

LAW ON PRISONS AND DETENTION CENTERS

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LAW ON PRISONS AND DETENTION CENTERS

CHAPTER 1 GENERAL PROVISIONS

Objective:

Article 1:

- (1) This law has been enacted to ensure the rights of detainees and prisoners in the detention centers and prisons.
- (2) The application of a sentence order in the prisons takes place only to prepare and correct the prisoners to abide by the laws and social and moral standards of living, to do the beneficial social work and not commit crimes again.

Deprivation from Freedom:

Article 2:

- (1) The freedom of an accused in a detention center can only be taken away in accordance with the concerned attorney's arrest warrant and the court order in conformity with the provisions of the law.
- (2) The application of sentence in prisons shall take place in accordance with the final court order.
- (3) The Ministry of Justice is the authority for applying orders and the provisions mentioned in paragraphs (1) and (2) of this article.

Respecting Human Rights:

Article 3:

- (1) The staff of detention centers and prisons, attorneys, judges and other people who deal with prisoners in a way is required to respect Islamic orders and human rights while performing their duties and dealing with the detainees and prisoners, they should treat them equally and impartially irrespective of their tribe, citizenship, religion, race, color, gender, language and social and political status, etc.
- (2) The living conditions of the prisoners shall be provided in such a way that it will not have the impacts of taking sides and should not cause the loss of their rights and do not restrict their freedoms in the prison.

Restriction of Rights:

Article 4:

- (1) The rights anticipated for the detainees and prisoners, according to the provisions of this law cannot be restricted or taken away by the super intendment of these detention centers and prisons except when the order, discipline and security of the detention centers and prisons are in jeopardy. In this case, the Minister of Justice can partially restrict these rights temporarily. Reasons of rights restriction should be recorded in a file.

- (2) In exceptional circumstances and in order to prevent the possible risks, superintendent of detention centers and prisons can choose the precautionary measures mentioned in paragraph (1) of this article and they have to get the approval of the General Director of the prisons and that of the Minister of Justice within 24 hours and will be reporting to the Provincial Governor.
- (3) Superintendents of the detention centers and prisons are required to notify the concerned prosecution office about the application of paragraphs (1) and (2) of this article.
- (4) By expiration of circumstances mentioned in paragraph (1) of this article, the rights and freedom mentioned in this law shall be restored to detainee or prisoner.

Treatment of Prisoners:

Article 5:

- (1) The staff of the prisons is required to fairly and properly treats the prisoners so that they can reintegrate into the society as law-abiding citizens.
- (2) For better enjoyment from their legal rights, the detainees and prisoners should be categorized .by superintendent of the detention and prison in different groups according to the kind of crime, taking in consideration their character, behavior and common sentiment.
- (3) Authorities of detention center are bound to provide facilities needed for physical (work or educational and vocational training) activities of accused individuals waiting for their trial.

CHAPTER 2 FREEDOM DEPRIVATION QUARTERS

Types of Freedom Deprivation Quarters:

Article 6:

According to this law Freedom deprivation quarters are as following:

- 1 – Detention center.
- 2 – Prison.

Definition of Freedom Deprivation Quarters:

Article 7:

- (1) Detention center: It is a place where the accused individuals awaiting their trial are held.
- (2) Prison: it is a place where individuals after the final decision of the court are held.

Confinement and Control of Individuals at the Prison

Article 8:

- (1) If the control of suspects and accused individuals due to insecurity factors and problems of discipline and order is not possible in the detention center, with the proposal of the police or attorney respecting, item 2 article 9 of this law he / she will be held in the prison

- (2) Prisons superintendents are required to keep the persons mentioned in paragraph (1) of this article separate from prisoners.

Separation of Male, Female Detention Centers and Prisons:

Article 9:

- (1) Men's and women's detention centers and prisons shall be separated.
- (2) The accused individuals and prisoners above 18 and below 25 shall be held separately in detention centers and prisons. If it is not possible, such persons shall be held in separate sections of the detention centers and prisons.
- (3) The provisions of paragraphs (1) and (2) of this article with regard to holding children and adolescents separately from adults shall be observed as well.

Observance of Order and Security:

Article 10:

- (1) If the accused and prisoner due to their misconduct and improper behavior cause problems to the rest of the accused and prisoners and the administrations of the detention centers and prisons, they shall be kept in detention centers and prisons with better security Condition (special regime).
- (2) If there is no prisons and detention centers with a good security condition, prisoners and detainee set out in paragraph (1) of this article shall be hold in a secured part of the prison and detention center.

