2008). 116. [https://digitalcommons.unf.edu/ojii\\_volumes/116](https://digitalcommons.unf.edu/ojii_volumes/116)
- McCrudden, Christopher. 2008. "Human Dignity And Judicial Interpretation Of Human Rights". *European Journal Of International Law* 19 (4): 655-724. doi:10.1093/ejil/chn043.
- Ministry of Justice (Italian Republic), 'Progress of the Action Plan Submitted to the Department for the Execution of Judgements of the ECHR' (2014) April 3, available: [http://www.ristretti.it/commenti/2014/aprile/pdf7/piano\\_governo.pdf](http://www.ristretti.it/commenti/2014/aprile/pdf7/piano_governo.pdf) accessed 30 October 2015. See also Decree Law no. 78/2013 and Law no. 10/2014.
- Moyn, Samuel (2014) "The Secret History of Constitutional Dignity," Yale Human Rights and Development Journal: Vol. 17: Iss. 1, Article 2. Available at: <http://digitalcommons.law.yale.edu/yhrdlj/vol17/iss1/2>
- Muntingh, Lukas. 2016. "The Mandela Rules: A Diplomatic Success But Will They Lead To Better Care Of SA Prisoners? | Thought Leader". *Thoughtleader.Co.Za*. <http://thoughtleader.co.za/lukasmuntingh/2016/01/13/mandela-rules-a-diplomatic-success-but-will-they-lead-to-better-care-of-sa-prisoners/>.
- "OHCHR | International Covenant On Civil And Political Rights". 2017. *Ohchr.Org*. <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CCPR.aspx>.
- "Pope Francis'S Radical Defense Of Prisoners' Rights". 2014. *Thinkprogress.Org*. <https://thinkprogress.org/pope-franciss-radical-defense-of-prisoners-rights-259a96b3d8f8/>.
- "Regina Coeli, Sovraffollamento E Degrado C'è Posto Per 600 Detenuti, Ma Sono 1.044 - Roma - Repubblica.It". 2017. *Roma - La Repubblica*. [http://roma.repubblica.it/cronaca/2012/11/19/news/rapporto\\_antigone\\_sulle\\_cercheri\\_la\\_situazione\\_di\\_regina\\_coeli-47012582/](http://roma.repubblica.it/cronaca/2012/11/19/news/rapporto_antigone_sulle_cercheri_la_situazione_di_regina_coeli-47012582/).
- "ROMA - Casa Circondariale 'Regina Coeli'". 2017. *Giustizia.It*. [https://www.giustizia.it/giustizia/it/mg\\_data\\_view.wp?liveUid=2014DAPCAR D&Nome=UFF56877](https://www.giustizia.it/giustizia/it/mg_data_view.wp?liveUid=2014DAPCAR D&Nome=UFF56877).
- The United Nations Standard Minimum Rules For The Treatment Of Prisoners (The Nelson Mandela Rules)*. 2015. Ebook. ONUDC. [https://www.unodc.org/documents/justice-and-prison-reform/GA-RESOLUTION/E\\_ebook.pdf](https://www.unodc.org/documents/justice-and-prison-reform/GA-RESOLUTION/E_ebook.pdf).
- Trani, Vittorio, and Giovanni Prandini. 2003. *Tra Il Serio E Il Faceto*. Roma: Herald.
- "UN Nelson Mandela Rules (Revised SMR) - Penal Reform International". 2015. *Penal Reform International*. <https://www.penalreform.org/priorities/prison-conditions/standard-minimum-rules/>.

"UN Standard Minimum Rules For The Treatment Of Prisoners (SMR)". 2015. *Penal Reform International*. <https://www.penalreform.org/resource/standard-minimum-rules-treatment-prisoners-smr/>.

"UNODC Note On Rebellion In Manaus Prison". 2017. *Unodc.Org*.  
<https://www.unodc.org/lpo-brazil/en/frontpage/2017/01/unodc-note-on-rebellion-in-manaua-prison.html>.