

## Human rights: An analysis from the perspective of persons deprived of liberty in Ecuador



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### ABSTRACT

Persons deprived of liberty and under the protection of the State are in a situation of special vulnerability,

and the frequent lack of public policies in this regard has meant that the conditions in which these persons are held are characterized by the systematic violation of their human rights. This article aims to explain the importance of human rights guarantees for persons deprived of liberty (PPL) in Ecuador. Key challenges to the rights of detainees, such as violence, lack of basic services and discrimination, were mentioned. The methodology proposed in the descriptive type of research, was based on a mixed approach where the importance of national and international legal instruments in the protection of the rights of detainees was highlighted and some of them were mentioned, such as the Constitution of Ecuador and the International Covenant on Civil and Political Rights, therefore, it is essential that States adopt concrete measures aimed at addressing these structural deficiencies.

**Keywords:** Persons deprived of liberty, Human rights, Legal instruments, Prisons.

## 1 INTRODUCTION

Persons deprived of liberty in the face of human rights have faced various global challenges and inconveniences in their structures. In this sense, Nelson Mandela mentions that "no one really knows what a nation is like until they have been in one of its prisons. A nation should not be judged by how it treats its citizens, but by how it treats those who have little or nothing." (Naciones Unidas, 2015)

In the first place, a person who has committed a crime and was sentenced for such unlawful action is classified as deprived of liberty (PPL), despite such act on the part of the detainee, he is not exempt from the State guaranteeing his rights and granting him fair and humane treatment within the penitentiary; whereas, "International law requires the authorities to ensure that persons detained under their jurisdiction are treated humanely, that life and health are preserved, and that established standards and principles are applied" (International Committee of the Red Cross, 2016, p. 5).



However, there is a lack of pertinent measures in prison and security matters, despite the fact that there are different legal instruments to deal with the violation of human rights regarding persons deprived of liberty. Well, these violations or transgressions of rights affect the PPL physically and psychologically, causing them to be unable to insert themselves into society when they serve their sentence, therefore, education plays a key role in bringing about significant changes and reducing overcrowding inside prisons.

Human rights have gained value over the years, evolving according to the needs and challenges faced by individual nations and the international system. Although there are rights that are stipulated in the "relations of special subjection to justify restrictions on the fundamental rights of prisoners, since 1925 the International Penitentiary Commission contemplates minimum rights rules for PPL and in 1955, the UN incorporates measures for their treatment" (González, 2018, pp. 194, 197).

This has helped States that include such legal instruments in their Constitutions, such as Ecuador, to establish a basis and be obliged to comply with the stipulations within them. The international system, through the Universal Declaration of Human Rights (UDHR), has sought to improve the dignity of persons deprived of liberty by accepting the most favourable treaties towards them and within the States where they are serving their sentences, allowing them to have guarantees before the law through judicial institutions, obtaining necessary information and, that they be followed in accordance with legal and constitutional guarantees.

It should be emphasized that there are reasons that clearly lead to a violation of natural and human rights; For this reason, one of the primary causes of violence in the rehabilitation centres of the PPLs is the conditions in which the inmates live. Likewise, the lack of an integrative criminal policy consistent with the realization of a human right: security, overcrowding, and the scarcity of basic resources vital to a person's dignified development; The absence and lack of organization in these establishments means that the hostages, when separated into categories, cause high rates of violence. Another of the main reasons is the negligence and lack of preparation and indifference on the part of the people who manage and control these centers, because in most cases the abuse of power and the corruption of the authorities incite the hostage to seek his survival, for example, by being part of the criminal organizations that operate inside the prisons. these places that today are disguised under the name of Social Rehabilitation Centers, their name being very discreet by the State.

## 2 RESULTS

The Ecuadorian State has implemented alternatives to solve these conflicts, trying to regain control of the penitentiaries, but the corruption that exists between prison and state authorities makes it increasingly difficult for the PPL to have a healthy rehabilitation, since their day-to-day life only becomes an extensive struggle to survive. Therefore, the State, by not having control over the prisons,



generates a danger not only to the integrity of the inmates, but also to the lives of citizens who are outside the penitentiary centers, for example, "in Guayaquil and Esmeraldas, they burned cars, a school bus, threw bombs at gas stations, generating insecurity in the country" (Mella, 2022).

