

## CURRENT SITUATION OF EDUCATION OF PRISONERS/INMATES IN THE PENITENTIARY INSTITUTIONS OF THE REPUBLIC OF ARMENIA

This research was conducted by DVV International Armenia through the financial support of the Foreign Ministry of the German Federal Republic with the framework of the “Active for Education in Prison 2.0” project. The research includes:

- Review of policies regulating education in penitentiary institutions (both international and local), which was conducted through a desk research.
- Statistics on inmates/prisoners including the level of education and its correlation with other different factors. The data was provided by the Ministry of Justice of the Republic of Armenia based on the recommended data collection templates. Data is provided as of 30.09.2019.
- Summary of the educational programs/courses implemented in penitentiaries. The information was received from previous and current expert analysis of those programs.
- A public perception survey about prisoner education through 4 focus group discussions and an online survey. A total of 35 targeted participants were involved in the focus groups and 315 respondents participated in the online survey. This survey cannot be considered representative for the entire population of the Republic of Armenia. However, it is the first in its type data collection on the topic and as such it reflects the main positions and trends without study of causal relationship.

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## PART 1. RIGHT TO EDUCATION IN PENITENTIARY INSTITUTIONS

### 1.1 Legal basis of organizing prisoner education in Armenia

The issue of prisoner education in the Republic of Armenia should be discussed within the broader context of human rights guidelines and the national legislation, specifically those regulating education and penitentiaries. A number of international instruments such as declarations, rules, recommendations define the overall human rights framework and consequently provide guidelines on the right to education in penitentiary institutions. These instruments have a consultative nature and offer guidelines for policy compliance. All such international instruments are applicable in Armenia and as such are part of the Republic of Armenia's (RA) legislation.

**With respect to national legislation, the RA Constitution** defines the right to education as a fundamental right. The Law on Education is the primary document regulating education in Armenia. However, it does not include direct references to educational issues in penitentiaries and respective regulatory provisions are included in the sectoral legislation.

**Formal education** in penitentiaries is regulated by a number of sector specific acts and norms, including:

- Section 14 of part 1 of article 12 of the *RA Criminal Procedure Code stipulates* the right of prisoners to access education and creative activities authorized by the law. Enforcement of this right is achieved through the legal norms and acts regulating the sector /education/ if nothing else is stipulated by the criminal procedure legislation.
- In compliance with Article 89 of the RA Criminal Procedure Code, the administration of the corrective institution undertakes measures to organize the prisoner's education, including secondary education, distant University education, post University education and vocational training. The education and vocational training of prisoners is organized in compliance with the internal rules of the corrective institution.
- In compliance with section 112 of the Internal Rules of Penitentiary Service of the RA Ministry of Justice on Places of Prisoner/Inmate Detention and Corrective Institutions (approved by RA Government's decision N1543-Ն as of August 3, 2006), the administration of corrective institutions undertakes measures to organize secondary, preliminary vocational (craftsmanship), tertiary vocational education of the prisoners at the expense of the state budget. University and post-University education is covered either by the prisoners or through collaboration with other institutions.
- In compliance with section 113 of the Internal Rules, vocational education as well as University and post-University education is possible through external education and distance learning` in the format defined by the authorized body of education management. Prisoners' secondary education and preliminary vocational education are also possible through external education except in case of detainees or prisoners that are under 18 (juveniles).

Moreover, the Internal Rules stipulate that in compliance with the specific conditions of custody defined by the law, a school, a library, rooms designated for employment activities or cultural events should be placed in an institution in addition to such other structures as a canteen, a kiosk, a store, a medical unit, meeting room and others. Although, in the last decade, some institutions have been upgraded and renovated, a new penitentiary institution

was built (Armavir Penitentiary), there have been no areas designed and designated for a school or other educational programs.

Alongside with above regulations of formal education for prisoners, it is equally important to review the regulations in relation to *non-formal education*, which is an essential part of the educational environment. Self-initiated associations and libraries have a primary role to play with this respect.

Article 91 of the RA Criminal Procedure Code provides the legal basis for implementing non-formal educational programs through allowing creation of prisoners' self-initiated associations (cultural, sports, informational) that operate under the supervision of the administration of the institution. These units can collaborate with relevant associations and organizations.

Following the political changes of 2018, the authorities in Armenia have also emphasized the individual's right to education, which is formulated in the new Government's program. In the section of the Program entitles "Free, Dignified and Happy Citizenry" education is highlighted as an important factor for ensuring dignity and happiness. Accessibility to education should be ensures for all citizens regardless their social status and geographical location.

When this research was still being conducted, the draft Criminal Procedure Code of the Republic of Armenia had been already circulated (presented for public discussion on 13.11.2019<sup>1</sup>). Its article 121 defines additions to the above regulations, including:

- "Education of prisoners under 30 years old is organized in penitentiary institutions. Secondary school education for prisoners under 18 (juveniles) is mandatory. For those prisoners that are willing to continue their education or receive education, the administration of the institution and the local authorities ensure all necessary conditions."
- The prisoners over 30 years old, individuals that have disability of first or second group receive general secondary education if they choose so.
- Prisoner's education during the punishment period is encouraged and is taken into account when assessing his/her re-socialization.
- Organizing the secondary education of prisoners, as well as establishment, restructuring and dissolution of educational institutions within the penitentiary system is done in compliance with the procedure established by the RA Ministry of Justice (MoJ) in coordination with the RA Ministry of Education, Science, Culture and Sports (MoESCS)."