Disabled and Ailing Prisoners:

Article 11:

The mentally ill, physically disable and pregnant women prisoners shall be kept in the health centers of the detention centers and prisons. In the absence of such health centers, such persons shall be kept in the special medical rooms of the detention centers and prisons.

CHAPTER 3

STRUCTURE AND ORGANIZATION OF PRISONS

Regional Division of Prisons:

Article 12:

- (1) A detention center and a prison male and female separately shall be constructing and established in the center of each province.
- (2) A detention center shall be established in the center of each district.
- (3) The authority for the establishment, division and closure of prisons shall lie with the Ministry of Justice.

The Supreme Council of Prisons:

Article 13:

In order to effectively organize the activities of detention centers and prisons, lead their related affairs and coordinate the activities of the concerned ministries and offices, the

Supreme Council of prisons and detention centers having the following composition shall be formed:

- 1 – Minister of Justice as the Chairman of the Council.
- 2 – Deputy Attorney General as a member.
- 3 – An authorized representative of the Supreme Court as a member.
- 4 – Deputy Interior Minister as a member.
- 5 – Deputy Public Health Minister as a member.
- 6 – Deputy Education Minister as a member.
- 7 – Deputy Minister of Work and Social Affairs as a member.
- 8 – Deputy Minister of Women’s Affairs as a member.
- 9 – Deputy National Security Department as member.
- 10 – Representative of the Independent Human Rights Commission as a member.
- 11 – Representative of the civil society with the recognition of the Minister of Justice as a member.
- 12 – The Director-General of Prisons as a secretary.

Leading Prisons Affairs:

Article 14:

The Supreme Council of prisons and detention centers shall be responsible for leading all affairs of detention centers and prisons all over the country.

Holding Meetings:

Article 15:

- (1) Normally, the Supreme Council of prisons and detention centers shall hold a meeting once in 3 months. Extraordinary meetings can be held by the decision of the chairman of the council and the suggestion of one third of the council members.
- (2) In the absence of the Minister of Justice, meetings of the Supreme Council shall be held under the chairmanship of the Deputy of Ministry of Justice..

Proposal for Amendment of the Law and Enactment of a Regulation:

Article 16:

- (1) The Supreme Council can propose necessary amendments in this law.
- (2) To better apply the provisions of this law, the Supreme Council shall propose regulations, enact and approve bills and procedures. .

Central Administration:

Article 17:

- (1) The General Directorate of prisons and detention centers is the central administration for the whole affairs of prisons and detention centers. This department shall supervise all prison organizations and their installations and buildings

- (2) The General Directorate of prisons and detention centers is part of the Ministry of Justice and performs its duties in line with the provisions of this law, regulation, procedures, relevant bills and instructions of the Supreme Council of prisons and detention centers.

Prison Officers and Protectors:

Article 18:

- (1) Prison and detention center officers and protector working under the Ministry of Justice and shall be responsible for the maintenance of internal and external order and security of prisons and detention centers.
- (2) Prison and detention center police (the words “officers and protectors” were omitted) is required to ensure the external security of the respective prisons and detention centers installations up to a distance of 500 meters provided the area is not within the jurisdiction of the Police.
- (3) Prison and detention center officers do not have the right to carry arms while performing their duties inside prisons and detention centers. The heads of the prisons and detention centers can give permission to carry arms in exceptional circumstances but they must report to the General Directorate of the Prison mentioning the reason behind this decision.
- (4) Employment, transfer, promotion, retirement, leave, illness, and other affairs of prisons and detention centers Police shall be regulated by the existing law for military officers until the enforcement of the special legislative regulation will be issue.
- (5) Female police should be hired in female prisons.

Other Employees:

Article 19:

- (1) Civil servants, monitors and social services workers of detention centers and prisons shall perform their duties in line with their relevant job descriptions.
- (2) Ministries of Education, Work and Social Affairs, Public Health, Women’s Affairs each is required to cooperate with the Ministry of Justice in relation with the assignment of employees mentioned in paragraph (1) of this article.