The violation of people's rights generates micro-societies within which we can denote inequalities, economic differences, political and social dissent. "The United Nations has reaffirmed the fundamental rights of man, in dignity, in the worth of the human person and in equal rights." For this reason, in Articles 1, 5, and 28 of the Universal Declaration of Human Rights (UDHR), it is referred to that the human being by birth is the bearer of rights regardless of the characteristics or conditions of the person. Therefore, any State that is based on these instruments must comply with basic rights, always safeguarding the equality and integrity of the human being. The Inter-American Commission on Human Rights (IACHR) "in accordance with Articles 1(1) and 2 of the American Convention, States must adapt their legislation and the system of criminal procedure, making it a priority for the State to have personal liberty and judicial guarantees in accordance with international treaties." (Naciones Unidas, 1948)(Inter-American Commission on Human Rights, 2011, p. 24).

In relation to what has been presented, the aim is to answer: Does the State protect, guarantee and promote the human rights of prisoners in Ecuador or, on the contrary, are their rights violated and violated? Well, this problem has increased in 2021 and 2022, because PPLs should have primary guarantees through legal regulations such as the right to life, personal integrity, medical care and family relations, State institutions, secondary guarantees that support primary ones through norms, public policies and judicial mechanisms to protect their rights against these violations. If these legal guarantees are not met, jurisdictional guarantees of constitutional rights would help to enforce them. Faced with the problem, the "Ecuadorian penitentiary system has not been pacified, rather nothing has changed: overcrowding, indiscriminate use of pretrial detention, precarious conditions of institutional life, unhealthiness, corruption, violence, continue to be categories that describe it, and as long as these structural conditions and the corrupt justice system are maintained, massacres and outbreaks will continue to occur." (Álvarez Velasco, 2022)

First, the IACHR, "at the request of its Rapporteurship on Human Rights, considers human dignity, recognizes their fundamental right given their vulnerability, and is concerned about violence, overcrowding, and the lack of dignified living conditions in prisons in the Americas" (Inter-American Commission on Human Rights, n.d.)tags. The document, Principles and Good Practices, establishes that detainees, when serving their sentences, will have a foundation on principles that are used internally and internationally by the State, adopting the necessary measures so that conflicts do not arise that affect the integrity of prisoners or that citizens are affected due to violence.

Also, the Office of the Rapporteur on the Rights of the PPL for the Prevention and Combating of Torture, analyzes and determines the conditions of the detainees, seeking not only to protect their



rights, but also to issue reports to the Organization of American States (OAS) so that violations are regulated and controlled, since nations must safeguard their lives and combat belligerence. When reviewing the "Report on Citizen Security and Human Rights of the IACHR, it mentions that the rights of the PPL are not in conflict with the purposes of citizen security, but are an essential element for its realization." (Inter-American Commission on Human Rights, 2011, p. 4).

Another important aspect is that the Inter-American Court considers that personal liberty must be supported by the legal instruments of the States, taking into account aspects such as security, compliance with due process and the right to defense, legitimacy and transparency. In addition, prisons must be in good condition to have access to basic services. "The State, as a guarantor, must prevent situations that lead, by action or omission, to the suppression of the inviolability of the right to life, since through habeas corpus respect for life and personal integrity is controlled" (Odio Benito, 2020, p. 7, 129).

Also, in the International Covenant on Civil and Political Rights, in articles 2, 6, 7, 8 and 10, it stipulates that the different states must promote and encourage the application of the rights of persons deprived of liberty. These articles must be adapted to their laws to protect the rights and so that the PPL are not ill-treated inside the prisons, also, the high commissioner for persons deprived of liberty through his reports will make known the situation or issue recommendations on how to change what is happening and what situations are generating belligerence. In this sense, the United Nations (UN) determines that dignity is essential in people's lives, which cannot be revoked or restricted, and the UDHR recognizes these rights, seeking that nations base themselves on them, so that they are protected and guaranteed in the international system; This will be achieved through pacts for better achievement and observance of compliance.