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<sup>1</sup> <https://www.e-draft.am/projects/2093/about>

**Summarizing the main framework of the legal acts that regulate prisoner education (including pending legislative reforms), it can be concluded that:**

- In view of international guiding instruments, the RA legislation (more specifically the RA Criminal Procedure Code and ensuing legal acts) define the prisoners' right to education as a fundamental right and have stipulations about the overall process of enforcing this right.
- Legal regulations with respect to formal education are mostly in line with international criteria and legally there is no limitation to the right of the individual to education. Practical enforcement of this right is something different and efforts should be directed to understanding as to what extent the stipulated norms are enforced and what is needed for such enforcement (some references to this issue are included further in the document).
- The current legislation also ensures delivery of non-formal education in penitentiaries through self-initiated associations and different courses.
- It should also be noted that in accordance with existing legal acts organizing of prisoner education is tasked to administration of penitentiary institutions despite the fact that these functions requires either the presence of a separated structure or an administrative/authorized body to take over such a role.
- The current trends in Armenia emphasize inclusive education as a concept and as such are conducive for making education accessible in all institutions. However, there still exist issues with respect to legal regulations, more specifically there is a need to ensure alignment of educational criteria/standards and only then all types of education will be accessible in penitentiary institutions.

## 1.2 Types of Penitentiary Institutions and Custody Conditions In Relation To Organizing Prisoner Education

### 1.2.1. Penitentiary Institutions within the Justice System: Types of Institutions

Review of the types of corrective institutions is important from the point of view of education since depending on such conditions as their space, unrestricted movement, access with supervision and other relevant factors, organizing educational programs in each of them can be different.

Currently the Penitentiary Service under the RA Ministry of Justice includes the central body (the Penitentiary department) and the 12 penitentiary institutions (corrective facilities and places of detention)<sup>2</sup>

The total capacity of the 12 penitentiary institutions is set for accommodating up to 5346 prisoners. The Penitentiaries themselves include corrective institutions that are grouped in five types, i.e. open, semi-open, semi-closed, closed and medical institutions. Such classification aims to ensure gradual correction and re-socializing of the prisoners.

In **closed corrective institutions** the prisoner is kept in isolated cells designated for up to four people. However, in some cases, based on the justifiable decision of the head of the institution the prisoner can be held alone in a cell.

In **semi-closed corrective institutions** the prisoner is kept in isolated cells designated for up to six people and can move around for three specified hours during the day, in the areas of the corrective institution designated for that purpose

In **semi-open corrective institutions** the prisoner is kept in a housing type of accommodation designated for up to six people and can move around during the day hours, in the areas of the corrective institution designated for that purpose.

In **open corrective institutions** the prisoner is kept in a housing type of accommodation designated for up to ten people and can move around during the night hours, in the areas of the corrective institution designated for that purpose. During the day hours the prisoner can move around inside the institution area and also outside, if authorized by the head of the corrective institution.

In **medical corrective institutions** the prisoner is kept in the conditions defined for a semi-open institution with the exception of those requirements that are specific to a medical corrective institution. Separated units can be established in medical corrective institutions (a room or a cell) for ensuring different isolation level of the prisoners.

**To summarize**, with respect to organization of education determined by the type of the corrective institution, it should be noted that the type of the institution is of essence since depending on that there could be additional limitations or requirements for implementing educational programs. The major issue here is related to a balance between ensuring security and provision of education. Traditionally, penitentiaries are not perceived as an educational environment, especially the closed, semi-closed and medical institutions.

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<sup>2</sup> Since this research focuses on the right of education of confined prisoners, it does not include references to the Probation Service.

### 1.2.2. Education and Daily Routine Schedule

Review of daily routine schedule of penitentiary institutions is also important from the point of view of implementation of educational program.

<b>Daily Routine Schedule Of Detention Places and Corrective Institutions ( a sample )</b>	
1.	Morning wake up: no later than at 7.00-8.00 am
2.	Physical exercising - 15 minutes
3.	Bed and room tidiness -10 minutes
4.	Morning inspection, morning and evening count-one hour
5.	Breakfast-one hour
6.	Job tasks distribution (if available) -40 minutes
7.	Working hours, duration is set in accordance to the RA Labor Code
8.	Lunch-one hour
9.	Evening tidying up: 25 minutes
10.	Dinner-one hour
11.	Rest-one hour
12.	Preparing for bed: 10 minutes
13.	Sleep time- 8 hours
14.	Training educational programs are implemented according to a separate schedule

It can be assumed from this schedule that training and educational programs are emphasized as part of the prisoner activity and there are no legislative barriers for implementing those programs. However, it is hard to imagine how individual schedules for educational program can be squeezed between work hours and 8 hours of sleep. Thus, in case of working prisoners it would be difficult to dedicate time for educational interventions.

### **1.2.3. Requirements and Conditions for Organizing Educational Activities in Penitentiaries (Infrastructure)**

Relevant sector legislation<sup>3</sup> and regulations of the RA Government (including for Penitentiaries) include a number of stipulations about requirements and conditions for organizing educational activities (including availability of designated area, laboratories, teachers, equipped classrooms and others). Standards and criteria for formal education are spelled out in the RA legislation regulating education. As to the Criminal Procedure legislation, it defines the security requirements included in internal rules that have to be ensured for organizing all kinds of events and activities.

