STANDARD SUMMARY PROJECT FICHE

1. Basic Information

1.1 Désirée Number: 2002/000-315.02.02
Twinning Number: HU/IB/2002/JH/02

1.2 Title: Improving Prison Conditions for Better Resocialisation of Juvenile Offenders

1.3 Sector: Justice and Home Affairs

1.4 Location: Pécs, Miskolc, Kecskemét and Budapest, Hungary

2. Objectives

2.1 Overall Objective(s):
The overall objective of the project is to assist the penitentiary system of Hungary in the application of EU quality standards

2.2 Project purpose:
Improve the conditions of juvenile prisoners in the Hungarian prison system and facilitate their re-integration in the society.

The purpose mentioned above are in line with the European standards especially the Recommendation of the Council of Europe 1987 No. R (87) 3, European Prison Rules and through improving their chances for re-socialisation, in the interest of vindicating their social and political rights in line with the Copenhagen Criteria.

2.3 Accession Partnership and NPAA priority
The project reflects the Accession Partnership priorities as it undertakes further steps towards satisfying the Copenhagen criteria.

The Accession Partnership also underlines that “The Commission’s Regular Reports have highlighted the extent of the efforts which still have to be made in certain areas by the Candidate Countries to prepare for accession” (3. Priorities and Intermediate Objectives). It refers to the 2000 Regular Report, which was particularly critical of the conditions of penitentiary institutions in Hungary pointing specifically to the growing problems of overcrowded prisons. Hungary was encouraged to address all issues identified in the Regular Report in the context of preparing for membership.

In the NPAA, project priorities and actions are dealt with in the Chapter B. 2., which outlines plans to establish prisons for young offenders in Pécs and Budapest that will be based on the Government’s comprehensive improvement programme (Government Regulation 1065/2001. (VII. 10.) see Annex) of the penitentiary system.

2.4 Contribution to National Development Plan: Not applicable

2.5 Cross Border Impact: Not applicable

3. Description

3.1 Background and justification:
The present situation in the Hungarian prisons is the following: the total capacity: 10,800 persons, the total numbers of prisoners: 17,055, that means 153% overcrowding. The locations of the juvenile institutions: Tököl (near to Budapest) and Kecskemét (in the centre of the country). The establishment of a new institution in Pécs (Southwest Hungary) will help to fulfil the criteria according on the basis of which the inmates have to be placed as near as possible to their residence. Following the implementation of the project, the Pécs facility will host 50 juvenile persons. With this project, the overall overcrowding...
could be decreased. A new juvenile prison has been inaugurated in March 2002 in Miskolc for the same purposes.

Based on Government Regulation 2072/1998 (III.31) (see Annex) the proposal for the Short-term Strategy Plan for Improving the Prison Service has been prepared. Its appendix presents the plans for the establishment of special institutions for juvenile prisoners with a standard similar to those, which apply within the European Union.

While increasing the number of places, living conditions of juvenile and also of adult inmates will be improved. After establishing new units for juveniles, adult prisoners can be accommodated in those prison facilities that previously served as accommodation for juveniles. Civil society principles will be followed. In line with the requirement of holding young prisoners close to their normal place of residence a better regional distribution of prisons for juvenile delinquents will be achieved.

There will be special programmes as education, further education and vocational training as well as special education of prison staff introduced that will enhance the resocialisation chances of juvenile delinquents. Through more effective treatment of participants and with the assistance of the twinning activities will result in more successful re-socialization concerning juvenile prisoners.

NGOs (prison missions and society organizations, different churches, foundations and other organizations…) are of assistance in the re-socialization process through supporting activities for prisoners carried out by.

The existing system of classification is often not reliable, therefore a more efficient method is to be introduced. Presently the regimes are defined by the courts’ decision. The diverse rules of the different regimes are prescribed by law. In the future classification will be defined by the same law, but the deciding authority would the prison/prison governor itself.

3.2 Linked activities:

There were no activities financed by Phare or any other EU funds in this field. NGOs, the Probation Service and other organisations have carried out considerable training activities (including vocational training) and activated services aimed at re-socialization on the basis of mutual agreements and contracts.

Within the project ‘Professionalisation of the Hungarian Penitentiary Service’, co-operation has started between the Hungarian and Dutch prison services in the framework of MATRA Programme (run by the Netherlands Ministry of Foreign Affairs). The Netherlands Helsinki Committee was invited to take the lead in developing the draft of a proposal to be submitted to the MATRA Program of the Netherlands Ministry of Foreign Affairs for funding, further development of the project, and handle the application to MATRA and function as the co-ordinating partner in the implementation.

Co-operation between the Dutch and Hungarian penal institutions originates from 1998 and resulted in the idea to develop an all covering program for twinning Hungarian and Dutch institutions

The current program has three components:

1. seminars on the policy development on the national level.
2. training in best practices in prison management, concentrating on 3 topics that are seen by the Hungarian Prison Administration as particularly problematic:
   a. occupational programmes for detainees with lifelong sentence
   b. juvenile detainees
   c. drugs abuse and trafficking in prisons
3. a twinning program aiming at co-operation between Dutch and Hungarian penal institutions in the solution of operational problems on prison level.

3.3 Results:

- Improved treatment and regional accommodation of juvenile and adult inmates.
• Decreasing estimated proportion of recidivism among juvenile prisoners by adopting more effective methods for prevention.
• Decreasing overcrowding especially among adult prisoners through establishing the conditions of their accommodation within the prison facilities previously functioning as institutions for juveniles.

3.4 Activities

The project will comprise the following activities which will be implemented by means of one twinning arrangement and one works and one supply tender.