Consequently, it is necessary to question a social problem: How to combat the overpopulation of prisoners, with the improvement of the effectiveness of programs for the prevention of violence, probation, community services and reintegration of employment, and a humane and fair prison model. But the key is in education, since it allows access to legal jobs with better salaries, in the same way we can observe through an educational analysis that people who do not complete their schooling are more likely to commit crimes, while those who do are less likely to do so, although they are not exempt. It should be emphasized that not only a higher level of education reduces the crime rate, but also the quality with which it is taught, it can be denoted that young people having greater occupations during the day for their school activities, will stop looking at being on the streets with attractiveness, in such a way the government should make a mandatory investment in optimizing education, building schools and colleges, modernizing the curriculum so that it attracts the attention of young people and children, offering them extracurricular activities.



It can be analyzed that, if an efficient, effective, progressive education is provided that provides opportunities, crime can be reduced within a State, but it is worth mentioning that education can also be established within prisons, generating re-education within prisons where thousands of prisoners serve their sentences; These educational programs will help to raise the self-esteem of the inmates, to know their abilities and to become sentient, honest beings willing to reintegrate into society, and also contribute to the reduction of the rate of new commission of crimes, to fulfill their dreams and jointly the goals of society. Concepción Arenal in 1867, mentioned a famous phrase that should still not be put into practice regarding the proposed topic: "Open schools and prisons will be closed" (Flores, 2023).

The inmates have a special subjection to the State, since there is total control on their part over the PPL, so that the State becomes a guarantor of the life and development of the inmates, for which the nation is primarily responsible for the existence of an omission and a lack of respect for the rights of the inmate; The penitentiary systems are in a deplorable situation, there are serious deficiencies in structure and care for inmates, and we do not currently have the possibility of humane treatment.

Acts of corruption, even regionally inserted within prisons, are notorious and do not contribute to social progress, so it cannot be denied that this affects the provision of the prison service, since it generates a serious detriment to the rights of people who go through this stage of incarceration, a point to solve this is a greater focus on preventive measures not repression. That would provide more positive incentives for prisoners, people deprived of liberty enjoy all their rights except those that have been diminished or extinguished by the condition in which they find themselves, from my perspective the re-education and social reintegration approach will optimize the situation of the prisoners, since it has been demonstrated in practice that repression is not the solution. Repression does not hinder the relationship with a State and prison system that is indolent and incompetent in terms of human rights, prison and rehabilitation.

In the case of Ecuador, there is a latent crisis in relation to the human rights of persons deprived of liberty, "The IACHR warns of a lack of state measures for the prevention and control of crime. During 2021, 316 persons deprived of liberty died in state custody, and others were injured by violent attacks carried out by those imprisoned" (Inter-American Commission on Human Rights, 2022, p. 8). Likewise, in 2022 the prison crisis continued due to the latent conflict between gangs, leaving wounded, tortured dead and even inmates who escaped in the midst of these events, demonstrating that Ecuador has not made solid or innovative decisions around the problem. As mentioned, economic, social and survival inequalities are characteristic factors of conflicts, causing violence to be generated within prisons, in the same way, the controls of pavilions generate disputes for obtaining titular and economic power. A question then arises: How does the Ecuadorian State take measures to protect the rights of persons deprived of liberty or seek solutions to this problem?



The Ecuadorian State, in terms of PPL's human rights, must guarantee not only the conditions of the penitentiary centers, but also that the Constitution innovates guarantees and promotes that there is no dehumanization of the inmates, nor does it forget the responsibilities that it has to assume to face the problems within the penitentiary. since the supreme norm gives guidelines to the State in relation to rights. Considering this, "The Ombudsman's Office evidences limitations of the penitentiary system in relation to the right to life and security. Ecuador must prevent violence and ensure that the sentence is served under the constitutional principles of rehabilitation and social reintegration." For this reason, in the supreme legal norm of Ecuador, in article 215, it mentions that the Ombudsman's Office must protect the PPL and ensure that inhuman treatment is not given. This institution, being free of charge, seeks to ensure that all people have access to an efficient state administration, and through reports to avoid the violation of rights, thus creating new bills. (Defensoria del Pueblo Ecuador, 2019)

Articles 35, 51, 77, 201 and 203 of the Ecuadorian Constitution state that persons deprived of liberty must have "human and material resources, basic guarantees, comprehensive rehabilitation, protection, and the State shall establish conditions for the real social and economic integration of persons after they have been deprived of liberty." Ecuador, being a sovereign and democratic country through the application of legal instruments, seeks to ensure that the State has all the power and that the PPLs, due to their vulnerability, have special legislation that guarantees rights where their dignity is respected. The State, as guarantor in Articles 3 and 11, establishes that the rights stipulated in the Constitution and in international instruments must be respected and guaranteed. (Constitución de la República del Ecuador)

