

# Women in Prison: Serbia

Analysis from the National Preventive Mechanism

| September 2024



# Serbia



UNCAT Ratification	OPCAT Ratification
12 March 2001	26 September 2006
National Preventive Mechanism (NPM)	
Protector of Citizens (Ombudsman on Serbia), in cooperation with the ombudsperson's offices from the autonomous provinces and human rights associations	
NPM legal framework	NPM operationalisation
Law on Ratification of the OPCAT	Since 2011
NPM structure	NPM composition
Specific unit within the Protector of Citizens, in cooperation with 6 CSOs (cooperation agreements) and the Provincial Protector of Citizens – Ombudsman of AP Vojvodina	3 persons (2 women): Deputy Protector of Citizens and 2 staff members

## I. Facts and Figures

Prison population	Women in prison - Characteristics	Prisons for women
Total prison population	Foreign women	Total number of women's prisons
10,579	16	25
Women in prison (total)		Women-only prison <sup>1</sup>
437   4.13%		1
Women in pre-trial detention		Mixed prisons with special unit for women <sup>2</sup>
106		24
Source: <a href="#">Council of Europe's Annual Penal Statistics, 31 January 2023</a>	Source: <a href="#">Council of Europe's Annual Penal Statistics, 31 January 2023</a>	Source: <a href="#">National Preventive Mechanism, September 2024</a>

<sup>1</sup> Penal Correctional Institution in Požarevac, only for women serving a sentence.

<sup>2</sup> There are no pre-trial detainees in the Penal Correctional Institution for women in Požarevac. Women in pre-trial detention are placed in the pre-trial detention units of the institution for the enforcement of penal sanctions, according to the place where the court that ordered custody is located. In 24 prisons in Serbia there are pre-trial detention departments where women can be detained. Women in pre-trial detention stay separately from men, but usually those are not wings, but separate room. There are women wings in only few prisons.

## II. Recommendations

### Solitary confinement

- + The Penal Correctional Institution for women in Požarevac should enable women convicts to make contact with family members during the enforcement of the disciplinary measure of solitary confinement.

### Contact with the outside world

- + The Penal Correctional Institution for women in Požarevac shall allow children visitors to leave the visiting area before the woman convict they visited.

### Pregnant and nursing women and women with their children in prison

- + The Penal Correctional Institution for women in Požarevac should enable pregnant women, nursing mothers and women convicts with children to participate in work and other activities that are tailored to their needs and abilities, and should provide conditions for child care in the absence of immediate maternal care.

### LGBTIQ+ women

- + The Penal and Correctional Institution in Padinska Skela in Belgrade shall allow transgender women, at the time of intake at the Institution, to choose whether they will be searched and undergo a body inspection only by a male officer or whether they would undergo a combined search and body inspection in which those parts of a transgender woman's body which are female in appearance would be searched and inspected by a female officer, while the remainder of the body would be searched and inspected by a male officer, while ensuring that neither the male nor the female officer are present during the part of the search and body inspection of the transgender woman in which they do not participate.
- + Officers of the Penal and Correctional Institution in Padinska Skela in Belgrade should address transgender women as women, unless requested otherwise by the transgender woman concerned.
- + The Prison Administration should organise and implement training for the staff of penal institutions on the standards and principles of equality and non-discrimination with regard to sexual orientation and gender identity, which should include training on how to appropriately, efficiently and professionally communicate with lesbian, gay, bisexual, transgender and intersexual prisoners and how to identify and respond to their legitimate needs. The Prison Administration should conduct this training in cooperation with civil society organisations which have experience and relevant knowledge in protecting and improving the rights of LGBTIQ+ persons, with special focus on the rights of transgender persons.

## III. Detention Issues

### Body searches

Searches of women prisoners are conducted exclusively by women staff members of the Security Service. According to the internal search procedure, a detailed search must be performed upon admission and discharge and always when leaving and returning to the institution (use of benefits, escorts, etc.), before and after each visit, when changing the dormitory, before enforcing measures of



isolation (solitary confinement, segregation, etc.) and if the woman prisoner opposes a partial search.

In other cases, it is done only when it is considered necessary for security reasons. It is envisaged that the searches should be conducted by women officers and that a woman prisoner who is being searched must not be exposed to the views of third parties. Also, clothing items should be removed gradually, searched and then put back on, which ensures that the person being searched is not completely naked at any time and thus her dignity can be protected.

Acting on the NPM recommendation, the Penal Correctional Institution in Požarevac has revised the internal work instructions of the Security Service – Search Procedure, which now regulate the inspection of children who are located in the Institution with their mothers and those who come to visit their mothers in prison. Children are not searched in detail, but are examined primarily visually. Parents or guardians are asked to take out all the things that the child keeps with them, then the child goes through the door with an integrated metal detector. Searching of clothes is done only exceptionally, in case of suspicion that there are hidden objects with the child, and this is done by an official of the same gender as the child. Searches and touching of the child's body are excluded.