• Extend the prison facility for juveniles in Pécs including amenities for education, further education, and vocational training to enhance the employability of inmates on one hand and for the special education of prison staff on the other.
• Reduce overcrowding through establishing places for accommodation for juveniles. Thus adult prisoners can be accommodated in those prison facilities that previously served as accommodation for juveniles.
• A rehabilitation program will be carried out for juvenile offenders (training courses)
• Develop a new classification system, train the staff trained for the implementation and pilot the system
• Improve co-operation with NGOs and launch of min. three projects with NGOs

3.4.1. TWINNING: Rehabilitation program for juvenile offenders

The aim of this twinning component is to assist the Hungarian Prison Service Headquarters to bring the prison conditions in line with the human and social rights underpinning the Copenhagen Criteria.

The PAA will be assigned for a period of 12 months to the Hungarian Prison Service Headquarters (HPSHQ)

The PAA will possess the following qualifications:

• Experience in the implementation of re-socialisation programs for juvenile offenders in a similar institution of a Member State with an outstanding implementation record;
• Experience in the management of professional training for prison staff;
• Good command of English.

Activities of the twinning project:

General topics
1. assist in the co-ordination with the Organisation of Public Prosecutors and the National Council of Judges during the formulation of the revised classification system.
2. review the current Hungarian regulations and recommending modifications
3. follow up the managerial decisions at HQ level effecting the project
4. monitor the field operations, design and implement a monitoring instrument for the recidivism-prevention program.

Prevention program
5. prepare and implement a methodology for recidivism-prevention programme for juvenile offenders, as well as training programmes for the staff of the responsible institutions.

Classification
6. elaborate a transparent classification system in accordance with European practice.
7. implement the training programmes for the staff and assists in the piloting of the implementation of
   the classification system in the Budapest prison
8. develop a manual for the classification system
9. elaboration of a feasibility study on the establishment of a CIRI in Hungary
10. elaboration of an intermediate solution on a decentralised basis with the existing resources (This
    intermediate solution should be piloted in the Budapest prison)

NGOs
11. survey of the possibilities and elaboration of the background of co-operation with NGOs in everyday
    work

Guaranteed results:
1. Methodology of an efficient classification system prepared and manual for new classification system
   available
2. Feasibility study on the establishment of a CIRI in Hungary
3. Intermediate solution for the implementation of the new classification system formulated and piloted
   in one Hungarian prison
4. according to the elaborated classification system special programmes for juvenile offenders prepared
   and implemented
5. methodology for recidivism-prevention prepared and implemented
6. staff of responsible institutions trained for the implementation of the classification system and for the
   rectivism prevention program
7. co-operation with NGOs improved

The specific project components to be covered by the Twinning project will cover the following areas:

A. Prison-deprivation decreasing program

The aim of this program is to decrease the disadvantages of imprisonment unintended by law (prison-
stress, process of becoming victim, habitualisation of criminal behaviour, social reputation, etc) concerning
juvenile prisoners. This component will be implemented through the following tasks:

1. Elaboration of a classification system

The goal of a classification system is to optimise resources available to match treatment opportunities
with inmate risk and needs profile. It should be based on current scientific research results (psychological,
criminological, sociological) and practical experience.

The existing system of classification is often not reliable, therefore a more efficient method is to be
introduced. A transparent classification system should be elaborated in accordance with European
practice. Following the final judgement convicts are inquired, surveyed and examined for risk
assessment. Up to the results of the mentioned methods they are taken to the adequate regime. Their
health and psychological examination is carried out whereby a “classification test” is filled out targeted at
mapping any risk factors arising from their drug and alcohol addiction, suicidal attempts, aggression, etc.
If the prisoner turns out to be unsafe in any of these categories, it is indicated in his/her personal files.
Further on this will help the prison staff in placing them into different groups (safety, work, treatment).
To convicts classified into one of the damageable groups the participation in special groups is offered
(drug or alcohol addicts, sexual offenders).

The first step it will be carried out in the pilot institution. Participants will pass on their experience and
continue accomplishment (train the trainers). Only a small group would be trained up to practical levels at
this stage. The training for other participants will be more general. After the PAA leaves, trainers will go
on with trainings.
Outcomes:

1. Elaboration of a feasibility study on the establishment of a CIRI in Hungary. For setting up the classification system, CIRI would be important but there are no financial resources available at the moment.

2. Elaboration of an intermediate solution on a decentralised basis with the existing resources. Though an Inspection and Rehabilitation Institute (CIRI) has to be established in the long term, the new classification system can in the meantime already be applied on decentralised basis, in the single prison facilities as well.

Presently the regimes are defined by the courts’ decision. The diverse rules of the different regimes are prescribed by law. In the future classification is generally defined by the same law, but the deciding authority would be the prison/prison governor itself. The new classification system would be applied for juvenile and also for adult inmates.

This module will involve the following specific project components:

- PAA advices on the establishment of the inspection and rehabilitation system based on the already existing and possibly new staff, its personal and material conditions
- Methodology manual completed for the new classification system
- Elaboration of methodology for special programs for targeted groups (therapeutic activities, individual/group psychotherapy), stress and conflict treatment, improving communication skills, application of victim-defensive techniques
- Implementation of the new classification system in one pilot location: in the Budapest Medium and Maximum Security Prison
- Train the staff for operating the classification system. It is a specialised training methodologically separated from the other training activities.

The training would consist of the following:
- training of the staff in Budapest (20 persons), Pécs (10 persons), Miskolc (10 persons) and Kecskemét (2 persons), and also from other adult prisons (60 persons)
- study tour for visiting a similar institution in a Member State (10 persons)

The operation of the classification can be done in accordance with the existing laws and regulations. Some planned modifications of ministerial regulations may promote optimal functioning.