According to Table 1, the level of overcrowding in prisons can be observed:

Table 1. Prison Population by Zone, Province and Detention Centre

Zone	Province	Infrastructure	C. Installed	PPL Population	Overcrowding
ZONE 1	CARCHI	CPL CARCHI N° 1	550	779	-229
	ESMERALDAS	CPL EMERALDS N° 1	183	72	111
		CPL EMERALDS N° 2	1.110	1.393	-283
		IMBABURA	CPL IMBABURA N° 1	302	557
	SUCUMBIOS	CPL SUCUMBIOS N° 1	678	738	-60
ZONE 2	NAPO	CPL NAPO N° 1	312	473	-161
ZONE 3	CHIMBORAZO	CPL CHIMBORAZO N° 1	250	429	-179
		CPL CHIMBORAZO N° 2	77	30	47
		CPL CHIMBORAZO N° 3	100	55	45
	COTOPAXI	CPL COTOPAXI N° 1	4.894	4.315	579
	PASSOVER	CPPL MIXTO PASTAZA N° 1	43	40	3
	TUNGURAHUA	CPL WE MUST BE N° 1	514	736	-222
ZONE 4	MANABI	CPL MANABI N° 1	133	74	59
		CPL MANABI N° 4	1.970	2.012	-42
		CRS MASCULINO MANABI N° 2	140	150	-10
		CRS MASCULINO MANABI N° 3	433	345	88
	SANTO DOMINGO	CPL SANTO DOMINGO N° 1	914	1.055	-141
		CPL SANTO DOMINGO N° 2	106	67	39



ZONE 5	BOLÍVAR	CPL BOLIVAR N° 1	158	227	-69
	THE RIVERS	CPL LOS RIOS N° 2	416	633	-217
		CPPL MEN'S LOS RIOS N° 1	0	0	0
ZONE 6	AZUAY	CPL AZUAY N° 1	1.782	942	840
	CAÑAR	CPL CAÑAR N° 2	116	188	-72
		CRS MASCULINE CAÑAR N° 1	94	92	2
	LET'S GET STARTED	CPL MORONA SANTIAGO N° 1	194	323	-129
ZONE 7	THE GOLD	CPL EL ORO N° 1	630	1.146	-516
		CPL EL ORO N° 2	65	29	36
	SHOP	CPL LOJA N° 1	779	765	14
ZONE 8	GUAYAS	CPL GUAYAS N° 1	3.909	5.578	-1669
		CPL GUAYAS N° 2	573	553	20
		CPL GUAYAS N° 3	0	0	0
		CPL GUAYAS N° 5	545	1.287	-742
		MEN'S CRS GUAYAS N° 4	4.505	4.596	-91
ZONE 9	PICHINCHA	CPL PICHINCHA N° 3	58	39	19
		CPPL MEN'S PICHINCHA N° 1	959	1.194	-235
		MEN'S CRS PICHINCHA N° 2	64	50	14
<b>TOTAL PPL</b>			<b>27.556</b>	<b>30.962</b>	<b>-3.406</b>

*Note.* C. Installed refers to the installed capacity of each penitentiary. The level of overcrowding is equivalent to the subtraction between the installed capacity and the population of PPL, which means that there is a prison overcrowding of 3,406 people deprived of liberty. *Source:* SNAI, statistics as of November 2023, taken from: <https://www.atencionintegral.gob.ec/estadisticas/>

As can be seen, according to SNAI statistics as of November 2023, there are 30,962 prisoners deprived of liberty and it is worrying that they exceed the installed capacities in several of them, which comprise 27,556 PPL, this means an overcrowding of 11%. The composition by sex determines that the male population was 29,261 PPL and the female population was 1,701, which is equivalent to 94.5% and 5.5% respectively.