### Solitary confinement, isolation

From 9<sup>th</sup> July 2021, the internal procedure of the Penal Correctional Institution in Požarevac for women Security Service for the enforcement of the disciplinary measure of solitary confinement stipulates that, during the enforcement of the measure, the convict has the right to a controlled visit for 1 hour, to conduct telephone conversations in accordance with house rules and to carry out correspondence, as well as to use these rights separately from other convicts. The security service keeps records – a diary of enforcement of solitary confinement, in which all important events are recorded during the enforcement of the measure of solitary confinement, including the realization of these rights of the convicts under the enforcement of the measure.

Pregnant women and mothers with children are not sentenced to solitary confinement.

### Access to healthcare

During the examination at the admission to the detention centres, a detailed personal and family anamnesis is taken, as well as data on the existence of acute and chronic diseases, and the relevant hereditary diseases; data on pregnancies and births, data on the last menstruation, as well as data on addiction (smoking, alcoholism, drug addiction). In addition to the anamnestic data, data is also entered indicating that an adequate examination of the entire body had been performed, including the existence of tattoos or traces of injury.

During the initial medical assessment, information about previous pregnancies is always gathered, as well as about the current state of the menstrual cycle and, if necessary, a quick pregnancy test is performed. In all cases when a pregnant woman is admitted to the institution, she is tested for the presence of sexually transmitted diseases and, in accordance with the results, education programmes are conducted to prevent the transmission of the disease from mother to child.

The Institution employs two doctors and four full-time nurses, and they are all women. Under an employment contract, a gynaecologist is hired, also a woman, as well as a psychiatrist, a surgeon and a dentist, who are men. A psychiatrist is present at the Institution at least 4 times a month.

Women prisoners are provided with regular gynaecological and other examinations, as well as HIV tests. These examinations are announced and voluntary.

### Mental health

The Strategy for the development of the system of enforcement of penal sanctions for the period

2022–2027, as a special activity for the measure *Improvement of human rights of particularly sensitive groups of convicted persons*, stipulates the improvement of the situation of persons with mental health conditions through, among other things, organization and implementation of trainings for employees and management of institutions for the enforcement of penal sanctions regarding specific actions towards persons with mental health conditions that are serving a prison sentence.

Women prisoners who can be treated by a psychiatrist are not referred to specialised institutions. They are involved in regular psychiatric and psychological treatments, and they are also involved in group cognitive-behavioural work. Currently, 10 persons work in the Treatment Service (4 psychologists, 4 special pedagogues, 1 social worker and 1 sociologist).

The experience of previous victimisation is taken into account when making individual rehabilitation plans. There are programs for convicts that are gender specific, but also those that do not include a gender perspective. It has been noticed that job training programs are mainly based on gender stereotypes (tailoring course, gardening, pedicure and manicure). Computer courses represent progress and a way out of gender stereotypes related to women's occupations.

It is taken into account that all women with mental health conditions that can be kept under control go to regular treatments, just like other convicts. According to the Analysis of the [Strategy for the development of the system for the enforcement of penal sanctions](#), based on measures prescribed by the Strategy in the field of treatment and expansion of the number of activities for convicts, the project "Strengthening the capacity for training, education and employment of convicts" was implemented, which is funded by the European Union – IPA Fund 2013. The analysis showed that within this project, manuals for the implementation of new treatment programs were developed and 62 trainers were trained to implement treatment programs for persons serving a sentence and those in situations of vulnerability, including persons with psychosocial disabilities, for the purpose of their successful reintegration. Within the framework of Phase III of such project, new specialised treatment and reintegration programs were developed, including a program for empowering women, with special emphasis on victims of violence.

From time to time, certain associations conduct programs in prison that deal with the topic of gender-based violence. Members of the Security Service are mandated by an annual plan to go through the Suicide Prevention Program, which aims to raise the level of readiness of employees to detect early signs that can lead to suicide. Treatment officers work individually with women at risk of suicide.

### Contact with the outside world

The amended Procedure for conducting visits to convicted persons in the Penal Correctional Institution for women in Požarevac stipulates that child visitors leave the area where the visit is carried out before the women prisoners they visited.

#### Good practice: Video calls for women with children

Women serving a sentence who have children under 18 years old can also use video calls, in addition to phone calls and regular face-to-face visits. Considering that the Penal Correctional Institution for women in Požarevac is the only prison for women serving a sentence in Serbia, every visit can require considerable financial resources for family members, and not everyone can afford that, so a video call may be a substitute in some cases.

## Accommodation and food

The NPM commended the efforts and activities undertaken by the Administration for the Enforcement of Penal Sanctions and the Penal Correctional Institution for women in Požarevac in order to improve the accommodation conditions of women serving a sentence.