2. Recidivism-prevention

2.A. Recidivism-prevention program

The aim of this program is to maximise the possibilities of re-socialisation, to prevent that juvenile offenders become adult criminals because they cannot find a place in the society. The program will apply to about 60% of all the juvenile offenders presently kept in custody. This module will involve the following specific project components:

2.A.1. Elaboration of a methodology for recidivism-prevention for juvenile offenders (selection of and setting objectives for the given inmate based on the reasonable evaluation of his/her real social-economical background, expanding the existing educational, training, vocational training facilities, programmes aiming at the reduction of behaviour-patterns hampering re-socialisation (addiction-problems, low social interest enforcing ability etc)) It is targeted, that all the convicted juveniles will be classified by risk/needs factors and offered by access to minimally:

1. elementary education (8 classes)
2. vocational training
3. social skills training
4. addiction treatment programme
5. mental-hygienic care
2.A.2. Train the Trainers Program for social workers (members of the HPS staff with college degree, dealing with prisoners case management inside the prison, handling daily matters of the inmates) in the preparation for release (more effective seek for workplace, place of residence, etc.). This element will contain a training program for social workers (30 from the 4 juvenile and other adults institutions concerned).

2.A.3. The current target population is about 340 juvenile convicts, it is expected that about 200 of them will be involved at least in one of the programmes offered as a result of the project. The precise case load is up to the assessment / classification procedure outcomes.

2.B. Improved co-operation with NGOs

As there are no existing legal regulations concerning prison facilities’ keeping in touch with prisoners after release, programmes will be carried out within the institutions, but it will have further affect what is more important considering prevention. There are ongoing trainings, vocational trainings, further trainings and other activities serving for improving re-socialization carried out by NGOs, Probation Services and other civil organizations. HPS is in connection with different churches, prison priest service has been established. There are also charity/community organisations (Red Cross, Malta Christian Social Work) that supply HPS with different clothes, books, sports devices, etc.

This module will involve the following two activities:

- Further involvement of NGOs with suitable profile. Organising seminars in order to assess the possibilities of effective co-operation. Inviting the NGOs to take part in offenders' programming and launch at least three projects with NGOs;
- Study tour for prison staff implementing the prevention program into a similar institution (10 persons) to get acquainted with the applied methods and techniques.

3.4.2. Setting up a new unit in Pécs

There is an already existing prison facility in Pécs for adult inmates. The new unit would be built on the territory of the mentioned institution. The new unit will be related technically and economically with the existing ‘mother institution’ but as a prison facility for juveniles it will operate independently from the other one. It will have an independent governor also appointed functioning as the deputy governor of that in the ‘mother institution’. Other rooms in the new unit will serve only for the different purposes of keeping, treating…etc. juveniles. There are some professional fields that are in connection with each other concerning juveniles and adults (eg. health care, administration) that are not needed to be separated by facilities. In these cases the original, existing ones will also supply juveniles. Thus the already existing facilities, offices and services will serve for juveniles’ purposes too.

This project will be carried out through a works tendering and contracting operation for the prison in Pécs. Setting up a separate building for 50 juvenile inmates in the territory of the existing institution (see details in the budget and implementation schedule). The new building is to be equipped with all the facilities needed for the everyday life of the inmates. (security system, cell equipment, office equipment, library equipment). Thus the present situation of regional accommodation will be improved.

Juvenile prisoners will have more chance to be in touch with their natural social group: e.g. their family. By this means there is also more chance for their basic social relations to survive the duration of their prison sentence thus making re-socialization more effective. Juvenile prisoners will also gain more comfortable accommodation, their circumstances and conditions will also be improved thus approaching European standards. They will have more possibility to take part in trainings and vocational trainings through establishing occupational localities as well as workshops.

Details of the facilities to be constructed:

1. 25 cells for the inmates (cca 12 m² per person incl. 4m² latitude per person), bathrooms and toilets separated in each cell
2. 3 classrooms for the inmates
3. 1 multifunctional room for the inmate group-activities
4. Institutional Framework

All technical and administrative aspects of the project shall be the responsibility of the Hungarian Prison Service Headquarters (HPSHQ), Ministry of Justice that will also control the professional preparation and implementation of the project. HPSHQ will establish a special Project Supervisor Committee that will ensure the required co-ordination of the various competent departments of the Hungarian Prison Service.

More details on the Institutional Framework are included in Annex 7.

5. Detailed Budget in Euro

<table>
<thead>
<tr>
<th>Component</th>
<th>Phare Support</th>
<th>National Co-financing*</th>
<th>IFI *</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Investment Support</td>
<td>Institution Building</td>
<td>Total Phare</td>
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<td>Twinning</td>
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<td>850 000</td>
<td>850 000</td>
<td></td>
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<td>Works (Pécs)</td>
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<td>2 443 000</td>
<td>1 047 000</td>
<td>3 490 000</td>
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<td>Total</td>
<td>2 695 000</td>
<td>850 000</td>
<td>3 545 000</td>
<td>1 155 000</td>
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</table>

The Government co-financing for the twinning activity is an estimated indicative amount and will not be part of the budget of the twinning covenant. It provides an indication of the resources in cash or in kind that the beneficiaries will have to mobilise to cover the necessary counterpart expenses arising from the implementation of the twinning.

The co-financing for the service, supply and work contract should be intended as joint co-financing between Phare and Government resources. The Phare amount is binding as a maximum amount available for the project. The ratio between the Phare and national amount is also binding and has to be applied to the final contract price.

6. Implementation Arrangements

6.1 Implementing Agency

PAO: Ms. Judit Rózsa, Director of CFCU

Address: Deák Ferenc u. 5. Telephone: (+361) 327-3652
H-1052 Budapest Fax: (+361) 327-3572
e-mail: Rozsa.judit@ahh.gov.hu
6.2 Twinning: One twinning arrangement is foreseen with a budget of 850 000 euro.

6.3 Non-standard Aspects
The Practical Guide and the Twinning Manual will strictly be followed.

6.4 Contracts
The project will be implemented through a twinning Covenant and one open international works tender and one supply tender.

