



Kolegji AAB

FACULTY OF LAW

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MASTER STUDY

THEME:

**POSITION OF CONVICTED WOMEN DURING THEIR STAY IN THE
CORRECTIONAL INSTITUTION OF LIPJAN**

Mentor:

Prof. Dr. Rexhep Gashi

Candidate:

Xhemile Murati-Shabani

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INTRODUCTION

1. Reasonability of the research

Reasons of the topic research: "POSITION OF CONVICTED WOMEN DURING THEIR STAY IN THE CORRECTIONAL INSTITUTION OF LIPJAN", are various, but the main reasons lie in the fact that rehabilitation and reintegration of convicted women during their stay in a correctional institution has a great importance for further life in freedom, which can cause major and unpredictable social and psychological consequences and other consequences of considerable influence. The reintegration and rehabilitation of women is of particular importance, because they can be mothers while in the correctional institution, or will become mothers in the future and this directly affects the education of both sexes and society general. Another reason that has inspired me to treat this subject, no doubt is that within it, will follow the way of work and methods applied in the correctional center from penitentiary staff. I will try to present the rights and duties performed, and all activities taking place in this correctional institution, which have great impact on the rehabilitation and reintegration of convicted women into society, for the life of them to freedom. Statistical data collected during the preparation of this paper are showing that the offenses committed by convicted women are very severe, and many of them are murder. Individualism, treatment, observation, study, and classification of convicted women has a much greater impact on the process of reintegration and rehabilitation of convicted women during their stay in a correctional facility for women in Lipjan. This is one of the reasons that made me do this theme, which is to certify which is the factual situation in this correctional center associated with the treatment of prisoners. In legal terms, I have tried to make comparisons how Law handled the position of convicted women on the execution of criminal sanctions in Kosovo and implemented in practice the laws and regulations in correctional institution for women in Lipjan. These are the main reasons that have led me to treat this subject, hoping that the recommendations of this report

will contribute to addressing the position of convicted women while in the correctional institution for women in Lipjan.

2. Methodology and structure of the paper

Scientific methods such as historical methods were used during the preparation of this paper, through which I made a brief regulation and treatment of position of convicted women while in the correctional institution for women in Lipjan. Through historical method, I also described the history of Lipjan correctional institution, how it is addressed by the penitentiary parties in the correctional facility and the different national legislations treatment of prisoners in this institution. In this paper, I used the comparative method too, where I made the comparison on how Law treats the position of women convicted on the execution of criminal sanctions and if it is applied in a consistent manner and whether there are conditions to implement in practice what this law foresees, from the penitentiary staff. Also, on this topic, there is a comparison if the methods have undergone changes used by the penitentiary staff from year to year. Normative method was used to see the standard, regarding the number of female prisoners, their structure, age, ethnicity, education, economic status, type of crime, the amount of punishment, recidivism etc.

In preparing this paper, I used extensive scientific literature, published in Kosovo, Albania, and other countries.

Treatment and research of this paper is divided into four chapters, including the introduction, conclusion, and the bibliography used.

The first chapter titled: "History and organizational structure of the correctional institution for women in Lipjan" deals with the structure and organization of all the staff that operates this institution, the institution's director and all main services that operate in a correctional institution for women in Lipjan.

The second chapter entitled: "The number and structure of convicted women in the correctional institution of Lipjan", analyzes the number of convicted women and what is the structure of the convicted women: age, marital status, education, economic status, ethnicity of the convicted

women. Here, I have included their sentence and type of offenses and whether there are many cases of recidivism in convicted women.

The third chapter, entitled "The rights and obligations of the convicted women in the correctional institution of Lipjan ", deals and processes the data which are provided by the correctional institution for women in Liplan, and those guaranteed by the Law on the execution of criminal sanction of Kosovo for the realization of the rights that belong to convicted women; as well as the implementation of obligations that convicted women have while in the correctional institution, as well as disciplinary and coercive measures used against them.

The fourth chapter: "Means and methods of reeducation". Here, all the means and methods are analyzed, which are used by penitentiary personnel in Lipjan, that directly affect the convicted women dealing with reintegration and their rehabilitation; as well as the self-organization of convicted women and activities that they do.

At the end of this paper are presented the conclusions, and several proposals are presented for possible solutions to improve the conditions necessary in this correctional institution that could contribute to the reintegration and rehabilitation of convicted women in the correctional center for women in Lipjan.