A new facility for semi-open regime has been built, which fully meets the modern standards of accommodation of persons deprived of their liberty. The facility has a capacity for about 160 people. The old pavilion was evicted and demolished, and the construction of a completely new pavilion for closed regime is underway, which will have the capacity to accommodate about 230 people, plus separation rooms.

## Life in prison: regime and activities

The NPM commended the measures taken by the Penal Correctional Institution for women in Požarevac to employ women prisoners. Namely, during the visit made in 2021, the NPM observed that in order to improve the conditions for the employment of women, works were carried out on the working facility and sewing machines and a greenhouse for flowers were procured. About 70% of women were employed, which was a big improvement compared to the previous period.

The following activities are available to women in prison:

- + Elementary school
- + Courses: sewing, hairdressing, manicure, pedicure, computers, English, flower growing;
- + Optional activities: art section, embroidery, sports activities, aerobics, pilates balls.

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## Prevention of violence

In cases of reporting violence against a woman prisoner on arrival or during her stay in the Penal Correctional Institution for women in Požarevac, whether an inter-prisoner violence or excessive use of force by the staff of the Institution occurred, after a detailed examination of the injuries, the management of the Institution must be notified, which then takes further measures. All injuries found on the prisoner's body are recorded in the medical documentation and photographed using a ruler scale, and the photographs are kept in the medical record. In case of psychological violence, psychological support is provided. If necessary or upon request, a conversation with a psychiatrist, psychologist, etc. is provided. Psychological violence should also be recorded.

# IV. Women in a special situations of vulnerability

## Women with their children in prison

Mothers with children up to two years of age are placed in a special maternity ward at the Penal Correctional Institution for women in Požarevac. The space for mothers with children is nicely equipped and reminds of a natural environment for a child. Mothers are with their children all the time and they also have the help of professional staff.

All children are regularly examined at the baby counselling centre within the Health Centre in

Požarevac. Regular periodic examinations are conducted, as well as mandatory vaccination. In cooperation with the paediatrician of the Health Centre, fruit is first introduced into the diet, and later other additional nutrition. All food for children (fruit puree, etc.) is prepared in the Institution itself.

### Foreign women

Foreign women are informed about the possibility to apply for a transfer to the country of origin. Some of them have submitted such a request, which is considered according to the established procedure. The Ministry of Foreign Affairs is informed about the entry of foreign women into the Penal Correctional Institution for women in Požarevac, in order to forward the information to the diplomatic and consular missions.

Embassy representatives visit women prisoners. Foreign women, as all other prisoners, are also allowed to be in contact with the children through video calls.

### Women belonging to ethnic minorities

Several Roma women interviewed by the NPM team during its visit to the Penal Correctional Institution for women in Požarevac, stated that they did not experience discriminatory behaviour of the prison services, that they were placed together with other non-Roma women and that they were treated in the same way as others. Institutional rules were clear to them and they had equal access to services and support systems, including the post-penal assistance system.

Women prisoners have the right to fast, and the menu is adjusted to their religious beliefs if necessary, as well as to practice religious customs in other ways.

### LGBTIQ+ women

During 2016, the NPM [visited](#) the Penal-Correctional Institution in Belgrade – Padinska Skela, in order to monitor the treatment of transgender women.<sup>3</sup> In this Institution, the NPM found transgender women serving prison sentences for misdemeanours. The NPM found that the Institution exercises due care when placing transgender women in dormitories and communal rooms, thus ensuring that they safely serve their sentences and enjoy all rights that are granted to other persons deprived of liberty.

The NPM found that it is necessary to improve the practice of searches of transgender women in accordance with their gender identity. It is also necessary to organise and implement training for the staff of penal institutions on the standards and principles of equality and non-discrimination with regard to sexual orientation and gender identity, in cooperation with civil society organisations which have experience and relevant knowledge in protecting and improving the rights of LGBTIQ+ persons.

## V. Other relevant NPM information on women in prison

- + [Report on the visit to Penal-Correctional Institution for Women in Požarevac: Monitoring the implementation of the NPM recommendations, December 2022](#)
- + [Report on the visit to Penal-Correctional Institution for Women in Požarevac: Monitoring the implementation of the Bangkok Rules, May 2021](#)
- + [Monitoring of the treatment of transgender persons deprived of liberty: Report on the visit to the Correctional Institution in Belgrade -Padinska Skela, June 2016](#)

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<sup>3</sup> In the Republic of Serbia, transgender persons are assigned to prisons in accordance with the gender data from personal documents.

- + [Joint statement for better protection of women in prison](#), March 2021
- + [Tenth Anniversary of the UN Bangkok Rules](#), December 2021

This report is part of the Global NPM report on Women in Prison.  
Access the full report here: [www.apt.ch/global-report](http://www.apt.ch/global-report)