7. Implementation Schedule

<table>
<thead>
<tr>
<th>Component</th>
<th>Start of Tendering</th>
<th>Start of Project Activity</th>
<th>Completion</th>
</tr>
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<td>01/ 2003</td>
<td>01/ 2004</td>
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<tr>
<td>Supply</td>
<td>12/ 2002</td>
<td>05/ 2003</td>
<td>05/ 2004</td>
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</table>

8. Equal Opportunity
The Hungarian Prison Service is an equal opportunity employer. No discrimination of whatever nature will be applied. Prison inmates are treated in line with valid penitentiary legislation.

9. Environment
All construction work and equipment will be fully consistent with the applicable Hungarian legislation, which is already in line with the relevant Acquis.

10. Rates of return

A rate of return analysis has not been undertaken because of the difficulty of expressing the project’s benefits in terms of either personal income or value added.

11. Investment criteria

11.1 Catalytic effect:
Without PHARE support, the improvement of juvenile prisons could only be realized much later. The juvenile prison facility serves as a model for further improvements of the penitentiary system in Hungary.

11.2 Co-financing
Hungarian Government and the transferee HPSHQ will cover 30 percent of total project costs.

11.3 Additionality
The Phare intervention shall not displace other financiers, especially from private sector or IFIs.

11.4 Project readiness and Size
All necessary preparatory studies and construction plans for the Pécs prison project are ready and tender preparation can start immediately.

11.5 Sustainability:
All investment actions are sustainable in the long term beyond the date of Accession. They comply with EU norms and standards. Future maintenance and operation costs will be covered by the Hungarian national budget.

11.6 Compliance with state aids provisions

All investments will respect the state aid provisions of the Europe Agreement should these be applicable to the project.

11.7 Contribution to National Development Plan

Not applicable

12. Conditionality and sequencing

No specific conditionalities apply to this project.

The rebuilding plans of the old building of governor and the needed construction permissions are available. The accommodation unit for 50 persons is not planned and the appropriate authorisation is needed. It will be obtained, together with any other necessary permit by January 2003. Failure to respect this conditionality will lead to partial or total reallocation of Funds.
ANNEXES TO PROJECT FICHE

1. Logical framework matrix in standard format
2. Detailed implementation chart
3. Contracting and disbursement schedule
4. Detailed Costs Breakdown
5. List of relevant Laws and Regulations
6. Plans – Pécs
7. Prison Service HQ – structural organisation
8. Statistics for recidivism
## LOGFRAME PLANNING MATRIX FOR Project

**Improving Prison Conditions for Better Resocialisation of Juvenile Offenders**

<table>
<thead>
<tr>
<th>Programme name and number</th>
<th>Prison Modernisation 2002/000-31502.02</th>
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<tr>
<td>Contracting period expires:</td>
<td>Disbursement period expires:</td>
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<tr>
<td>Total Budget:</td>
<td>Phare Budget:</td>
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<tr>
<td>4,700,000 Euro</td>
<td>3,545,000 Euro</td>
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### Overall objective

The overall objective of the project is to assist the penitentiary system of Hungary in the application of EU quality standards.

### Objectively verifiable indicators

All critical points regarding the penitentiary system stated in the Regular Report eliminated.

### Sources of Verification

- Reports of European Commission

### Assumptions

- Reports of European Commission

### Project purpose

Improve the conditions of juvenile prisoners in the Hungarian prison system and facilitate their re-integration in the society.

### Objectively verifiable indicators

- 600 additional places for accommodating inmates by 2005

### Sources of Verification

- Reports of the Hungarian Prison Service
- Specific tracer studies

### Assumptions

- Smooth co-operation of all concerned agencies
- Continued improvement of the treatment and accommodation conditions of juvenile and adult inmates

### Results

- Improved treatment and regional accommodation of juvenile and adult inmates.
- Decreasing estimated proportion of recidivism among juvenile prisoners by adopting more effective methods for prevention.
- Decreasing overcrowding especially among adult prisoners through establishing the conditions of their accommodation within the prison facilities previously functioning as institutions for juveniles.

### Objectively verifiable indicators

- New prison facility for 50 juveniles established in Pécs by December 2003
- New classification system designed and implemented in one pilot location by December 2003
- Feasibility study for the establishment of the CIRI available by December 2003
- 102 persons of the prisons staff and 30 social workers trained by December 2003
- A recidivism-prevention programme with 200 persons (60%) of the juvenile offenders carried out (in consequence lower rates of recidivism achieved) by December 2003
- 3 new co-operation projects with NGO launched by December 2003

### Sources of Verification

- Classification methodology
- Programme concept paper
- Course evaluation paper

### Assumptions

- Qualified staff in sufficient numbers retained for the foreseen resocialisation work
- Funds for the operation of the prisons available when required
<table>
<thead>
<tr>
<th>Activities</th>
<th>Means</th>
<th>Assumptions</th>
</tr>
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<tbody>
<tr>
<td>• Extend the prison facility for juveniles in Pécs including amenities for education, further education, and vocational training to enhance the employability of inmates on one hand and for the special education of prison staff on the other.</td>
<td>• One international works tendering and contracting operation</td>
<td>• Local co-finance available when needed</td>
</tr>
<tr>
<td>• Reduce overcrowding through establishing places for accommodation for juveniles. Thus adult prisoners can be accommodated in those prison facilities that previously served as accommodation for juveniles.</td>
<td>• One equipment supply</td>
<td></td>
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<tr>
<td>• A rehabilitation program will be carried out for juvenile offenders (training courses)</td>
<td>• One twinning covenant</td>
<td></td>
</tr>
<tr>
<td>• Develop a new classification system, train the staff trained for the implementation and pilot the system</td>
<td>• Local co-finance available when needed</td>
<td></td>
</tr>
<tr>
<td>• Improve co-operation with NGOs and launch of min. three projects with NGOs</td>
<td>• All the necessary permits of the construction of the prison will be available by the time of signature of the FM</td>
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<table>
<thead>
<tr>
<th>Preconditions</th>
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<tr>
<td>• All the necessary permits of the construction of the prison will be available by the time of signature of the FM</td>
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<td>• Co-financing will be available in time</td>
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## Detailed Implementation Chart

