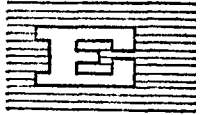
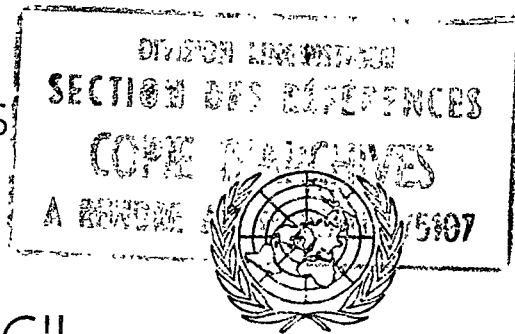


UNITED NATIONS
ECONOMIC
AND
SOCIAL COUNCIL



Distr.
GENERAL

E/CN.4/1386
6 February 1980

ENGLISH
Original: SPANISH

COMMISSION ON HUMAN RIGHTS
Thirty-sixth session
Agenda item 10

QUESTION OF THE HUMAN RIGHTS OF ALL PERSONS SUBJECTED
TO ANY FORM OF DETENTION OR IMPRISONMENT

Note dated 6 February 1980 from the Permanent Mission of the
Republic of Cuba to the United Nations Office at Geneva
addressed to the Division of Human Rights

The Permanent Mission of the Republic of Cuba to the international organizations based in Switzerland presents its compliments to the Division of Human Rights and has the honour to append the final report of the First International Symposium on Penal Systems held in Havana, Cuba, from 19 to 24 November 1979.

The Permanent Mission of Cuba requests the Division of Human Rights to have this report distributed as an official document of the thirty-sixth session of the Commission on Human Rights under item 10 of the Commission's agenda: "Question of the human rights of all persons subjected to any form of detention or imprisonment".

FIRST INTERNATIONAL SYMPOSIUM ON PENAL SYSTEMS

DRAFT
FINAL REPORT

A. INTRODUCTION

1. The Preparatory Committee for the First International Symposium on Penal Systems organized the Symposium in Havana with the aim of fostering an exchange of experiences among the bodies concerned with this question in the countries invited to send representatives.
2. The Symposium was held in Havana, Cuba, from 19 to 24 November 1979.

B. PARTICIPANTS

3. Representatives of the following countries took part in the Symposium: Algeria, Angola, Bulgaria, Cape Verde, Costa Rica, Cuba, Czechoslovakia, German Democratic Republic, Grenada, Guinea-Bissau, Hungary, Jamaica, Mexico, Mongolia, Mozambique, Nicaragua, Poland, Union of Soviet Socialist Republics, Viet Nam and People's Democratic Republic of Yemen. The Latin American Institute for the Prevention of Crime and the Treatment of Offenders was also represented. A number of guests also attended in a personal capacity.
4. A list of persons who attended the Symposium is appended.

C. OPENING OF THE SYMPOSIUM AND ELECTION OF THE OFFICERS

5. The Symposium was opened by Mr. Antonio Pérez Herrero, member of the Secretariat of the Central Committee of the Communist Party of Cuba.
6. The representatives of Algeria, the German Democratic Republic, Nicaragua and Viet Nam expressed best wishes for the success of the Symposium on behalf of the different geographical regions.
7. Mr. Enio Leyva Fuentes, Deputy Minister of the Interior of the Republic of Cuba, was unanimously elected Chairman of the Symposium.
8. Mr. Merad Benaouda, head of the Algerian delegation, was elected Vice-Chairman for Africa, Mr. Todor Dimitrov Ganchovski, head of the Bulgarian delegation, was elected Vice-Chairman for Europe, and Mr. Le Huu Qua, head of the Vietnamese delegation, was elected Vice-Chairman for Asia. All were elected by acclamation.

D. PROGRAMME

9. The Symposium programme included the following topics:

Main topic: Institutional treatment of prisoners and their reincorporation in society;

First subtopic: Political, scientific and technical training of prison officials;

Second subtopic: Organization and operation of scientific and technical institutions responsible for criminological research and the classification of prisoners.

E. DOCUMENTATION

10. Thirty position papers, prepared by the participating delegation and reproduced and distributed by the Preparatory Committee, were presented during the Symposium.

F. EXPRESSION OF THANKS TO THE ORGANIZING COMMITTEE

11. The participants expressed thanks to the Preparatory Committee for the hospitality extended to them and the facilities provided in order to make the Symposium a success.

