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AD HOC ADVISORY COMMITTEE OF EXPERTS
ON THE PREVENTION OF CRIME AND THE
TREATMENT OF OFFENDERS, 1953

DRAFT REPORT

prepared by the Rapporteur

III. PRISON LABOUR

1. In introducing the topic of prison labour, the representative of the Secretary-General pointed out the broad economic, social, political and penitentiary aspects of prison labour and called to the attention of the Committee the desire of the Social Commission to emphasize in particular certain aspects of prison labour, namely prison labour in relation to the training of prisoners, the economy of the institution, the economy of the country as a whole, and the support of the prisoner's dependents.
2. The Secretariat had in mind a study which would deal with certain problems in prison labour, the solution of which is of primary importance to governments, particularly those which are less-developed. The Committee expressed the view, however, that it would be necessary to examine the question as a whole in order to evaluate special aspects of prison labour in their proper perspective.

3. In discussing the nature of the enquiry, one member of the Committee asserted that the best approach might be a comprehensive survey of the literature with respect to the prevailing opinion in this field throughout the world. Following a compilation of these opinions a set of principles might be established for the guidance of governments. On the other hand, some members of the Committee expressed the view that it would be preferable to obtain concrete information on actual provisions and practice in this field in a selected number of countries. Principles might later be established on the basis of these data. This latter point of view prevailed.

4. In selecting those aspects which it believed the United Nations should examine, the Committee recognized the wish of the Secretariat to limit its enquiry to certain factors, but expressed the belief that in order to obtain an adequate general picture, the minimum amount of information to be obtained would necessarily exceed the limits desired by the Secretariat. As a conclusion to its deliberations the Committee adopted, on the basis of a working paper prepared by the Secretariat, an outline which should form the basis of the enquiry on this topic (Annex A).

5. When gathering data under each heading it would be advisable to seek information on new and unusual projects which may have been carried out in particular countries. A detailed description of such projects would be of value to countries who had similar problems which were as yet unsolved.

6. The Committee suggested that in gathering this data reliance should be placed on the first instance on United Nations correspondents, although it would probably be inevitable that the correspondents, in turn, would have to procure information through governmental channels.

7. Opinion was also expressed that it might be valuable to carry out this study on a regional basis rather than on an exclusively international basis since the status of prison labour may have a regional character.
8. The Committee, while recognizing that the preparation of a report on prison labour would be a lengthy task, expressed the hope that this report could be available as the basis for a discussion of prison labour at the Congress.
9. In recognizing that the study as outlined by the Committee would be more comprehensive than that originally proposed by the Secretariat, the Committee expressed its pleasure with respect to the offer of cooperation made by the ILO.
10. In general, the Committee felt that elaborate technical assistance projects, particularly of the nature of a demonstration project, would best await the completion of this study but that, on the other hand, any request for general technical assistance in this field in the meantime should be acted upon.

ANNEX A

Major topics suggested for inclusion in the
study of prison labour

I. Purpose of prison labour

- a) Is prison labour considered, according to existing legislation and/or administrative practices, to be a right of the prisoner and/or a duty inherent in the sentence? Is it intended as a form of punishment? Do the aims vary according to categories of prisoners?
- b) Is prison labour required of or available to untried prisoners and, if so, how is it regulated and in what manner does it differ from the prison labour of convicted prisoners?
- c) What are the laws, regulations and administrative practices with regard to utilizing prison labour as a device for the vocational and social training of the prisoner?

II. Economic and organizational aspects of prison labour

- a) To what extent is prison labour used in private enterprise and under what conditions?
- b) To what extent is prison labour organized and utilized to carry forward public works (including governmental programmes of national development such as irrigation projects, resettlement projects, etc.)?
- c) What are the principal difficulties and solutions (in law and in practice) with respect to the problem of the competition of prison labour with free labour and industry?

- d) To what extent is prison labour organized in consideration of the occupational background of prisoners and employment opportunities upon release ?
- e) Statistics on prison employment. (The group did not wish to formulate a specific question on this topic but it did make general suggestions to the Secretariat with regard to collecting the necessary data. It pointed out the advisability of gathering statistics on the total prison population as well as by categories of work assignments. The Committee advocated making broad categories of assignments and suggested using the five following : industries, handicrafts, agriculture, maintenance and unemployed. It pointed out that gathering data on the basis of a daily average would be better than to use one specific date but that if the latter technique must be employed, two or more specific days should be selected to minimize the bias of seasonal work. Finally, the Committee agreed that the concept "fully employed " be maintained but that, in light of the different interpretation which countries might make, it would probably be necessary for the Secretariat to define this term arbitrarily).

III. Social aspects of prison labour

- a) How are prison wages fixed and what regulations govern the expenditure of the prisoner's income from work, with particular reference to the support of the prisoner's dependents ?
- b) What provisions are made for the prisoners to enjoy, -either through special legislation or through eligibility to general legislation-, social security

benefits, including accident compensation and other measures of social protection ?

- c) In what manner is a prisoner's remuneration for prison labour used to aid his readjustment upon release ?