It should be noted that the available spaces in the existing penitentiaries, the current state of their furnishing shows a need for their upgrade and renovation, as well as installing relevant educational furnishing. These requirements and standards should also be taken into consideration when designing new penitentiary buildings. Back in 2011-2012, a working group was set up on the initiative of the RA Ministry of Education and Science to assess the possibility of organizing preliminary and tertiary vocational education units within penitentiaries. This initiative was in line with the requirements of the strategy of combating crimes that was in action back then. The working group's conclusion was negative based on the fact that building conditions were not adequate and did not comply with the standards of vocational education.

### **1.2.4. Organizing Educational Activities In Relation To the Prisoner's Legal Status**

While the legislation does not define strict distinguishing characteristics for prisoners kept in penitentiaries, those still exist, to a certain extent, and it is important to review those differences with respect to prisoner age, penitentiary status, type of sentence/punishment and others.

#### **➤ Detainees in Custody**

This is a status that entails some specificity that may limit access to educational activities.

To illustrate, Article 57 of RA Criminal Code that introduces detention as a way of punishment, stipulates a number of factors that can affect implementation of comprehensive and effective educational activities. These include:

- 1) Detention can be applied only to individuals of over 16 years old (not less);
- 2) Detention can be applied for crimes of small and medium degree of gravity;
- 3) Duration is from 15 days to 3 months ( up to 2 months for the 16-18 age group ),
- 4) Detention is one of the forms of restricting freedom that keeps the detainee in strict isolation from the society.

In compliance with the requirements of RA Criminal Code, the RA Criminal Procedure Code regulates the detention conditions and by ensuring possibly "strict conditions" prohibits preliminary or tertiary vocational education for the detainee. Although the law does not make stipulations for other types of education, but given the strict detention

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<sup>3</sup> Article 41 of the RA Law on Education, Article 13 of the RA Law on Higher Education and Post University Education, Article 20 of the RA Law on Preliminary Vocational and Middle Vocational Education, Article 10 of the RA Law on Licensing and others.



conditions, it can be assumed that the at least for 3 months the detainee is “cut off from the outer world”, which includes lack of access to teachers/trainers, professional resources and literature since they have no right to get those as part of the prisoner package.

#### ➤ **Prisoners for Specific Term and Life Prisoners**

The RA legislation defines similar legal regulations for organizing educational activities for specific term and life term prisoners. The RA Criminal Procedure Code includes both general and specific regulations for ensuring the prisoner’s right to education. It requires that the administration of the corrective institution takes measures to ensure secondary, University and post-University professional education of the prisoner. From this perspective, there should be some further categorization and stronger emphasis on long term and life term prisoners, providing them with more opportunities to be involved in educational activities. It is because of similar mixing of rights and factors ensuring rights that employment, education, cultural and sports activities are all treated equally and included in one chapter in the RA Criminal Procedure Code.

#### ➤ **Juvenile Prisoners**

Education for juveniles, their participation in educational programs is considered as one of the primary measures for their correction. The issue here is that the RA Criminal Code defines the *mandatory nature of a number of corrective interventions*, but it does not specify those. However, while the Code does not list the mandatory intervention types, it provides an opportunity to consider educational interventions as such, In accordance with section 3 of article 121 of the RA Criminal Procedure Code secondary education of prisoners under 30 is organized at the penitentiary institutions.

Secondary education for juveniles is mandatory. Social, psychological and legal counselling/interventions for juveniles are also considered as part of their correction and as such are mandatory. Juvenile prisoners are not eligible *for external education in case of secondary and preliminary vocational education*.

**Summarizing** interconnections between prisoner education and penitentiary institution type as well as custody/detention conditions, the following should be noted:

- Both physical facilities and designated spaces for educational programs that should be available in compliance with the legislation are deficient and not adequate for use.
- The legislation defines similar requirements for educational activities for specific term and life term prisoners despite the fact that they imply different type and scope and require specific and differentiated approach depending on the term of imprisonment.
- The legal norms with respect to enforcing the right of juveniles to education are controversial.
- There is no regulation about the secondary education of the prisoners who are over 19 years old but have not completed secondary education.

### 1.3 Education as a Factor for Assessing Prisoners' Satisfactory Behavior

The role of education within the penitentiary system is emphasized both from the perspective of human rights as well as in relation to crime prevention, rehabilitation of legal offenders and, finally, in the context of the goals that the punishment pursues.

According to the RA legislation, the entire process of rehabilitation is contained in the concept of correction. Correction is one of the primary goals of punishment. Article 16 of the RA Criminal Procedure Code defines correction as the formation of respectful attitudes toward society, rules of coexistence and traditions as well as encouraging law abiding behavior so as to enhance healthy lifestyles among prisoners.

Directive # 279 (dated July 13, 2016) of the RA Minister of Justice "On Approving the Rules of Structural Subdivisions Involved in Social, Psychological and Legal Work with Detainees and Prisoners and Revoking Directive # 44 of the RA Minister of Justice (dated May 30, 2008)" defines those *positive qualifications* that allow releasing the prisoner from further serving the term of punishment prior to term completion (parole).

Once the minimal term of punishment has been served, the court can release the prisoner on conditional pre-term basis (parole), if Penitentiary and Parole reports provide justification that the prisoner does not need to serve the remaining term of punishment for correction purposes, since:

- 1) His/her behavior during serving the punishment term was satisfactory, and
- 2) There is a low likelihood of committing a new crime (recidive) by the prisoner.