G. SUMMARY OF PROCEEDINGS

12. The participants agreed that penal treatment should be based on respect for human dignity and oriented towards the social reeducation and rehabilitation of prisoners. It should, therefore, be implemented without any torture or cruel, inhuman or degrading treatment or punishment, as proclaimed in article 5 of the Universal Declaration of Human Rights. They denounced the existence of penal systems based on terror, cruelty and inhumanity such as are to be found in colonialist, neo-colonialist and fascist régimes and régimes which practise racism and racial discrimination.

13. Several participating delegations described in detail their countries' achievements in penal treatment, pointing out that they had gone beyond the requirements embodied in the Standard Minimum Rules for the Treatment of Prisoners adopted by the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders held in Geneva in 1955.

14. Some delegations stated that the economic difficulties inherent in the underdevelopment from which their countries were suffering, as a consequence of the colonialism, neo-colonialism, racism and racial discrimination to which they had been subjected, had so far thwarted their efforts to go beyond the Standard Minimum Rules.

15. Several delegations emphasized the value of the extensive participation in their countries of the community and social and mass organizations in the treatment of prisoners in assisting and supervising prison activities and contributing, through their work with released prisoners, to their more rapid and complete reincorporation in society.

16. The representatives pointed out that proper prison treatment required a solid, harmonious legal basis which would make it possible to attain the very humane objectives of the rehabilitation and reincorporation in society of persons who had broken the law and would encourage the participation of the various elements in society that should take an active part in the struggle against crime. They also considered it desirable that prison treatment should be based on effective education which would help prisoners to avoid the repetition of antisocial conduct. To that end prisoners should be incorporated in socially useful work and be given cultural and technical training and the possibility to practise sports and cultural and recreational activities within the context of an appropriate programme of incentives adapted to their behaviour during internment. It was also recommended that prison accommodation should be of

an appropriate standard and should permit the segregation of prisoners according to the classification system applied to them, together with an adequate level of security. It would be desirable for those prisoners who showed a constructive attitude in the course of prison treatment and who were seen to constitute less of a danger to society than formerly to be transferred to open centres where they could continue their rehabilitation process. The maintenance of relations between prisoners and their families and the rest of society was also deemed an important aspect of successful prison treatment.

17. The participants agreed on the need for scientific and technical training of prison personnel. They also placed great stress on the need to establish scientific and technical institutions to carry out studies, undertake criminological evaluations of prisoners and make suggestions and recommendations for treating them.

18. Using Symposium materials as a basis, the delegates considered that the prospects for improving penal systems were related to:

Subsequent improvement of legislation concerning the execution of sentences, with respect to both the organization of sentences and the actual serving of sentences (guaranteeing the most rational combination of basic correctional and reeducational methods, taking into consideration both the prisoner's personality and the seriousness of the crime, etc.);

Advanced political, technical and vocational training of cadres;

Broader application of such sciences as sociology, psychology and education in the correction and rehabilitation of prisoners;

More extensive participation of social and mass organizations in the work of rehabilitating prisoners;

Subsequent development of scientific research on problems relating to the correction and rehabilitation of prisoners.

19. It was also agreed that after-care should be considered as a continuation of the rehabilitation work done in prisons.

20. Lastly, the participants expressed the view that periodic expert meetings to promote an exchange of experiences and co-operation in prison matters could contribute to the development and higher quality of work in this field.

21. Mr. Jorge Montero, Director of the Latin American Institute for the Prevention of Crime and the Treatment of Offenders also made a statement on the topic covered by the Symposium.

22. During the Symposium, special addresses were made by a number of Cuban authorities, including Mr. Sergio del Valle Jiménez, Minister of the Interior, Mr. Armando Torres Santrayll, Minister of Justice, Mr. Francisco Varona Duque de Estrada, Vice-President of the People's Supreme Court, and Mr. Santiago Cuba Fernández, Attorney-General of the Republic.

23. During the Symposium audiovisual materials concerning a number of aspects of the penal systems of Cuba, Mexico and Viet Nam were projected.

24. Mr. Blas Roca Calderío, President of the National Assembly of People's Power of the Republic of Cuba, made the closing statement at the Symposium.