Holding of Suspects, Accused and Prisoners:

Article 20:

- (1) The suspected and accused (the sentence Persons awaiting trial (the accused) investigation was omitted) shall be held in detention centers of districts and provinces in which their cases are under legal process.
- (2) Those sentenced to imprisonment shall be held in prisons located close to their homes unless this law specified otherwise.
- (3) Prisons wardens and heads of detention centers can receive persons mentioned in paragraphs (1) and (2) of this article by keeping in mind the provisions of the law and noticing official documents.
- (4) If the file of an accused individual is not completed in (a specified time) 9 months as has been provided in article 6 of the Interim Criminal Procedure Code, administration of

the prison is bound to notify relevant court or attorney in written 15 days before expiration of the abovementioned period

If there is no reply the accused person shall be released from prison.

Change of Place of Imprisonment:

Article 21:

The period of imprisonment of a convicted person shall be spent in one prison.

If the prisoner's family moves permanently from one place to another, the transfer of the prisoner except the provision of Article 10 of this law shall take place only by the permission of the Minister of Justice.

Supervision of the Law Application:

Article 22:

The respective attorney's office supervises the equitable application of the law and equal treatment of the detainees and prisoners in detention centers and prisons. The administrations of detention centers and prisons are required to comply with all the demands of the respective attorney with regard to the observance of the provisions of the laws while they are performing their duty.

CHAPTER 4

GENERAL CONDITIONS OF DETENTION CENTERS AND PRISONS

Specifications of Prison Buildings:

Article 23:

- (1) Detention centers and prisons shall be built in accordance with the Islamic principles and United Nations standard principles and terms.
- (2) Ministry of Justice is required to adjust the existing detention centers and prisons construction with the Islamic principles and United Nations norms and standards.

Living Conditions:

Article 24:

- (1) The administrations of detention centers and prisons are required to supply proper hygienic equipment to the detention centers and prisons and observe environmental sanitation.
- (2) The administrations of detention centers and prisons shall provide each one of the detainees and prisoners with a bed and bedding.
- (3) The Ministry of Justice in collaboration with the Ministry of Health shall take necessary measures regarding the size of (space for) the cells, amount of light provided to the cells and ventilation and heating of detention centers and prisons.

Feeding:

Article 25:

- (1) Keeping in mind their age, gender, health especially pregnancy and birth conditions, work, and climate, the administrations of detention centers and prisons shall provide proper and healthy food and water to the detainees and prisoners.

(2) Quality and quantity of food should be supervised by the Ministry of Public health and should be provided in accordance with the menu approved by the Council of Ministers.

Sports and Physical Exercise:

Article 26

Prisoners have the right to walk out door and open air **Or practice physical exercises** at least for 2 hours daily. The warden of the prison can reduce this duration of time to not less than one hour in exceptional circumstances. In this case, the correction officers of the prison are required to inform the concerned attorney's office of his action.

Health Services:

Article 27:

- (1) In collaboration with the Ministry of Health, the administrations of detention centers and prisons are required to provide the detainees and prisoners with free health services.
- (2) If the treatment of an ailing detainee or prisoner is not possible at the health clinic of a detention center or prison, the head of the detention center or the prison can transfer the patient to a hospital outside the detention center or prison on the basis of the recommendation of the doctor-in-charge. The head of the detention center or prison shall inform the concerned attorney's office of his action in this respect.

With coordination and assistance of chief of police, the head of the detention center or the prison is responsible to take precautionary measures to ensure security of the prisoners.

- (3) In order to observe the sanitary and hygienic rules and regulations, the doctor-in-charge is required to control the daily food provided for detainees and prisoners and inspect at least twice a week their cells and other services provided for them.
- (4) The prisoners and detainees who have infectious diseases or those who are dubious of having health problems are kept in special area separated from others in quarantine

Work and Education:

Article 28:

The administrations of detention centers and prisons are required to set up well equipped libraries, pave the ground for detainees' and prisoners' study, worship, education, vocational training, recreational and cultural activities, and provide them with the needed facilities.

CHAPTER 5

METHOD OF ATTITUDE TOWARD E DETAINEES AND PRISONERS

Entry to Detention Centers and Prisons:

Article 29:

- (1) Files shall be created for detainees and prisoners and the information about their background, legal status, medical checkup, and medical history any other relevant information shall be registered in their respective files.
- (2) Prisons and detention centers staff are required to interview the accused and the prisoner for preliminary assessment of his personality, attitude and problems at the time of his entry to the detention center or prison.
- (3) In accordance with the assessment mentioned in clause 1 of this article, the group of the accused or prisoner shall be determined and all the obtained facts shall be registered in his file.