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<thead>
<tr>
<th></th>
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<tr>
<td><strong>Twinning</strong></td>
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<td><strong>Work in Pécs</strong></td>
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<tr>
<td><strong>Supply in Pécs</strong></td>
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- Design
- Tendering
- Implementation

An example of the chart showing implementation timelines.
## ANNEX 3

### CUMULATIVE CONTRACTING AND DISBURSEMENT SCHEDULE (MEUR)

#### CONTRACTING

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#### DISBURSEMENT

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<td>Supply</td>
<td>0.1512</td>
<td>0.252</td>
<td>0.252</td>
<td>0.252</td>
<td>0.252</td>
<td>0.252</td>
<td>0.252</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>TOTAL CONTRACTS (Phare only):</td>
<td>0.425</td>
<td>0.6375</td>
<td>1.1605</td>
<td>1.95705</td>
<td>2.5678</td>
<td>3.0564</td>
<td>3.3007</td>
<td>3.545</td>
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</table>
## ANNEX 4

### Detailed Costs Breakdown

<table>
<thead>
<tr>
<th>Activities</th>
<th>Budget (Euro) PHARE</th>
<th>Budget (Euro) National co-financing</th>
<th>TOTAL incl. VAT</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Supply</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. cell equipment:</td>
<td>77.000.-</td>
<td>33.000.-</td>
<td>110.000.-</td>
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<tr>
<td>2. library equipment:</td>
<td>59.500.-</td>
<td>25.500.-</td>
<td>85.000.-</td>
</tr>
<tr>
<td><strong>Building</strong></td>
<td><strong>2.443.000.-</strong></td>
<td><strong>1.167.000.-</strong></td>
<td><strong>3.610.000.-</strong></td>
</tr>
<tr>
<td>4. Planning costs:</td>
<td>-</td>
<td>160.000.-</td>
<td>280.000.-</td>
</tr>
<tr>
<td>5. High and low civil engineering:</td>
<td>1.543.000.-</td>
<td>651.000.-</td>
<td>2.170.000.-</td>
</tr>
<tr>
<td>6. Building engineering</td>
<td>274.000.-</td>
<td>108.000.-</td>
<td>360.000.-</td>
</tr>
<tr>
<td>7. Electronic network</td>
<td>218.000.-</td>
<td>84.000.-</td>
<td>280.000.-</td>
</tr>
<tr>
<td>8. Information network</td>
<td>225.000.-</td>
<td>87.000.-</td>
<td>290.000.-</td>
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<tr>
<td>9. Security system</td>
<td>183.000.-</td>
<td>69.000.-</td>
<td>230.000.-</td>
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<tr>
<td><strong>Sum</strong></td>
<td><strong>2.695.000.-</strong></td>
<td><strong>1.275.000.-</strong></td>
<td><strong>3.970.000.-</strong></td>
</tr>
</tbody>
</table>

* The National co-financing includes the VAT for the Total budget
ANNEX 5

List of Relevant Laws and Regulations

1. Act No. CVII of 1995 on penal administration
2. Law Decree 11 of 1979 on enforcement of punishments and measures
3. Government Resolution No 2072/1998 (III.31.) Korm. – see text below
4. Government Resolution No1065/2001 (VII.10.) Korm. – see text below
5. Decree of the Minister of Justice No 21/1994 (XII.30.)IM on classification of penal institutions.
6. Decree of the Minister of Justice No 6/1996 (VII.12.) IM on rules of enforcement of imprisonment and pre-trial detention
7. Memorandum of the Strategy Plan
Government Regulation 2072/1998. (III.31)

on the long term improvement of the prison service institution system

The Government

1. approves the programme of the long term improvement of the prison service institution system according to as appended;
2. agrees that the computed annual cycle of the programme and the system of conditions essential for its realisation (e.g. number of staff, source of financials) have to be reconciled at the time of drawing up the estimate concerning the current year within the section of the Ministry of Justice, and the proposals have to be submitted – by mid-term consideration -;

Responsible: Minister of Justice
Minister of Finance

Closing date: according to the improvement programme of the institution system of the prison service and as included in the annual Finances Act

3. agrees that the units of the Ministry of Defence in Pusztaszemes and Debrecen are to be transferred to the Prison Service Headquarters, and approves of their reconstruction according to the purpose of the prison service.

Responsible: Minister of Justice
Minister of Defence
Minister of Finance

Closing date: 30 April 1998, continuously thereafter

Appendix to the Government Regulation 2072/1998. (III.31)

The programme of the long term improvement of the prison service institution system (1999-2007)

I. In the interest of improving the accommodation facilities for remand prisoners new places have to be established as follows:
1. 64 new facilities for accommodation have to be established in the Jász – Nagykun – Szolnok County Prison (Szolnok) by extending the exesting unit. (1999-2000)
2. The unit built in the Veszprém County Prison (Veszprém) - that is able to take in and hold 55 people at present – is not suitable for prison service purposes, it cannot be extended, and has to be
wind up. A new unit has to be established instead that is able to hold 200 people. The old unit can be sold after the inauguration of the new one. (1999-2001)

3. In the Szabolcs – Szatmár – Bereg County Prison (Nyíregyháza) besides the existing building complex, on its own territory a new unit has to be established, which is able to hold 150 people. (2000-2002)

4. The existing accommodation block of unit “B” of Borsod – Abaúj – Zemplén County Prison (Miskolc) has to be extended by 150 places in the interest of accommodating remand prisoners.