In the case of adolescent offenders, the SNAI statistics as of November 2023 are as shown in Table 2:



Table 2. Population of Adolescent Offenders by Zone, Province and Centre of Deprivation of Liberty

Zone	Province	Infrastructure	C. Installed	PPL Population	Overcrowding
ZONE 1	ESMERALDAS	CAI MASCULINO - ESMERALDAS	45	44	1
	IMBABURA	CAI MASCULINO - IBARRA	50	34	16
ZONE 3	CHIMBORAZO	CAI MASCULINO - RIOBAMBA	35	54	-19
	TUNGURAHUA	CAI MASCULINO - AMBATO	55	26	29
ZONE 6	AZUAY	CAI MASCULINO - CUENCA	35	17	18
ZONE 7	THE GOLD	CAI MASCULINO - MACHALA	35	0	35
	SHOP	MEN'S FALLS - SHOP	35	16	19
ZONE 8	GUAYAS	WOMEN'S AI - GUAYAQUIL	25	7	18
		CAI MASCULINO - GUAYAQUIL	164	117	47
ZONE 9	PICHINCHA	CAI FEMENINO - QUITO	40	10	30
		CAI MASCULINO - QUITO	90	52	38
<b>TOTAL AI</b>			<b>609</b>	<b>377</b>	<b>232</b>

*Note.* C. Installed refers to the installed capacity of each penitentiary. The level of overcrowding is equivalent to the subtraction between the installed capacity and the population of PPL. *Source:* SNAI, statistics as of November 2023, taken from: <https://www.atencionintegral.gob.ec/estadisticas/>

As can be seen, the installed capacity of these centres is adequate, with the exception of the Province of Chimborazo, where there is an overpopulation of 19 adolescent offenders. Regarding the population by sex, there are 360 males as of November 24, 2023, while females are equivalent to 17 people for a total of 377 adolescent offenders.

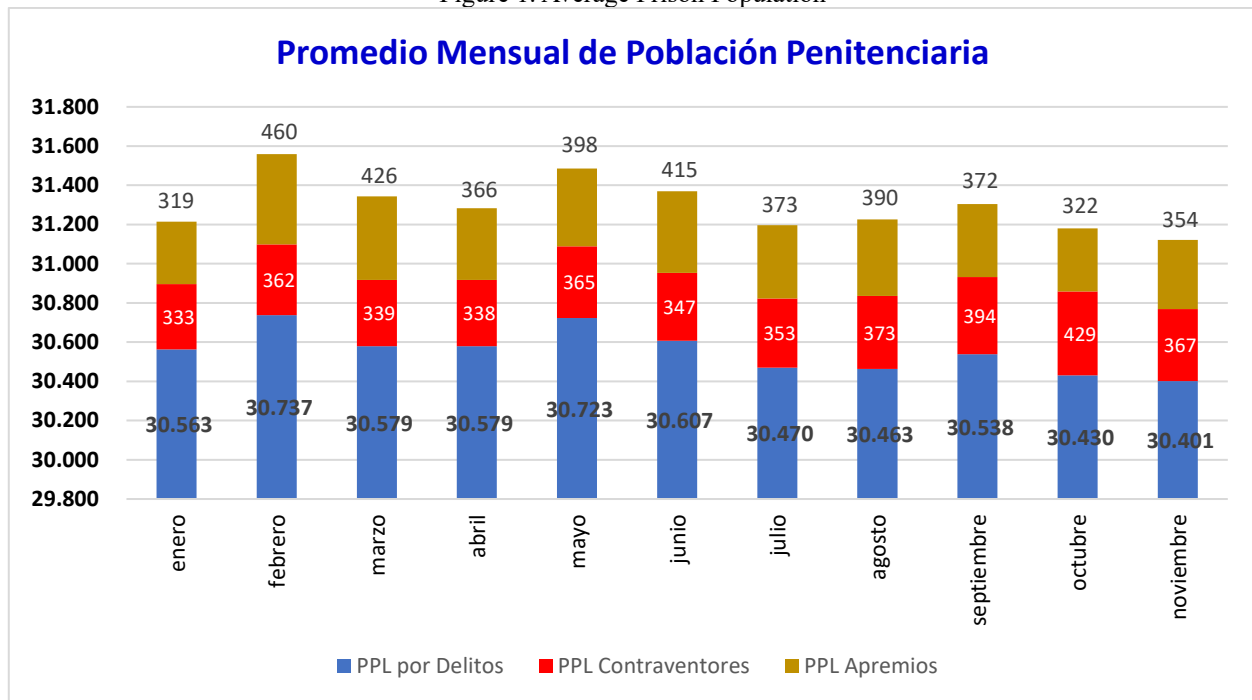
For this reason, the National Service for the Comprehensive Care of Adults Deprived of Liberty and Adolescent Offenders (SNAI) indicates that it is relevant "to guarantee comprehensive care for adults and adolescents in conflict with the criminal law, through the development of skills and abilities in order to contribute positively to their reintegration into society". (Ministerio de Telecomunicaciones y de la Sociedad de la Información, 2021)