Role of the Civil Society:

Article 30:

- (1) Nongovernmental organizations and social organizations rendering social services can work inside detention centers and prisons provided their work benefits detainees and prisoners and should not be in contradiction to the Islamic rules and principles and national interests and have obtained the permission of the Ministry of Justice.
- (2) The working procedure of the organizations mentioned in paragraph (1) of this article shall be determined by heads of detention centers and prisons wardens after consultation with the respective attorney's office.

Family Contact:

Article 31:

- (1) Detainees and prisoners have the right to maintain contacts with their families and relatives by meeting them in places under the control of prisons and detention centers staff, through mail and any other means that do not disrupt order.
- (2) Prisons and detention centers staff can keep an eye on the visits of the persons mentioned in paragraph (1) of this article to the extent it should not ignore the Islamic Shariah and also they can view their letters.
- (3) The heads of detention centers or prisons can control and check detainees' and prisoners' mail on the basis of a written permission from the concerned attorney or court.

Education and Vocational Training:

Article 32:

The prison administrations are required to open and organize educational and vocational training centers at primary and high levels in line with the educational programs approved by the Ministry of Education.

Work:

Article 33:

- (1) Prison administrations can arrange for industrial handcraft workmanship and agricultural activities in their respective prisons through private companies. None working, working hours and holidays shall be fixed in accordance with the provision of the labor law.
- (2) Skilled prisoners (having agricultural, art and industrial skills) are exempt from other ordinary work and shall be involved in their own fields.
- (3) Prisoners and detainees have the right to be remunerated for their work. The Supreme Council of prisons and detention centers shall fix the amount of remuneration.

Performance of Religious Rites:

Article 34:

Detainees and prisoners with respect to the rights of others have the right to perform their religious rites, worship and acquire knowledge of their religion freely on the condition that they do not bother others.

Necessary Communication in Special Circumstances:

Article 35:

- (1) Detainees and prisoners have the right to inform their respective relatives about their entry into or transfer from detention centers and prisons.
- (2) Prisons and detention centers authorities are required to inform detainees and prisoners about the death or critical illness of their relatives immediately upon the receipt of information. Relatives in this context are: spouse, parents, siblings, grandfather, grandchild, father-in-law, and mother-in-law.
- (3) Prisons and detention centers authorities are required to immediately inform about the death or serious illness of detainees and prisoners to those relatives whom are introduced by them.

Burial:

Article 36:

When a detainee or a prisoner dies, his corpse shall be handed over to his respective relatives. In case of the absence of his relatives or their refusal to receive his corpse the corpse after forensic medical examination shall be provided with a shrouding and buried by the respective prison administration and the expenses shall be borne by the administration of the respective prison or detention center.

Home Leave:

Article 37:

- (1) In order to maintain good relations of prisoners with their families, to ensure law obedience of prisoners inside and outside the prison up to 20 days leave shall be granted to a prisoner by keeping the prevailing conditions in mind. Those criminals convicted to felony are in exception from this order. The procedure of giving and using of this leave shall be determined and regulated in a separate bill.

- (2) In circumstances mentioned in paragraph (2) of article 35 of this law, the concerned attorney is authorized to grant up to 7 days leave to prisoners to go home and visit their ailing relative or arrange for shrouding and burial of their dead relative by the suggestion of the head of the prison. The concerned attorney shall determine the procedure of using this leave.
- (3) If a prisoner transgresses the limits of the granted leave mentioned in paragraph (2) of this article and determined by the concerned attorney, prisons authorities are authorized to nullify the leave and report the issue to the concerned attorney.
- (4) The duration of the leave mentioned in paragraphs (1) and (2) of this article shall be counted to the period of his/ her sentence.

Entry to Detention Centers and Prisons:

Article 38:

- (1) Except prisons authorities and staff no one else can enter into the detention centers and prisons without the permission of the Ministry of Justice.
- (2) The following persons can enter the detention centers and prisons without the prior permission of the Ministry of Justice:
 - 1 – President, Vice-President and cabinet members.
 - 2 – Members of the Supreme Court mentioned in article 117 of the Constitution.
 - 3 – Chairman and Vice-Chairman of the National Assembly (Parliament).
 - 4 – Members of the National Assembly and provincial governors to their related province prisons.
 - 5 – The Attorney General.
 - 6 – Chairman of the Independent Human Rights Commission.
 - 7 – Members of the Supreme Council of Detention Centers and Prisons.