5. In the Szabolcs – Szatmár – Bereg County Prison (Nyíregyháza) besides the existing building complex, on its own territory a new unit has to be established, which is able to hold 150 people. (2000-2002)

6. In the Hajdú – Bihar County Prison (Debrecen) by the dissolution of the site of Ábránd Ltd, that employs prisoners besides preserving the old building a new one is to be established that is able to hold 180 people. (2001-2003)

7. In the Komárom – Esztergom County Prison (Esztergom) 30 new places have to be established for suitable accommodating of remand prisoners, which has to be solved by extending the existing unit (by building in the attic). (2004)

8. There is no enough place for holding remand prisoners in the Balassagyarmat Prison, and because of the local circumstances its capacity cannot be extended either. A new establishment has to be built for 100 remand prisoners. (2005-2007)

9. In the Baranya County Prison (Pécs) the local extension possibilities are given for accommodating remand prisoners, which can be realised between 2005-2007 considering the possibilities of the central budgets.

10. In the Somogy County Prison (Kaposvár) the accommodation facilities for remand prisoners cannot be extended. For supporting the duties of holding remand prisoners a new establishment has to be built that can hold at least 200 people in the territory of Central Transdanubia.

11. On the course of the transformation of the act on the criminal procedure the duties set for the prison service increase the accommodation problems of remand prisoners in the capital. On the territory of the capital the prison service do not own institutions that can be further extended therefor it is essential to establish 100 places for accommodation by the extension and reconstruction of the existing establishments at the Martonvásár Subunit of the Baracska Prison. (0999-2001)

II/1 Extention the accommodation facilities for juveniles
50 new places in Southern Hungary and 100 new places in Northeast Hungary have to be established for the accommodation of juveniles. After accomplishing the investment the possibility has to be studied that which category of adults can be held in the institutions. (2003-2005)

II/2 Improving the accommodation facilities for female prisoners
100 places have to be established for accommodating female prisoners in Northeast Hungary, as a mutual investment with the one planned in II/1. (2003-2005)

III. Modernising the places for accommodation
Modernising of 100-100 places for accommodating inmates have to be carried out annually in the interest of the structural reconstruction of the existing buildings. (1999-2007)

IV. Staff number improvement
The staff number has to be improved by 1182 uniformed and 70 civil worker places till 2006 in the rate/ cycle of the institution system improvement, for maintaining the new establishments, for supplying higher rates of remand prisoners.
Government Regulation 1065/2001. (VII. 10.)

on the institution development priorities and terms of reference for negotiations of PHARE National Programme 2002

The Government

1. agrees that within the framework of PHARE National Programme 2002 concerning the topic of institution development those project proposals are to be furthered to the European Union that serve the realization of tasks that are included the National Programme for Adopting Aqis Communitaire 2001, and for the fulfilment of which the portfolios responsible indicated plain demand for PHARE support; in accordance project proposals for support can be elaborated in the following topics:

a.) political criteria: development of civil society, integration of the Roma
b.) domestic/home market: evidence of suitability, development of notification, adopt European standards,
c.) internal affairs and justice: Schengen Aquis, jurisdiction – training judges, developing informatics at the courts, developing prison service, developing informatics at the public prosecutor’s offices,
d.) finance: financial supervision, preparing for adopt convergence criteria,
e.) human resources, employment and social affairs: public health affairs, drug prevention, employment policy, health protection and security at workplaces, preparing for the accomplishment of European Social Fund-type projects,
f.) agriculture: preparing for EU Common Agriculture Policy, food-safety, Common Market Organisations,
g.) environmental protection: preparing for the Cohesion Funds, quality inspection of subsoil and surface waters, conservation, catastrophe defence,
h.) energy: improve the regulation of the institution system of the energy-market
i.) transport, water conservancy: water quality damage-prevention, developing postal services;

Responsible: Minister Without Portfolio Responsible for the Governmental Coordination of PHARE
Closing date: 30 September 2001

2. provides that

a.) the support provided within the scope of PHARE 2002 is to be put in the budgetary plan of the beneficiaries, and they are to ensure the budgetary co-financing attached to the support programme within the expenditure principal-sum of the budget of the current section.

Responsible: ministers concerned, directors of national organisations
Minister of Finance
Closing date: in 2002 at the same time as the submission of project proposals, later in compliance with the budgetary planning

b.) the beneficiaries are to prepare the documents and sub-materials without insufficiency, that are essential for carrying out the projects started within the scope of PHARE 2002

Responsible: ministers concerned,
directors of national organisations
Minister Without Portfolio Responsible for the Governmental Co-ordination of PHARE

Closing date: 30 September 2001

3. empowers the minister without portfolio responsible for the governmental co-ordination of PHARE that together with the representative of the European Union Committee to conduct the negotiations on PHARE National Programme 2002 and to sign the Financial Agreement concerning.

Responsible: Minister Without Portfolio Responsible for the Governmental Co-ordination of PHARE

Closing date: 31 January 2002, and as falling into line with the progress of negotiations
Memorandum

for submission to the Government
on the long-term (6-year) concept
of the development of the prison service

/APPROVED BY THE MINISTRY OF JUSTICE,
BUT STILL NOT AGREED BY THE PARLIAMENT/

November 2001
I. Antecedents

1. Memorandum on the conditions at the Prison Service and on its short-term development programme

In June 2001 the Ministry of Justice prepared a memorandum to be submitted to the Government on the prevailing conditions at the Prison Service and on its envisioned short-term development programme. The preparation of this memorandum had been motivated by several factors, of which the most outstanding ones are as follows:

- Ever since its coming to power the penal policy of the present Government has been conditioned by the principle of severity defined in the Government’s programme. The implementation of any penal policy necessitates a transparent and consistent practice of penal sanctioning and implementation. The development of the principles of penal policy in general, however, proved to be much quicker than the development of the practical execution of the actual penal punishments in the prison system. Such a situation may easily result in tensions and functional deficiencies that are extremely difficult, or even impossible, to manage at the institutional or ministerial level at all.