With this in mind, the respective regulations have defined the criteria that allow assessing different factors/conditions of prisoner behavior and that should be included in the prisoner's personal file and in the reference about the factual behavior of the prisoner. These criteria are grouped in 14 categories with maximum scores for each ranging from 2 to 5 (2, 3, 4, and 5). Each category includes sub-categories that can be ranked from 0 to a maximum scoring points. Below are some illustrations of score/point assignment:

- the prisoner receives a score of 3 if he/she has been involved in educational, sports and cultural events or attended self-initiated associations and received a vocational or educational qualification while in prison;
- 2 points are assigned if the prisoners has been merely involved in educational, sports and cultural events or attended self-initiated associations;
- A score of 1 is assigned if the prisoner expressed a wish to get involved, but the penitentiary institution did not ensure implementation of said activities;
- And finally, a score of 0 is received if the prisoner neither involved nor expressed a wish to get involved in above activities.

The sum of the assessed criteria and the possible maxim score is 43. The prisoner can apply for parole in case he/she has scored 28 and more on the criteria. As noted above, 3 points at maximum are assigned in case the prisoner participated in educational, sports and cultural events or attended self-initiated associations.

To compare, a maximum of 5 scores is assigned in case the prisoner received commendation during serving the punishment term. Four (4) points are scored if the damage incurred through the crime is compensated or there is a written undertaking to compensate or address the damage in some other way.

This comparison indicates that the share of involvement in education programs within the overall scoring of the criteria is rather low. Moreover, participation in educational programs (the prisoner received vocational or educational qualification, a diploma) is assessed as equivalent to the following:

- 3 months of work while serving the term of punishment
- Accepting the crime and regretting it
- Involvement in resocialization including personal development efforts
- Maintaining contacts with the family and/or the outer world.

**Thus**, the comparison of the criteria indicates an obvious disproportion between the criteria, since 5 years of study at a University with relevant diploma is in no way comparable in its impact with 3 months of work or hypothetical regret about the crime or maintaining regular contacts with the family. Furthermore, the length of educational activities is in no way accounted for in the discussed criteria.

## PART 2. EDUCATIONAL PROGRAMS IN PENITENTIARY INSTITUTIONS

### 2.1 Prisoner Statistics by Level of Education

As of the period of this research (September 2019), there were 1075 prisoners serving their punishment term in Penitentiary Institutions under the RA Ministry of Justice.<sup>4</sup> Of this total number, 271 prisoners were 19-30 year old (25, 2% of total prisoners), 773 were in the age group 31-63 (71, 9%), and 31 were within the age group of 64 and over (2, 9%).

Education/age	Up to 18		19-30		31-63		64 and over		Total	
		of which women		of which women		of which women		of which women		of which women
Incomplete secondary	-	-	62	1	171	9	9	-	242	10
Secondary	-	-	179	4	461	10	11	-	651	14
Vocational	-	-	8	-	35	3	6	1	49	4
Incomplete University	-	-	7	-	18	-	-	-	25	-
University	-	-	15	-	87	5	5	-	107	5
Post University	-	-	-	-	-	-	-	-	-	-
Non formal education, vocational skills courses	-	-	-	-	1	1	-	-	1	1
<b>Total</b>			<b>271</b>	<b>5</b>	<b>773</b>	<b>28</b>	<b>31</b>	<b>1</b>	<b>1075</b>	<b>34</b>

Table 1. Prisoner distribution by education and age

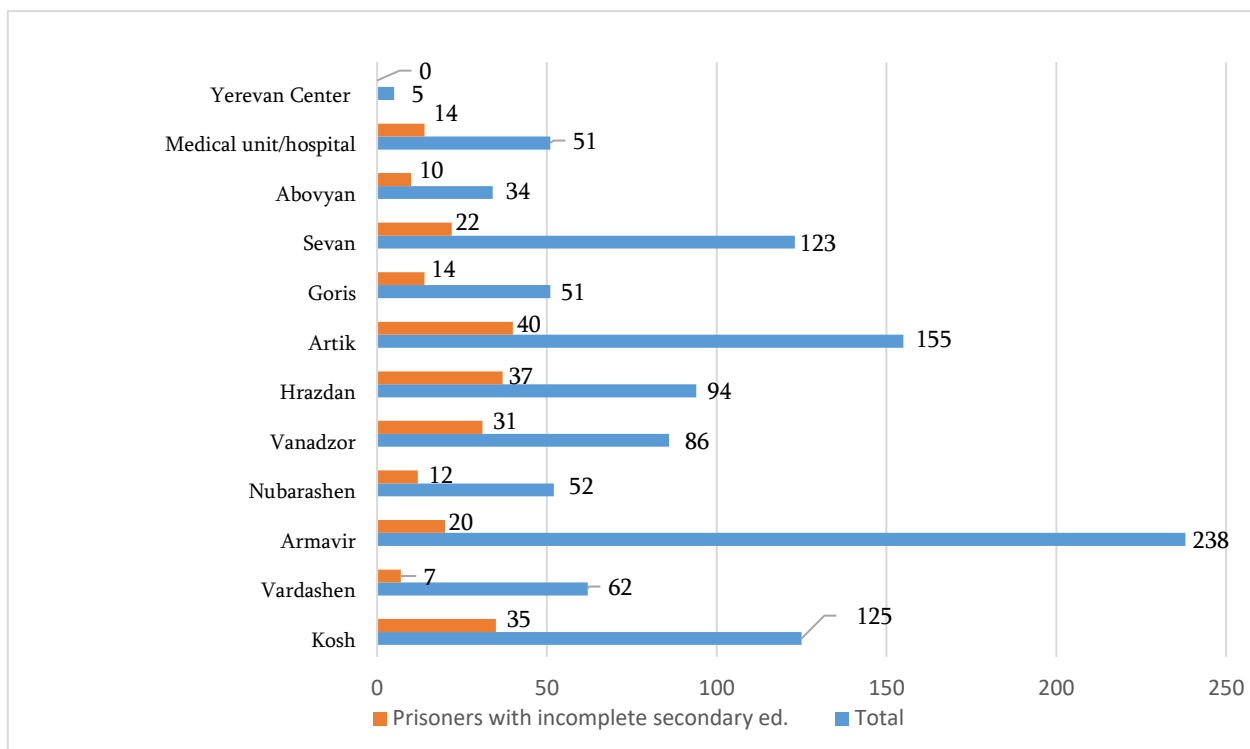
Data in table 1 indicates that the majority of prisoners (651) have secondary education, while 241 prisoners have incomplete secondary education.