Figure 1 shows that, on average, 98 per cent of prisoners are deprived of their liberty for committing crimes, while 2 per cent are for offences and coercion.





Figure 1. Average Prison Population



Source: SNAI, statistics as of November 2023, taken from: <https://www.atencionintegral.gob.ec/estadisticas/>

Article 12 of Ecuador's Organic Comprehensive Penal Code (COIP) mentions that the PPLs "shall enjoy the rights and guarantees recognized in the Constitution of the Republic and international human rights instruments such as integrity, freedom of expression, work, education, culture and recreation, health, food, among others." The COIP should seek to ensure that the penalties and measures of persons deprived of liberty have a procedure in which the relevant conditions and rights are judged and granted, taking into account their limitations while the sentence is being served. Likewise, comprehensive reparation is an important aspect of the COIP so that not only can people be reintegrated into society, but also that they are not judged or discriminated against for the same act.(Ordoñez, 2018)

Both the Working Groups on Arbitrary Detentions and the SPT delegation of Ecuador have sought to respond and make recommendations to the current prison crisis, but the State is still inefficient in controlling and eradicating this situation. Since the measures that have been taken so far, such as transferring the ringleaders who controlled these prisons to other prisons, the state of emergency, among other measures, have not been suitable for a real and effective change, and even security policies and the prevention of violations and deaths within prisons have not been implemented. belligerences are still being witnessed due to structural inequalities in the prison system.

The measures taken by Ecuador in terms of the rights of PPL are still deficient, because, although there is a wide catalog of established rights, in practice their application becomes scarce, in the same way little social relevance is given to prison issues. Since there has been no attempt to provide an effective solution to the problems they face. This institutional crisis raises questions about how the



budget is being allocated and executed in the prison system because every day that passes there are more prisoners, therefore, they have fewer resources to satisfy their most basic needs such as physiological needs and their quality of life.

The rights violated by the State towards inmates or even in the phase of pretrial detention are the following:

- ✓ Right to equality and non-discrimination
- ✓ Rights to life and to physical and moral integrity (physical and mental health, food, etc.)
- ✓ Right to freedom of ideology, religion and worship
- ✓ Right to liberty (end of pre-trial detention, regaining of liberty, serving of the sentence by means that when you serve your sentence you have the right to regain your exercise of liberty)
- ✓ Right to personal and family privacy
- ✓ Right to freedom of expression and information (with limits)
- ✓ Right to education (educational assistance to inmates, re-education)

In the same way, inmates could take actions such as taking advantage of constitutional guarantees and retaliating for violations within prisons, following international lawsuits against the State to obtain comprehensive reparations such as monetary compensation, restitution and rehabilitation, among others.

The results of this analysis reveal the complexity of guaranteeing the human rights of persons deprived of liberty (PPL) in Ecuador, in the light of various legal and social theories. From the perspective of human rights theory, there is an overriding need to ensure fair and humane treatment of detainees, in accordance with the principles of dignity and respect inherent to every individual. Likewise, the application of the theory of social justice and equity highlights the importance of addressing the inequalities and vulnerabilities faced by PPL, promoting dignified living conditions and equitable opportunities both inside and outside prisons.

It highlights the relevance of implementing integrative criminal policies and measures that not only protect the rights of detainees, but also promote their rehabilitation and social reintegration, in line with the principles of restorative justice. In addition, it underlines the importance of strengthening monitoring and enforcement of national and international legal frameworks on human rights, in order to ensure the effective protection of PPLs. These results offer a comprehensive view of the challenges and possible strategies to promote respect for the fundamental rights of persons deprived of liberty in Ecuador, from a theoretical and practical human rights approach.