- The recent ten years have seen the updating of the legal instruments of the penal field, the necessary preconditions for the implementation of the resultant expectations, however, remained to be unprovided for.

- At the end of its term the previous government issued a decree on the long-term development of the penal system [Government Decree 2072/1998. (III. 31.)]. However, the problems of the penal system have remained unresolved by the said government decree, because it focussed primarily on quantitative issues (e.g. increasing accommodation capacity) and on some qualitative improvement but without making provisions for the allocation of the necessary budgetary resources.

The memorandum enumerated the most pressing problems of the penal system, such as:

- the ever increasing overcrowding in the penal institutions,
- the bad repair of the buildings within the institutions,
- the underfinanced operation of the establishments,
- the high fluctuation of the penal staff, in conjunction with their income lagging behind the typical incomes at other armed organisations (since then this latter problem has been resolved),
In order to eliminate the said problems the memorandum offered the following elaborated documents:

- the short-term (2-3 year) programme of development for the penal system,
- interfacing the short-term programme to the long-term development programme,
- urgent decisions relative to the ever increasing inmate population,
- budgetary resource needs for the year 2001 of the short-term development programme.

2). The decision of the Government

The memorandum was discussed at the Government meeting of the 26th of July 2001, where the Government brought the following decision:

“a working committee shall be set up to work out the development programme of the penal system, under the leadership of the Minister of Justice and with the participation of the Ministry of Justice, the Ministry of Economic Affairs, the Ministry of Education, the Minister for Social and Family Affairs, the Ministry of Internal Affairs and the Ministry of Health Care. In case the working committee finds it justifiable to initiate urgent measures, it shall submit the necessary proposal to the Government.”

3). Memorandum on the measures of highest priority to be taken to settle the most urgent problems at the Prison Service

In accordance with the decision of the Government the said working committee was set up and convened to hold its first meeting on the 24th of July 2001.

Following this the Ministry of Justice singled out those points from the original/primary memorandum that were found by the working committee to be needing immediate attention and prepared them for Government decision.

The urgency of these measures are basically justified by the present situation of the penal administration system, and their implementation would remedy the most pressing areas of tension, such as:

- increase in detainee figures and overcrowding
- bringing about the conditions for safe custody (security equipment, arms, vehicles).

This programme is a smaller package when compared to the original memorandum of the Ministry of Justice, and concentrates on the immediate settlement of the current problems.

The most important tasks in the present situation are:

- the preservation or improvement of the safety of custody.
- the increase of the custodial staffing levels and the improvement of the custodial staff,
- the preservation of the current conditions of custody.

The memorandum offers two versions to be considered for decision:

- Version A refers to a decision concerning 2001,

The administrative state secretarial conference of August 9 proposed Version A for approval. (This version is also acceptable for the Ministry of Justice.)

The memorandum divided the tasks to be implemented (in line with the decisions) into two parts:

- on the one hand: matters relative to custodial conditions,
- on the other hand: prison development.
The memorandum considers custodial conditions to be of utmost urgency requiring immediate intervention, and within this category defines two areas:
- overcrowding (currently 146, the prescribed limit is 70),
- safe, up-to-date equipment (security equipment, vehicles weaponry).

4). Guidelines drawn up by the working committee regarding the six-year long development concept

At the August 14, September 4 and October 9 meetings of the working committee the essential elements of the longer-term (6-year) development programme had been defined, such as:
- prison construction,
- offender employment,
- vocational training for offenders,
- health care for offenders,
- legal codification of the penal sanctions.

As to the specific elements of the concept the committee defined the base points for improvement:

a). Prison construction: the basis for calculation should be the current average; the major questions are what size prisons, where and from what resources should be built.
  - The capacity of an optimal size prison should not exceed 700, 120% overcrowding still can be put up with, therefore the missing capacity is 2100 which necessitates the building of three new prisons.
    - The physical deployment of the prisons to be built should be dependant on the geographical patterns of crime, the residence of offenders, considerations of transportation and employment.
    - When planning the expenditure, both budgetary and non-budgetary resources may be considered; however, non-budgetary resources should be handled with caution.

b). Offender employment: the composition of the prison population should be taken into account. The prime objective is not making profit but the provision of wide-scale employment. The current contradictions (closed system, market oriented employment) should be lessened and resolved.

c). Vocational training: the basis is again the prison population. The preferable levels shall be defined, such as the completion of the 8-year primary school or offering chances for vocational training.

d). Health care: the generally accepted norms shall be considered to be basic requirements.

e). Codification: the new Act for the Execution of Penal Sanctions should be worked out in conjunction with the ongoing drawing up of the new Penal Code. Here, again, the existing regime should be taken into account.

II. Development programme

1). Prison construction
The Ministry of Justice continually pays emphasized attention to handleing the situation as a result of which Government Regulation 2072/1998. (III.31) on the long term improvement of the prison service institution system came into existence. It contains three elements as follows: improving the
number of accommodation facilities, providing accommodations for females and juveniles that are closer to their residence, and reconstruction. This government regulation was modified by Government Regulation 2366/1999. (XII. 27.). The developments that have to be carried are as follow: 50 new places in Southern Hungary and 100 new places in Northesat Hungary have to be established for the accommodation of juveniles. According to direction of the Ministry of Justice’s direction elaboration is planned – with taking priorities into account – as follows: A Southern Hungarian institution with 50 places of accommodation on the court of the presently existing prison establishment. This territory that is in our property is suitable for establishing a separate but functionally attached unit.

2.) Employment
2.2. The directions of strategic development of improvement are as follow:
- definition of the rates of employment types
- strategic improvement of the enterprise-based employment
- facilitation of re-socialisation

3). Education, vocational training
On the course of improvement the augmentation chance of re-socialisation after release has to be set out as a priority with taking into consideration that the general levels of education and vocational training is to be preferred to great extent.