CHAPTER 6

PROCEDURES AND CONDITIONS OF SERVING THE SENTENCE TERM

Obligations of Detainees and Prisoners:

Article 39:

- (1) Detainees and prisoners are required to observe the internal order and discipline of prisons and detention centers in line with the respective bills.
- (2) Detainees and prisoners, who intentionally damage moveable or immovable property of the Government, shall compensate for the damage.
- (3) The volume of the damage and the procedure of its compensation shall be determined by technical team and communicated to the responsible detainee. If the loss is not compensated voluntarily the court shall take necessary decision.

Continued Quarantine:

Article 40:

Detainees and prisoners shall be held continuously separate from the rest of prisoners under the following circumstances:

- 1 – In case of having chronic health problems.
- 2 – In case of continued riots barring the prisons and detention centers staff from taking legal actions.
- 3 – In case the detainee is in the process of being interrogated.
- 4 – Other circumstances provided for in the respective bills.

Body Search:

Article 41:

- (1) Prisons and detention centers authorities are authorized to frisk detainees and prisoners in such a manner not to damage their dignity and honor.
- (2) A male staff shall carry out the body search of a man and a female staff shall carry that of a woman out.

Reward:

Article 42:

- (1) Detainees and prisoners, who respect the prisons and detention centers order and discipline and behave well, shall be encouraged by being awarded by the concerned authorities of prisons and detention centers.
- (2) Types of rewards and awarding conditions shall be determined in a separate bill.

Punishment:

Article 43:

- (1) Detainees and prisoners, who do not observe order and discipline, shall be punished by prisons and detention centers authorities as follows:
 - 1 – Warning in private.
 - 2 – Warning in public.
 - 3 – Depriving them of work and other common activities for a maximum period of 15 days.
 - 4 – Repealing their leave grant.
- (2) Pregnant women and nursing mothers shall only be punished by keeping in mind the provisions mentioned in clauses 1 and 2 of paragraph (1) of this article.
- (3) The duration of the punishment mentioned in clauses 3 and 4 of paragraph (1) of this article regarding men and women between 18 and 25, cannot exceed half of the maximum period.

Giving Reward and Punishment:

Article 44:

- (1) The heads of detention centers and prisons shall give rewards and punishments.
- (2) Rewards and punishments mentioned in articles 42 and 43 of this law shall be recorded in the respective files of detainees and prisoners.

Grievances:

Article 45:

- (1) Detainees and prisoners have the right to complain verbally or in writing to wardens of prisons and heads of detention centers, General Director of prisons and detention centers, Minister of Justice, independent Human rights commission and national assembly. Written complaints shall be registered in the respective office before being addressed.
- (2) Complaints and petitions addressed to the attorney, courts or other Government offices, shall be sent by the prison administration within 24 hours to the concerned authorities confidentially.
- (3) The authorities mentioned in paragraphs (1) and (2) of this article are required to take necessary decisions within the limits of the provisions of the law for redressing the grievances of prisoners and detainees.

Use of Force:

Article 46:

- (1) The use of physical force against detainees and prisoners is not allowed unless the detainee or prisoner is escaping, resisting or attacking others or causes disorder which cannot be prevented by any other means but use of force.
- (2) In case of using force, the concerned staff is required immediately report the issue to the heads of the detention center and the prison. The heads of detention center and prison must investigate the matter in order to find out the facts, and provide the report to the Director General of Central Prison Department
- (3) The circumstances warranting the use of force shall be specified in a separate bill.

Transfer:

Article 47:

- (1) Given security reasons, trial and health problems, detainees and prisoners shall be transferred from one detention center or prison to another by Prison Police
- (2) Male Prison Police shall transfer male detainees and female Prison Police shall transfer prisoners and female detainees, prisoner's transportation costs from one prison to another should be paid by the government.

Transfer Under Supervision:

Article 48:

- (1) According to the respective bill, detainees and prisoners mentioned in article 47 of this law shall be transferred by the Prison Officers and Protectors under special control.
- (2) The procedure of transfer under special control shall be made in a separate bill.