In this sense, Ecuador, based on the belligerences that have arisen in matters of security and the rights of prisoners of liberty, has led to questions about the role of institutions and the conditions in which prisoners are held. Well, the scarcity of basic vital resources and the lack of prison organization



causes an increase in violence, because prisoners seek to survive and survive. The State, by not having control within the penitentiary centers, shows a lack of institutionality, preventing the PPL from exercising their rights due to the lack of resources, in the same way that violations and violations within the penitentiary system persist. Ecuador, in Article 1 of the Constitution, being a State of rights, of justice, still has deficiencies in penitentiary issues, since there continues to be overcrowding, lack of resources and violence within prisons, in the face of the reality of 2021-2022 it was noted that there is a lack of social rehabilitation, therefore, it will be difficult for them to reintegrate into society, causing them to return to prisons in an institutionalized way.

Therefore, public policies, bills, reforms or a larger budget should be implemented to make it more effective for prisoners to have the necessary resources and not infringe on their rights, so that when they reintegrate into society, social inclusion will be achieved by weaving new social environments and not allowing the rights of people deprived of liberty to be a mere formal provision.

### 3 CONCLUSIONS

States, with the help of national and international legal instruments, must ensure that the rights of persons deprived of their liberty are fully enforced. The authorities of the different nations must ensure that the persons detained under their jurisdiction enjoy the norms, principles and guarantees established by the International Committees and that they are the same creditors according to their needs and current challenges to their rights as PPL, as well as respect for human dignity, development of laws, policies, penitentiary practices and, above all, an integrative criminal policy consistent with the realization of a human right: security. The absence of an integrative criminal policy is manifested, among other arguments, in the lack of measures adopted for effective social reintegration.

In particular, other causes that have led to a weakness in the institutional framework of the prison system are: lack of data and systems of timely, solidified, orderly and automated information on the prison population; A low budget for the penitentiary system coupled with a lack of rehabilitation guidance, and inadequate trained prison staff.

States have the responsibility to protect, guarantee and promote, through laws and public policies, the human rights of persons deprived of liberty in order to provide a solution to the prison problem in the region and thus contribute to the effective reintegration of prisoners into society. The actions of States and the effectiveness of national and international instruments that serve to protect the rights of prisoners will not contribute optimally if the norms established in the Constitution and in international treaties are not practiced; By virtue of this, true validity will not be granted, nor will effective compliance with respect and full compliance with their fundamental rights be achieved, these instruments help States to have a guide, but many countries do not have public policies that actually



contribute or are effective in PPL issues, noting that they are a group that has not yet been given a true relevance. promoting a change of mentality to see other types of results.

#### 4 RECOMMENDATIONS

Redesigning and improving projects aimed at the reintegration of prisoners into society, through the allocation of resources and personnel to the inmates of each social rehabilitation centre, in addition to promoting the reintegration of persons deprived of liberty and preventing recidivism in crime, are essential for access to prison benefits that are aware of the adoption of measures related to free legal assistance and that are of origin public interest towards those PPLs who can benefit from sentence reductions or who have already served their sentence but due to the State's disinterest, still remain in prison.

Provide sufficient staff to the areas in charge of social reintegration programmes, as well as establish many personal and professional training activities. This, with the purpose of ensuring a wide range of options so that convicted persons can comply with their individual plans in serving their sentence.

In the area of work and education, the State must take measures to ensure that persons deprived of their liberty have effective opportunities for work in detention, as well as that they receive adequate and equitable remuneration. It must also implement actions that guarantee the availability of education and technology services in places of deprivation of liberty, which must function in close coordination and integration with the public education system at all levels.

Establish strategies to dismantle criminal organizations rooted in prisons that control various criminal activities, such as drug and alcohol trafficking, and the collection of extortion fees from other detainees, riots, so that the State must take actions to regain full power and command in the administration of prison management, such as the maintenance of internal security, and the provision of the basic elements necessary for the life of detainees through legislative reforms necessary to reduce procedural deadlines for the expiry of pretrial detention, as well as processes related to the application of alternative measures to deprivation of liberty, such as the application of release benefits.

Increase the number of personnel assigned to security and surveillance, as well as provide them with the necessary equipment to intervene effectively in the event of riots, so that their timely action prevents as far as possible, and based on a human rights approach, the loss of human lives. In this context, custodial staff should be trained in international human rights standards on the use of force and dealing with intra-prison disturbances.



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