Generally, the share of women among the 1075 prisoners is extremely low, i.e. 34 women or 3, 2%.

During the period when the research was conducted, there was only 1 juvenile prisoner, while the number of life sentenced prisoners was 82. The number of prisoners with University education is 107 or 10%. However, this number is higher in Yerevan Center and Vardashen penitentiaries since the offenders kept here are former employees of courts, law enforcement, tax and customs, military servicemen or policemen. Of 62 prisoners kept here 28 or 45, 2% have University education. In case of Yerevan Center, 4 out of 5 prisoners kept here (80%) have University education.

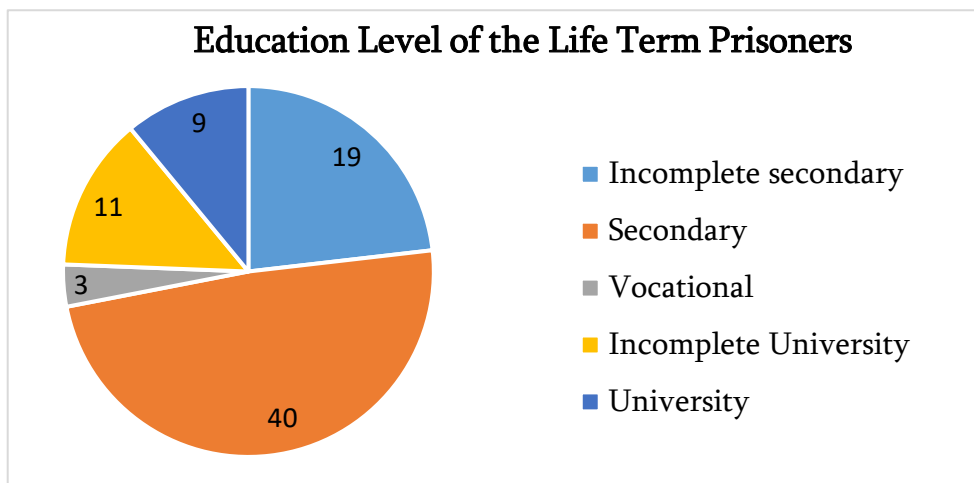
<sup>4</sup> RA Ministry of Justice provided the data as of September 2019

The number of prisoners with incomplete secondary education is a matter of concern. The number of prisoners with incomplete secondary education by institution is presented below.



**Chart 1. Prisoners with incomplete secondary education**

The share of prisoners with incomplete secondary education is 22,5% , of which 25% are in the 19-30 age group and according to the new draft Criminal Procedure Code their secondary education will become mandatory. However, the overwhelming majority of prisoners with incomplete education, i.e. 171 out of 242 prisoners (or 70, 7%) fall under the 31-63 age group, for whom secondary education is not a mandatory requirement either under the current or the new draft legislation. Consequently, the non-formal courses offered to them can be of real use. The majority of prisoners or 60, 6%-have secondary education. The only prisoner under custody also has secondary education. Since the life term prisoners are serving the strictest sentence and their isolation level is very high, we present statistics on their education level separately.

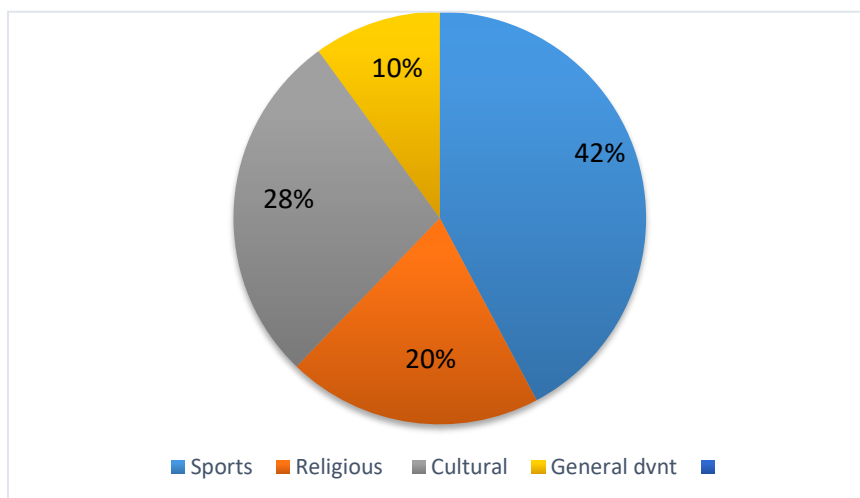


**Chart 2. The Educational Level of Life Term Prisoners**

Most of the prisoners serving a sentence have been convicted due to crimes against property and for unlawful economic/business activity. Generally, the distribution of the prisoners by type of crime committed is as follows:

1. Over thirty seven (37, 2%) percent of the prisoners committed crimes against another person.
2. Around forty percent (40, 2%-p) committed economic crimes and crimes against property.
3. Only one and half percent (1, 5%) are crimes against public security.
4. Crimes against computer security are below one percent, i.e. 0, 8%.
5. Crimes against public order and morality constitute 1, 8%.
6. Crimes against population health are over eleven percent, i.e. 11, 4%.
7. Crimes against state authority are at 1,7%,
8. Other crimes constitute 5, 4%.

**Statistics on non-formal education of prisoners was** examined based on their participation in self-initiated associations. In fact, prisoners are involved in four types of such units, i.e. sports, religious, cultural and general development. It should be noted, however, that their involvement in such units is low since out of **1075 prisoners only 90 or 8, 4 %** are involved in such units.



**Chart 3. Prisoner distribution by self-initiated associations**

Female prisoners' involvement in self-initiated associations is higher than that of male prisoners. Of 1041 male prisoners, only 63 are involved, i.e. 6, 1% of the total male prisoner population. In case of women, this number is respectively 27 out of 34, i.e. 79, 4%. It is interesting to note that while female prisoners do not get involved in religious units, male prisoners do not participate in general development ones.

As part of the research, data on per prisoner costs was also requested from the Ministry of Justice. While the estimated average daily costs per prisoner for 2020 is 1005 Armenian drams (slightly over 2 USD), it does not reflect the costs on educational programs, and some information about the financial allocations is presented in Section 2.2.

**To summarize**, the statistics presented in this part of the report is considered as baseline data collected for the first time. It should be also noted that systematic and comprehensive collection of such data is not part of the penitentiary statistics. With these

considerations in mind, specific data collection tools should be developed and introduced so as to regularly track such statistics and use it for further analysis.

These primary data indicates that the level of prisoner with incomplete secondary education is rather high. To address this situation, the respective ministries should come up with a legislative initiative to ensure their complete secondary education. Given that most of the prisoners with incomplete secondary education are middle aged, to increase their competitiveness in labor market there should be efforts to provide them both with secondary education and vocational skills. Lower educational level is a factor that can result in the risk of recidive, but it also provides a real opportunity of reintegration for employment age people in case they are involved in educational activities.

## 2.2 Current Educational Programs in Penitentiary Institutions

Currently, the state funds two programs in penitentiary institutions and those are implemented only in 4 of the 12 institutions, i.e. Abovyan, Armavir, Nubarashen and Artik.

### ➤ **Formal Educational Programs :** **Secondary Education**

Up until 2015, secondary education was implemented only in Abovyan facility, where N2 Vocational/Craftsmanship College operated offering two programs, i.e. secondary education and preliminary vocational education. Starting with 2015, based on the decrease of the number of juvenile prisoners, a decision was made to stop the secondary education program, despite the fact that five to ten juveniles were annually kept in the facility and they remained outside education. Following the closing of the Vocational/Craftsmanship college by the Ministry of Education and Science, the Ministry of Justice undertook to address the provision of secondary education for prisoners or detainees through its Center of Legal Education and Rehabilitation Programs (hereinafter the Center). The Center was authorized to implement secondary education programs by decrees number 250-A/2 and 251-A/2 of the Ministry of Education and Science (dated March 21, 2018). The curricula and syllabi developed by the Center for prisoners and detainees (alternative educational programs) were also approved by decree N 1398-A/2 of the Minister of Education and Science (dated October 19, 2018).

From September 2019 onward the Center has launched secondary education programs for prisoners under 19 years old in three facilities, i.e. Abovyan, Armavir and Nubarashen. *In total, 9 students are involved in this program and its budget for 2019 was 8.384.8 Armenian drams (over 17,000 USD).*

Artik Evening School operates in Artik facility (Shirak region) funded by the community budget and offering secondary education for 9-12 grades.

### ➤ **Non Formal Education**

Aesthetic education is another program that has received regular support from the state budget.

The project started back in 2004-2008 as a donor supported pilot initiative and aimed to use artistic means to educate children. Back then it was considered rather innovative and in 2007 was included in the list of projects supported by the Ministry of Culture and implemented by a state non-commercial organization (SNCO) under the Ministry.

In 2012 this SNCO was transferred to the jurisdiction of the Ministry of Justice since its activities were implemented in the penitentiary institutions under the MoJ. It operated under the name “Rehabilitation Center of Offenders”, but in 2017 it was restructured into the Center of Legal Education and Rehabilitation Programs SNCO. This Center is currently responsible for the implementation of the Aesthetic education program. The program initially targeted only juvenile beneficiaries, but later it expanded to include women as well. In 2014-2016 it was implemented in Abovyan penitentiary for the juvenile and women prisoners, and expanded to Armavir penitentiary in February 2016.

In 2017, the actual budget of this program was 15.973.6 Armenian drams (over 33,000 USD), while in 2018 the funding increased significantly and was equal to 36,927.4



Armenian drams (almost 77,000 USD) thus guaranteeing education and educational employment for 110 **prisoners in two penitentiaries**.

