



EUROPEAN
PRISON
LITIGATION
NETWORK

Fachhochschule
Dortmund

University of Applied Sciences and Arts

Republikanischer
Anwältinnen- und
Anwälteverein e.V.

RAV

Strafvollzugsarchiv

Vereinigung
Berliner Strafverteidiger e.V.

*In the frame of the **European Lawyers' Day**,
the Dortmund University of Applied Sciences and Arts with the Prison Archive (Strafvollzugsarchiv),
the association Prisons Archive – Strafvollzugsarchiv e.V.,
Republikanischer Anwältinnen- und Anwälteverein e.V.,
Vereinigung Berliner Strafverteidiger e.V. and
the European Prison Litigation Network
invite you to:*

RUSSIA, UKRAINE, FRANCE, GERMANY: QUESTIONING PRISON VIOLENCE

25 & 26 October 2019

Berlin, Humboldt University

25 October, 16:00 to 20:00

Law Faculty, Bebelplatz 2, Seminar room 144

26 October, 9:00 to 17:30

Main Building, Unter den Linden 6, Seminar room 2093

*Free entry upon registration at
PrisonViolence@prisonlitigation.org*

Seminar in German, French, Russian and English with simultaneous translation

With the support of:

HumboldtInitiative

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This seminar is funded by:



Federal Foreign Office

In partnership with:

NGO Irkutsk without Torture, Russia

NGO Legal Basis, Yekaterinburg, Russia

NGO Ural Human Rights Group, Chelyabinsk, Russia

NGO Kharkiv Human Rights Protection Group, Ukraine

NGO Ukrainian Helsinki Human Rights Union, Ukraine

The contemporary prison is caught in a dense network of interventions by control bodies and binding international standards, which primary purpose are to prevent violations of the integrity of the detained persons, whether these are from the side of prison staff, due to confrontations between prisoners, or even to security management systems.

Almost twenty years after the European Court of Human Rights affirmed the right to decent conditions of detention, has this aspiration for a violence-free sentence succeeded in counteracting operation modes usually described as inherent to prison? Has the European project for common minimum standards succeeded in overcoming national penological conceptions and professional cultures, in other words overcoming the historical inertia of prison? What resistance/adaptation strategies have deployed prison administrations in response to these reform injunctions? In view of these experiences, what are the ways out of prison violence? Can civil society actors force these transformations? In particular, can lawyers help maintaining vigilance?

The Seminar is held as part of the **European Lawyers' Day** and will bring together former detainees, researchers, civil society leaders and lawyers to discuss the issue of prison violence as is manifest in Western (Germany, France) and Eastern former soviet (Russia, Ukraine) European prison systems.

In Ukraine and Russia, the seminar will aim at discussing the respective trajectories of the prison reforms carried out in the countries and to question the capacity they have had to **break with the legacy of the Gulag**. In what form does prison violence manifest? How does **the prison subculture**, traditionally associated with a rigid system of castes and informal rules which divides the system between **"red" prisons** (controlled by prison staff and their henchmen) and **"black" prisons** (controlled by prison banditry) manifest itself today? Considering the different political and social contexts of the two countries, how do human rights defenders manage to combat abuses and the very punitive rationality of the criminal justice system? A special attention will be given to **prisons in the territories of Eastern Ukraine** outside government control (LNR and DNR), as they appear to be a **blind spot for the rule of law and democratic control**.

In contrast, **Western prisons** have long been governed by **policies marked by a strict prohibition of physical violence**, and sometimes even by a humanitarian ethos that condemns any form of suffering in the execution of the sentence. Seen from the East, they are often seen as a model to follow. But does such a paradigm not reflect to some extent the **disconnection between the discourse on prisoners' rights and the ordinary reality of prisons**? Despite health and material efforts, do security and management imperatives assigned to the prison administration and the absence in prison of any space for conflict condemn the system to **deploy forms of violence, which, although more diffuse and/or of a symbolic nature, nevertheless damage the person who is subjected to them**? How does prison in a democratic society governed by the rule of law deal with the violence that is expressed inside on a daily basis? From this point of view, do recent public policies that massively direct prison action towards the detection and treatment of violent extremism not mark a **radicalisation of the security approach**, assuming a certain degree of institutional violence in the name of the necessary risk management?

25 OCTOBER 2019

Law Faculty, Bebelplatz 2, Seminar room 144

Panels 1 and 2 in German, Russian and French with simultaneous translation

16.00 Opening

Christine Graebisch, Professor at the Dortmund University of Applied Sciences and Arts/Prison Archive

Questioning prison violence: introduction words

Hugues de Suremain, Legal Coordinator, European Prison Litigation Network

The European Lawyers' Day: Why is it important from a lawyer's point of view to network at European level and what is needed for this?