5). Health care
According to the constitution of Hungarian Republic 70/D. § chapter (1) the right for the highest levels of physical and mental health possible concerns to everybody who lives on the territory of the Hungarian Republic, thus to inmates as well. Legal obligations are fulfilled by the Hungarian Prison Service by running an own health care supply system with well-based traditional background and its overall expertise is acknowledged. The preferred levels of improvement: ensuring fitting to the general prescriptions of health-care section. Existing structural dispiry in in the system as well as personal and material conditions of meeting minimal abolitions, replacement of run-down instrumental support in severl institutions, the need for creating better hygenic conditions, the problem of augmenting occupational health-care, the insufficient support of medicals etc. account for improvement. The number of prisoners is constantly growing, wich means actual increase in duties for the health care supply system. This increase in duties besides those mentioned above underlie the development of personal and material conditions.

6). Codification
Within a short time after the Penal Code becomes effective the new Act for the Execution of Penal Sanctions shall have to be drawn up as well. In 1999 an interdepartmental committee was set up under the guidance of the Ministry of Justice with the task of working out the concepts for the new Act for the Execution of Penal Sanctions. The interdepartmental committee had prepared a draft version of the said Act by July 2000. In view of the commencement of the codification activities of the new Penal Code, however, the committee was compelled to suspend its activity. The major regulatory principles of the new Act for the Execution of Penal Sanctions have already been decided upon, and they can be summed up as follows:

The new Act for the Execution of Penal Sanctions shall appropriately take into account the effective Law Decree No. 11 of 1979 on the Execution of Punishments and Penal Measures, because regulation should remain in compliance with realities.
The new Act for the Execution of Penal Sanctions progressivity and differentiation should be strategic objectives of the deprivation of liberty. Only by doing so shall legal regulation be able to give a flexible response to changes in the structure of crime, both in the short run and the long run, be able to reintegrate offenders into society, be able to make effective the punitive side of the law and of the sentence, and appropriately defend society as a whole.

As to the basic principles of the imprisonment sanction, apart from preserving the current principles, the new Act for the Execution of Penal Sanctions shall contain the guidelines that promote progressivity and modern penal practice that are internationally accepted and have become common practice in countries with highly developed penal systems. Namely the principles of normalisation, openness, responsibility, cooperation and individualisation.

The said principles help to diminish or bridge over the contradictions between the prison, as an artificial life environment, and the free life outside the prison walls, thereby counterbalancing the detrimental effects of prison life and promoting reintegration of the released into society.

Within the set of rights whilst implementing the penal sanctions it is necessary to define the basic rights that have to be granted to each and every offender within any prison regime. The range of the rights that are granted, however, might change in more severe or more relaxed regimes. In the less severe regimes it is possible to offer extra rights to the offenders.

The guiding principle of progressive implementation should be most apparent in the established order of punishment execution of the imprisonment sanction, because its practical implementation opens up the possibility of a differentiated penal regime. Progressivity, i.e. the gradual improvement and development of the offender can most effectively be promoted if there is appropriate differentiation functioning among and within the specific punishment regimes (provided they are retained in the new Penal Code), and the offender has real chances of moving forward within the differential system. The necessary level of differentiation is assured by the different implementation regimes that make it possible to set up regimes and institutions with differing security levels: there are strictly closed, closed, half-open and open penal institutions. The half-open and open institutions offer more cost-effective solutions with regard to investment, operation and staffing expenses.

Programmes offered for the offenders should make it possible for them to maintain and/or improve their mental and physical condition. To promote this objective the penal establishments should strive to offer a wide and varied range of employment programs, of which the offender may choose the ones that are most suitable for him. Employment and participation in offender programmes should not be made compulsory. Progressive implementation is best promoted if the offender volunteers for obligations that help his integration into the society (e.g. accomplishment of his missing school education, participation in various vocational training, health care or rehabilitation programmes). Apart from their later use all these may help him to make advancements in his prison life as well.
Plans of the Pécs Prison

Circumstances of practicability of new correctional institute in Pécs

1. The ownership of the ground is ordered (Prison Service handling), but the historic building surrounding can hinder the building possibly.

2. The ground is supplied with public utilities, possibilities of connection on tem are provided.

3. The institute has got partial independence with background of Pécs Remand Prison (Prison of Baranya County).

4. The ground is fenced off and guarded.

5. Because of little number of inmates the separation does not cause trouble.

6. The existent institute provides the administrative units.

7. Estimated basic area according to admitted number of the inmates

   accommodation unit 1,360 m\(^2\)
   workshops 225 m\(^2\)
   classrooms (in acclamation unit) 100 m\(^2\)
   and gymnasium at the old building of governor 1.685 m\(^2\)

The finishing stage of planned institution

Juvenile Prison of Barony County: the rebuilding plans of the old building of governor and the needed construction permissions are available (there has to do them timely). The accommodation unit for 50 persons is not planned and the authorisation is needed.

The estimated preparation costs of the detailed program (making of plan, authorisation) of institute are about 10 million Forints.
Annex 7

**Hungarian Prison System**

Ministry of Justice
(supervision)

Hungarian Prison System HQ
- Director General
- Deputy Director General (4 departments)
- Dep. DG economical matters (Economic) (3 departments)
- Head of Office (5 departments)

Prisons
12 for adults (1 for women)
3 for juveniles

Remand houses
17

Prison Firms (functioning with the prisons)
12

Institutions
- Forensic Institute 1
- Training Centre 1
- Rehabilitation and Training Centre 2
- Police Academy Department of Corrections
01 December 2001

Number of prisoners with final judgement: 12,755.

Prisoners without criminal record: 43%

Recidivist (has once been in prison before): 24%
Multiple recidivist (has more times been in prison before): 33%
Total recidivism: 57%
These data do not cover the real situation as it shows the rates of recidivism concerning the population of prisoners with final judgement at a concrete time. Though it is supposed that diversion cannot be that considerable