FIRST INTERNATIONAL SYMPOSIUM ON PENAL SYSTEMS

Official list of participants and foreign guests

Angola

Mr. ANIBAL AUGUSTO ESPIRITO SANTO

National Director of Planning and Assistance, Ministry of the Interior
(Head of delegation)

Mr. ANTONIO DOS SANTOS AGUIAR

Chief, National Department of Prison Services, Ministry of the Interior

Mr. LOPO FORTUNATO PEREIRA LOUREIRO

Director of Prison Establishments, Ministry of the Interior

Mr. ALBERTO ROSA DOS RAMOS

Section Chief, National Department of Prison Services, Ministry of the Interior

Mr. ANTONIO BILOLO DOS SANTOS NETO

Section Chief, Department of Planning and Assistance, Ministry of the Interior

Algeria

Mr. MERAD BENAOUADA

Inspector-General of the Ministry of Justice
(Head of delegation)

Mr. ABDICHE SAID

Chief Commissioner of Police

Chief, Executive Office of the Director-General of National Security

Bulgaria

Mr. TODOR DIMITROV GANCHOVSKI

Major-General, Chief of Prisons, Ministry of the Interior
(Head of delegation)

Professor KOSTADIN NIKOLOV LIUTOV

Secretary of the Legislative Council of the Council of State and Director of
the Institute of Jurisprudence of the Bulgarian Academy of Science

Mr. ZDRAVKO DIMITROV TRAIKOV

Vice President of the Scientific Methodological Council for Prison Questions
of the Ministry of the Interior

Mr. STEFAN CHELIEV

First Secretary of the Embassy of Bulgaria in Cuba

Cape Verde

Mr. ISILDO SILVA
Inspector of Police
(Head of delegation)

Mr. AMILCAR SPENCER LOPES
Public Prosecutor for the First-Class Region of San Vicente

Costa Rica

Mr. CARLOS ARGUEDAS LE FRANC
Deputy Minister of the Interior
(Head of delegation)

Mr. GERARDO VILLALOBOS DURAN
Director-General of Social Adaptation and Prevention of Crime,
Ministry of Justice

Mr. VICTOR M. VARGAS MENESES
Judge, Supreme Court of Justice

Mr. ENRIQUE CASTILLO BARRANTES
Adviser, Ministry of Justice

Mr. JOSE SANCHO BENITO
Adviser, Ministry of Justice

Cuba

Mr. ENIO LEYVA FUENTES
Brigadier-General, Deputy Minister of the Interior
(Head of delegation)

Mr. MEDARDO LEMUS OTAÑO
Colonel, Chief, Department of Prison Establishments, Ministry of the Interior

Mr. EDERMO CASTILLO RUIZ
Colonel, Deputy Chief, Political Department, Ministry of the Interior

Mr. FRANCISCO RODRIGUEZ MARCHANTE
Lieutenant-Colonel, Deputy Chief, Department of Prison Establishments,
Ministry of the Interior

Mr. RAFAEL CUZMAN OLVERA
Captain, Deputy Chief, Department of Prison Establishments, Ministry of the
Interior

Mr. MATIAS DORTA ABREU
Lieutenant-Colonel, Chief, Legal Office, Ministry of the Interior

Mrs. DULCE SALAS PRATS
Major, Legal Officer, Ministry of the Interior

Mr. SILVIO MEDINA MENENDEZ
Director of Training, Ministry of Justice

Czechoslovakia

Mr. GASPAR KUBEK
Deputy Minister of Justice
(Head of delegation)

Mr. MILOS STARY
Prison official

Guinea Bissau

Mr. FERNANDO HONORIO GOMEZ
Deputy Chief, Department of Criminal Investigation
(Head of delegation)

Grenada

Mr. PATRICK MACLEISH
Chief Superintendent of Prisons
(Head of delegation)

Hungary

Mr. TIBOR NAGY
Brigadier-General, Chief, National Office for the Execution of Sentences
(Head of delegation)

Mr. VINCE TAMAS
Lieutenant-Colonel, Chief, Department of Education, National Office for the
Execution of Sentences

Mr. DENES BAGI
Deputy Chief, Principal Department, Ministry of Justice

Mr. ANDOR PAL
Consul, Embassy of Hungary in Cuba

Mrs. ZSUZSANA FOGANY
Translator

Jamaica

Mr. EGBERT LEO GUNTHER, M.A., B.Sc.
Diploma in Public Administration, Permanent Secretary, Ministry of Justice
(Head of delegation)

Mr. DUDLEY ALLEN
Chief, Department of Correctional Services

Mexico

Mr. CESAR LECHUGA ROJAS
Director, Department of Crime Prevention and Social Rehabilitation,
Government of Mexico
(Head of delegation)