Ursula Groos, Lawyer at the Berlin Bar, RAV e.V.

16.20 Panel 1 – Actors and mobilizations for the protection of prisoners' rights

Moderator: Christine Graebisch, Professor at the Dortmund University of Applied Sciences and Arts

Organisation of associations in Russia in the context of the withdrawal of access to prisons

Sviatoslav Khromenkov, Executive Director of the NGO Siberia without Torture

The role of NGOs in protecting prisoners' rights: the example of the situation of detainees with infectious diseases in Ukraine

Oleksandr Pavlichenko, Executive Director of the Ukrainian Helsinki Human Rights Union

The rise of the mobilization of lawyers in France

Benoît David, President of NGO Ban Public, Board member of EPLN, Association A3D

Access to legal aid and role of lawyers for the protection of detainees' rights in Germany

Ria Halbritter, Board of the Association of Berlin Criminal Defenders (Vereinigung Berliner Strafverteidiger e.V.)

Discussion

18.20 Break

18.40 Panel 2 - The institutional approach to dangerousness in Western European prisons

Moderator: Nikolay Schur, director of the NGO Ural Human Rights Group, Chelyabinsk, Russia

Detection and treatment of violent extremism in France,

David Scheer, postdoctoral researcher at Université Libre de Bruxelles /CLERSE Lille, France

Dealing with pre-crime, prognosis and radicalization in Germany

Christine Graebisch, Professor at the Dortmund University /Prison Archive

The wrong approach of the prison security policy in France,

Observatoire international des prisons – Section française (to be confirmed)

Discussion

26 OCTOBER 2019

Main Building of the University, Unter den Linden 6, Seminar room 2093

Panels 3 and 4 in English and Russian with simultaneous translation.

Panels 5 and 6 in German, French, Russian with simultaneous translation.

9.00 **Panel 3 - Prisons in former soviet countries: between attempts to break with the past and resistance to reforms**

Moderator: Dr. Sven Burkhardt, Associate Professor at the Dortmund University of Applied Sciences and Arts/ Prison Archive

Informal systems and mechanisms of prison management and control in Russia

Asmik Novikova, Director of Research at the Public Verdict Foundation

Castes, "rules", "red" prisons and "black" prisons, what about the prison subculture in Russia today?

Aleksey Sokolov, Executive director of the NGO Legal Basis

Moves under way to prison reform in Ukraine: expectations and real results for detainees

Gennady Tokarev, Director of the Strategic litigation center at the Kharkiv Human Rights Protection Group

Discussion

10.30 *Break*

10.50 **Panel 4 - A blind spot in Europe: the prison system in the uncontrolled territories of Donbass in Ukraine**

Moderator: Representative of the European Center for Constitutional and Human Rights (ECCHR) to be confirmed

How do operate prisons in the uncontrolled territories of Donbass

Valeriya Lutkovska, Director of the Ukrainian Institute for Human Rights, former Ombudsperson Ukraine

How to monitor the situation in the uncontrolled territories of Donbass

Anna Ovdienko, lawyer at the Kharkiv Human Rights Protection Group

What response to human rights violations?

Nataliya Novakova, German-Russian Exchange (Deutsch-Russisch Austausch), CivilM+ Plattform

Discussion

12.30 *Break*

14.00 Panel 5 - Structural causes of violence in German prisons

Moderator: Olga Romanova, Executive director of NGO Russia Behind Bars

Violence and experiences of injustice in the German (juvenile) penal system
Dr. Holger Schmidt, researcher at Technical University

The work of the National Agency for the Prevention of Torture (NPM) in Germany
Dr. Sarah Teweleit, LL.M., Lawyer, Research Associate, German National Agency for the Prevention of Torture

Prison climate: an approach of research
Prof. Dr. Kirstin Drenkhahn, Professor at the Freie Universität Berlin

Discussion

15.30 Break

15.50 Panel 6 - What are the possible responses to prison violence?

Moderator: Johannes Feest, Professor at the University of Bremen, Founder of the NGO Strafvollzugsarchiv e.V.

The impossible conflictualization as a factor of violence: can the voice of prisoners be released?
Joël Charbit, postdoctoral researcher at CLERSE Lille, France

Can the opening of prison to the outside world and the principle of normalization counteract the rationalities of the prison?
Marie-Sophie Devresse, Professor of Criminology, Chair of the School of Criminology, Université catholique de Louvain, Belgium

The fight against impunity in Russian prison by lawyers and human rights defenders
Roman Kachanov, President of the Interregional Human Rights Center, Yekaterinburg, Russia

Discussion

17.30 Closure