CONCLUSION

1. Correctional Center for women in Lipjan is the only correctional center for women in Kosovo, and as such is under progress to provide the best possible conditions for convicted women. The total capacity of the women's ward does not meet the requirements as far as necessary. The reason lies in the fact that in this correctional center, except for convicted women, are also located juvenile females and female detainees. The small number of staff in the women's ward and the lack of conditions in the pavilion, precludes the socialization process of convicted women.
2. Execution of imprisonment in the correctional center for women in Lipjan, does not resemble correctional centers in developed democratic countries. Despite the efforts of penitentiary staff to provide the best possible conditions for convicted women, lack of prison capacity makes it impossible to classify prisoners according to the law. In this correctional center, the convicted juveniles cannot be classified properly by those who are adults and this occurs in the absence of conditions. Then, the classification of convicted women and female detainees cannot be done in all cases. This is an obstacle, which directly affects the process of rehabilitation and reintegration of convicted women. Since it is the only correctional center for women in Kosovo, the transfer of prisoners is impossible.
3. Lipjan Correctional Institution has a common organizational structure for correctional center for women and correctional center for juveniles. Directorate and all organizational services are common to the correctional center for women and correctional center for juveniles.

During the period of UNMIK in Kosovo, the staff of the correctional center had no proper professional preparation, their skills were valued based on some adequate training. Currently, in the Correctional Center in Lipjan, all staff is prepared at a sufficient intellectual level. The lack of a legal advisor to provide legal assistance to convicted women is provided by the other staff who have the appropriate professional preparation and is active in the duties and responsibilities of the administrative service. The security service is active and functional. The sharing of responsibilities in physical, procedural, and dynamic security is done with great responsibility and dedication. Health service operates within the Ministry of Health, but the number of health personnel is very small. Managing

work on economic-financial service is very active and willing to meet all needs, according to the law and the standpoint of the institution.

4. The convicts in the Correctional Center for women in Lipjan while serving a sentence have some certain rights which are guaranteed by the Law on the execution of criminal sanction of Kosovo. We believe that these rights are disregarded quite well, but we can say that it is necessary to expand further the scope of the rights of convicted women. To achieve the effect of rehabilitation in the Correctional Center in Lipjan, the right to work should have a broader scope, creating better conditions in employment within and outside the institution, in accordance with local legal acts and other international acts. It is also to criticize the lack of free type of visits for convicted women in this correctional center. These rights should be given attention because they present difficulties in certain cases.
5. The convicts in the Correctional Center in Lipjan, who have good manners, show commitment to work and give good results in various activities organized in this correctional center, are rewarded with several benefits. This is remarkable because it affects their socialization and accelerates the rehabilitation process.
6. Convicted women in Lipjan Correctional Center have a range of obligations and duties which must be respected by the house order of the institution. These obligations are aimed at better functioning of the life and work of the institution. We can understand that the main objective is re-socialization of convicts. To convicted women who do demolition order and discipline in the institution, disciplinary measures or even coercive ones may be imposed. The disciplinary measures or even coercive ones, in penitentiary practice of the correctional center for women in Lipjan are rarely applied.
7. Work of penitentiary staff plays a very important role in the socialization of convicted women, but the Law on execution of penal sanction of Kosovo is not accessible enough. In this correctional center, there is very active personnel in its work, even convicts themselves are grateful for the work of personnel. Despite the efforts of staff, to show success in the socialization process of convicted women, lack of staff and conditions in the institution hinders their work. In the absence of educators in Correctional Center in Lipjan, this work is carried out by social workers. Currently, there is only one social worker and a psychologist. Especially, the medical staff is too small and the working conditions are difficult; the gynecologic ultrasound apparatus does not meet the needs sufficiently,

because it is outdated; dental chair is defective; no special insulation for treating people with infectious diseases; there is a laboratory but they should hire a laboratory worker. It is worth mentioning that the center is very well supplied with drugs. Lack of education for convicted women is to be criticized.

8. The implementation of disciplinary and coercive measures is not often practiced in the correctional center, while regarding pregnant women and mothers with children, there are exceptions for disciplinary measures against them, because they are not implemented towards them. Law on execution of criminal sanction has not been defined in any provision and did not mention at all pregnant women, and mothers with children regarding the imposition of disciplinary measures to them, therefore it is considered necessary that the exclusion of these measures for this category of convicted women be determined by law.
9. Means and methods used by the penitentiary staff have great importance for improving the position of women in prison and their socialization. Work is a very efficient method that affects reintegration. An important influence in this process is the work of penitentiary personnel with convicts. Especially the work of social workers in overcoming the impact of the situation created after the commission of the offense. In this aspect, the work of psychologist contributes a lot through the implementation of several methods of working with prisoners, controls the extent of their interest on how they are willing to benefit from this institution. Psychologist practices these methods: conducting conversations and interviews, makes consultation, and practices different tests. Instructors are directly involved in the work process and have a significant impact on the reintegration of prisoners. As a last mean that can be used is the use of force, but in the Lipjan Correctional Center this happens in exceptional cases.