From 2018 onward, new modules/courses were added to the program's artistic component. These included:

- Basic literacy
- Computer literacy
- Live skills and social skills.

In 2019, courses added included:

- Business literacy
- Elementary literacy

In addition to state funded programs, international donor and non-governmental organizations also implemented educational programs in penitentiary institutions. Two such examples include:

- In 2017, the Civil Society Institute NGO supported by OECD had renovated a training area for hairdressing and implemented courses in Abovyan penitentiary.
- U.S. Embassy's Narcotics and Law Enforcement Unit supported the Civil Society Institute to designate classrooms and implement 8 courses that were attended by 75 people, of which 58 received certificates.

**To summarize**, the number and scope of educational programs implemented through the state and NGO support is limited and those are focused in 3 penitentiary institutions only. Such programs are not accessible to prisoners that serve their sentences in other penitentiaries. The programs implemented by international donors and NGOs are of one time and ad hoc nature, and as such there are serious sustainability issues. Meanwhile, it is also important to assess their impact with respect to prisoner integration in labor market and determine how their efficiency could be increased.

### PART 3. PUBLIC PERCEPTION AND POSITIONS WITH RESPECT TO PRISONER RIGGHT TO EDUCATION

The enforcement of the prisoners’ right to education is directly linked to the state’s undertaking with respect to upholding human rights. Consequently, public awareness of the issue, information on public’s initial positions about it is an important aspect of ensuring this right. To this end, this research included a public opinion survey that utilized two methods to collect information on this issue, i.e focus group discussions and an online survey.

Targeted sampling was used to select focus group participants resulting in 35 participants, while 315 respondents were involved in the online survey. Over fifty percent (50.5 %) of online survey respondents are within the 19-30 age group, while 42.9 % fall under the 31-63 age group.

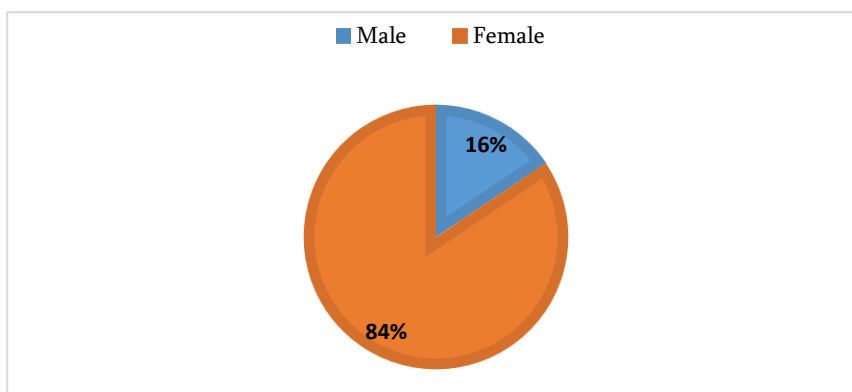


Chart 4. Gender Distribution of Online Survey Participants

#### Results Analysis

Public perceptions were grouped primarily according to positive or negative positions on the issues of prisoner education. The majority of focus group participants expressed positive attitudes toward prisoner education. Part of them believes that as fully fledged members of the society, former prisoners have the same rights alongside with other groups, including the right to education. Over ninety seven percent (97.5 %) of online survey respondents also believe that the prisoners need education. Nevertheless, when asked “Will you agree to study alongside with prisoners/former prisoners”, 59 of online survey respondents answered “no”, while 31 respondents said that it “will depend on the type of crime committed”, which could also fall under the negative answers.