Mr. MARCIAL FLORES REYES
Deputy Director, Crime Prevention, Government of Mexico

Mongolia

Mr. DAMBUIN AMGALAR
Chief, Political Department, National Directorate of Prisons
(Head of delegation)

Mr. TSEDENGUIN SUJE-BATOR

Mozambique

Mr. JOSE CASTIANO DE ZUMBIRE
National Director, Rehabilitation Services
(Head of delegation)

Mr. EDMUNDO CARLOS ALBERTO
Inspector, Criminal Investigation Police

Mrs. LUCIA FERNANDA MAXIMIANO
Magistrate, Public Prosecutor's Department

Nicaragua

Mr. FRANCISCO DE ASIS FERNANDEZ
Director, National Prison System
(Head of delegation)

Mrs. GLORIA RUIZ
Senior Officer, Department of Political Education and Recreational Activities

Mr. CARLOS ULLOA
Senior Officer, Department of Construction and Remodelling

Mr. MANUEL GUTIERREZ HURTADO
Legal adviser

Mr. GILBERTO LACAYO BERMUDEZ
Engineer, Department of Construction and Remodelling

Poland

Mr. CZESLAW DOMINOWSKI
First Secretary of the Party, Ministry of Justice, member of the Directorate,
Ministry of Justice
(Head of delegation)

Mr. JULIUSZ PETRYKOWSKI
Colonel, Deputy Director of the Central Prisons Organization

Professor PIOTR WIERBICKI
Deputy Director, Institute of Legal and Court Research, Ministry of Justice.

Mr. JAN RODAK
Member, Embassy of Poland in Cuba

German Democratic Republic

Mr. HANS TUNNAT
Diploma in Social Science, Ministry of the Interior, Chief, Prisons Department
(Head of delegation)

Mr. DIETTER WINDERLICHE
Diploma in law, Section Chief, Prisons Department, Ministry of Justice

Mr. RUDOLF KOBLISCHKE, LL.D.
Section Chief, Ministry of Justice

Mr. STEFAN DORNIER
Member, Embassy of GDR in Cuba

Mr. JOHANSEN MUNZEL
Member, Embassy of GDR in Cuba

Miss MARION GERBER
Translator

Union of Soviet Socialist Republics

Mr. STANISLAV BORODIN
Major-General, Professor of Jurisprudence, Director, Higher Academy, Ministry
of the Interior, USSR
(Head of delegation)

Mr. NIKOLAI STRUCHKOV
Professor of Jurisprudence, Deputy Director, Scientific Research Institute
Ministry of the Interior, USSR

Mr. GADZHI SHAIDAIEV
Major-General, Candidate for degree of Doctor of Jurisprudence,
Director, National Institute for the Training of Senior Prison Officials,
Ministry of the Interior, USSR

Mr. PEDRO VASILIEV
Adviser

Mr. NIKOLAI JARKOV
Adviser

Mr. YURI RUDNIEV
Adviser

Viet Nam

Mr. LE HUU QUA
Major-General, Director of Prisons
(Head of delegation)

Mr. NGUYEN DUY XI
Colonel, Deputy Director of Prisons

Mr. NGUYEN DUC THANH
First Lieutenant, Official

Democratic Yemen

Mr. MOHAMED HUSSAN DAHROOG
Captain, Chief, Department of Investigation, Ministry of State Security
(Head of delegation)

Mr. SAEED FARIA TABII
Captain, Chief, Department of Prisons, Ministry of the Interior

Foreign guests

Mr. JORGE A. MONTERO
Director, Latin American Institute for the Prevention of Crime and the
Treatment of Offenders

Mr. MAROLD A. MAYERSON
Lawyer

Mr. IRA M. LOWE
Lawyer

Mrs. ROSA DEL OLMO
Sociologist, Professor of Criminology, Central University of Venezuela

Officers of the Symposium

Chairman

Mr. ENIO LEYVA FUENTES
Brigadier-General, Deputy Minister of the Interior, Republic of Cuba

Vice-Chairman

Mr. MERAD BENAOUADA
Inspector-General, Ministry of Justice, People's Democratic Republic of Algeria

Vice-Chairman

Mr. TODOR DIMITROV GANCHOVSKI
Major-General, Chief of Prisons, Ministry of the Interior, People's Republic
of Bulgaria

Vice-Chairman

Mr. LE HUU QUAT
Major-General, Director of Prisons, Socialist Republic of Viet Nam

Secretary

Mr. JULIO HEREDIA PEREZ
Member of the Preparatory Committee