Release of the Accused:

Article 49:

- (1) An accused shall be released from detention under following conditions:
 - 1 – Under the condition mentioned in paragraph (4) of article 20 of this law.
 - 2 – When the order of the concerned attorney is issued for the release of accused person.
 - 3 – When the court has issued the acquittal order of the accused.
- (2) To implement the order mentioned in paragraph (1) of this article, a copy of the attorney's order or the slip communicating the order shall be delivered to the office of the head of the detention center.

Release of a Prisoner:

Article 50:

- (1) The release of a prisoner shall take place under the following conditions:
 - 1 – in case the period of imprisonment is ended.
 - 2 – In the condition of general amnesty or amnesty.
 - 3 – When the final order is repealed because of the review of the case in a manner that the new order leads to the acquittal of the prisoner or punishment other than imprisonment or imprisonment penalty the term of which has already been served.
 - 4 – In case of conditional release.
 - 5 – Conditional release.
- (2) To apply the provisions mentioned in paragraph (1) of this article, a copy of the release document shall be delivered to the prison administration.
- (3) The prison administration does not have the right to keep a prisoner for a longer period than his sentence term.
- (4) The prison administration is required to inform the concerned attorney and the police office beforehand and prior to release about the release of a prisoner.

CHAPTER 7
SUPERVISION AND CONTROL OF DETENTION CENTERS AND
PRISONS

The Competent Authority:

Article 51:

- (1) The attorney general office is the authorized authority to supervise the application of legality and controlling the observance of human rights standards in detention centers and prisons.

- (2) Prisons and detention centers are required to consider all the demands of the concerned attorney with regard to the observance of the provisions of the law and human rights standards and take action accordingly.

Supervisory Committee:

Article 52:

- (1) To supervise the observance of the internal order of detention centers and prisons and the manner of the treatment of detainees and prisoners by the respective staff, the supervisory committees of detention centers and prisons shall be formed in the center and provinces with the following composition:
 - 1 – Each one of the heads of detention centers and prisons as the chairman of the supervisory committee in his respective area.
 - 2 – Representatives of the respective attorney’s office as members (one representative in the supervisory committee of the detention center and one representative in the supervision of the prison).
 - 3 – Each one of the heads of education sections of the detention centers and prisons as a member in their respective areas.
- (2) The committees mentioned in paragraph (1) of this article shall visit the respective detention centers and prisons once in 15 days and shall send their reports to the General Director of prisons.
- (3) The General Directorate of prisons shall send the consolidated report to the Minister of Justice for taking legal decisions.
- (4) The consolidated report or part of it selected by the Minister of Justice shall be delivered to the Supreme Council of Detention Centers and Prisons for taking legal decisions.

CHAPTER 8

Provision of Temporary Shelter:

Article 53:

Heads of detention centers and prisons by the distinction of Attorney General’s Office after the permission of ministry of justice and written demand by the individual can provide temporary shelter and protection in detention centers and prisons to those who have been seriously threatened and their safety are at serious risk.

Provision of Reports from Prisons or Detention Centers

Article 54:

- (1) Provision of voice report, taking photos and filmmaking from prisons, detention centers and suspects, accused and convicts by Journalists and media are allowed with the permission of suspects, accused and convicts.
- (2) Heads of prisons and detention centers with except in emergency situation after the permission of the Ministry of Justice and checking identification documents of the journalists and checking their equipments, will allowed them in side the prison.

Transfer of Female Pregnant Prisoner to Hospital

Article 55:

- (1) If a female prisoner was pregnant, heads of prisons are in charged based on the paragraph 2 of article 27 of this law to transfer the pregnant women in a specific time of delivery, after prescribing by doctor to the hospital and will report to the related prosecutor and also to the Director of Central prison department.
- (2) The patient should stay in a hospital up to the complete recovery time by recommendation of doctor and the hospitalization period shall be calculated in the period she has spent in the prison.

Meeting of Children with their Prisoner Parents

Article 56:

- (1) The Government shall provide facilities to the children in a specific place up to the age of seven years that are lining with their parents in the prisons in such a way that their parents can visit them on daily bases.
- (2) The children after the age of seven years and in case of duration of their parents' imprisonment shall be transferred to the nursery established by the Government. Staying of children with their father according to the above requirements will be just allowed when their father is the only caretaker of his children.

Date of Enforcement:

Article 57:

This law after the approval of the national assembly and signing of the president shall be enforced from the date of its publishing in the Official Gazette. With its enforcement, the Law of prison and detention centers published in the Official Gazette No. 852 dated 31 May 2005 shall be considered null and void.