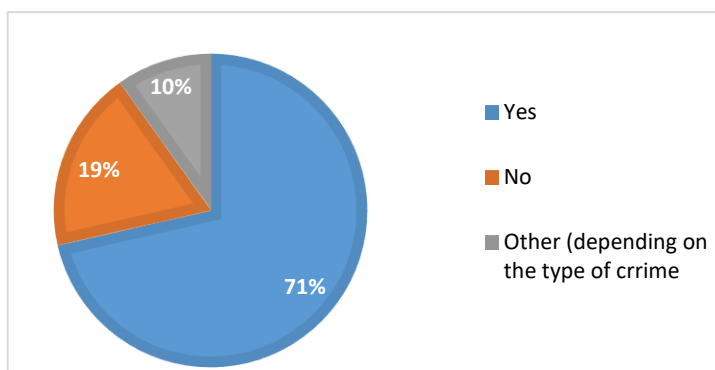


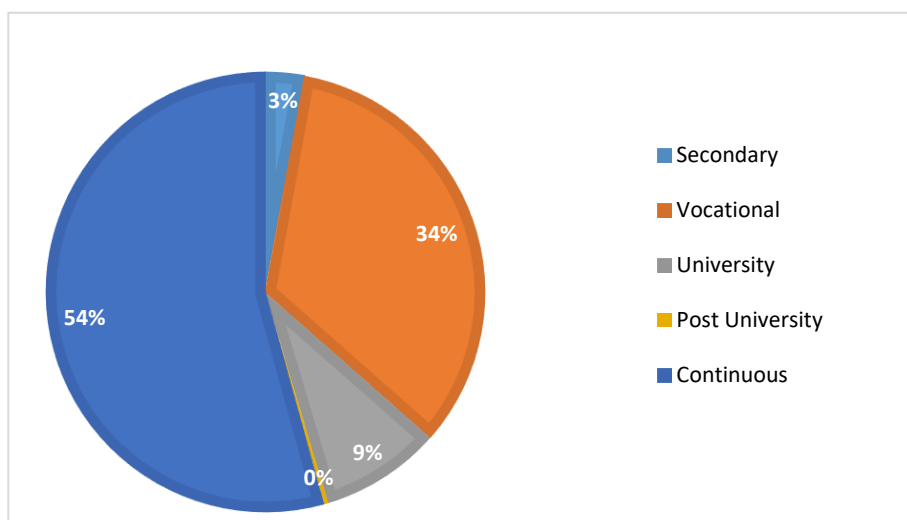
Chart 5. Online Survey Results

“Will you agree to study alongside with prisoners/former prisoners?”

It should be emphasized that the public believes education can play an important role to prevent crimes. The focus group participants highlighted a number of functions that education has in penitentiary institutions, including:

- Preventive
- Corrective
- Self-awareness and self-development
- Self-sufficiency.

The focus group participants mostly believed that prisoners should have an opportunity to get education so as to secure jobs. They emphasized that education should target skills learning, such as hairdressing, cooking, crafts. As to the online survey, their responses to the question “In your opinion, what type of education do prisoners need?” are presented in the below chart.



**Chart 6. Online Survey Results**  
**“In your opinion, what type of education do prisoners need?”**

Such distribution indicates that involvement of former prisoners in the labor market is perceived mostly in crafts related vocations and skills for those are considered important.

The positions are different with respect to access to University education. The focus group participants believe that the state should not undertake an obligation to provide University education for prisoners. It is believed that free of charge University education is a cost for the state budget and that the state should target such priority groups as the military, the socially vulnerable, etc. Only a small share of the participants believed that education is intended not only for job acquisition, but also for forming a values system, for reforming the prisoner in general.

A few of focus group participants expressed a strong conviction that ensuring free of charge education for prisoners, including secondary education, clashes with the concept of social justice. Since other socially vulnerable groups do not have an opportunity to access education, the prisoners’ right to secondary education is in conflict with social justice. Given that *the state does not ensure the same opportunities for other vulnerable groups, it should not provide it for those people who have harmed the state.*

**To summarize,** the study of public perceptions about prisoners' education indicates that:

- People, while admitting the equal rights for prisoners, do not always show tolerance for contacts between prisoners and their family members/relatives, thus demonstrating a latent rejection of equality of rights between the prisoners and other members of the society.
- The difference between perceptions and attitudes indicates that there exists a huge informational and confidence gap, which might affect the larger public's acceptance of former prisoners into their personal space.
- Majority of research participants responded positively to state supported and other educational programs and view education as one of the essential means of corrections and reintegration into the society.

## PART 4. RECOMMENDATIONS

1. Educational programs in penitentiary institutions should be made accessible to all prisoners, in all the phases of their incarceration. More specifically, steps should be taken to address the educational needs of prisoners with incomplete secondary education, who are over 19 years old. Special educational requirements should be defined depending on the term of incarceration, including for specific term and life term prisoners.
2. The scope of educational programs offered at penitentiaries should be expanded to include all facilities functioning in Armenia. Sustainable continuous educational programs should be supported by the state that should respond to the educational level of the prisoners and target their increased competitiveness in the labor market.
3. The educational criteria included in the reference on assessment of prisoner behavior and attached to his/her individual file should be revised. More specifically, in those cases when the prisoner received University or post-University education and obtained the relevant diploma/qualification, the respective maximum score of 5 should be assigned. A score of 4 should be assigned for receiving vocational and secondary education, while 3 points should be given for attending 2 and more training courses, workshops, especially if those result in prisoner's involvement in self-initiated associations, jobs or other socially useful activity.
4. There should be legislative regulation stipulating that vocational, University and post-University education of prisoners is implemented not only as distant learning or external education, but also as regular classroom or off site education depending on the type of the corrective facility. Moreover, there is a need for a legal act that will regulate effective implementation of prisoner education, i.e. "On the Specific Requirements for Organizing Prisoners' Secondary, Vocational, Middle Professional, University and Post University Education." the proposed legal act will define the licensing terms and conditions for specific types of education alongside with space, laboratory, faculty, classroom and other requirements based on respective standards.
5. In all penitentiary facilities a relevant educational environment should be ensured including classrooms, libraries, updated literature, reading rooms, subscription to print media, etc. The consumption of reading materials should be considered as an incentive for positive assessment of the prisoners and be taken into account while revising the level of prisoner isolation as well as for parole. :
6. While designing new penitentiary facilities, space should be designated for educational activities so as those become an integral part of penitentiaries.
7. Involvement in cultural, general development and sports self-initiated associations should become mandatory for those prisoners who are not involved in any other educational activity.
8. A systemized information system that tracks prisoner level of education should be introduced to penitentiary institutions, for which specific statistic collection forms should be developed to analyze the dynamics and trends related to education. `
9. Given the plans for creating an electronic database for increased efficiency of penitentiaries, it is recommended to include information on educational programs in that database.

10. Capacity building should be provided to faculty involved in educational programs alongside with awareness building events that will nurture a more sensitive and inclusive attitude toward prisoner education in educational institutions.
11. To transform public perceptions of prisoner education, to promote their integration in the labor market, public awareness events, discussions, round tables should be held for the larger public.