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MINISTRY OF JUSTICE

OFFICIAL GAZETTE

PENITENTIARY REGULATION

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INDEX

**Chapter One
General Provisions**

Article 1	Basis	Page 4
Article 2	Objectives	Page 4
Article 3	Obligations of sound administration	Page 4

**Chapter Two
Procedure of Holding Prisoners and Detainees**

Article 4	Holding of Prisoners and Detainees	Page 4
Article 5	Procedure of holding	Page 5
Article 6	Reception	Page 5
Article 7	Documents record	Page 6
Article 8	Reception committee	Page 6
Article 9	Making files	Page 7
Article 10	Classification commission	Page 8
Article 11	Restriction of rights	Page 8
Article 12	Search	Page 10
Article 13	Prohibition of staff	Page 11

**Chapter Three
Rights of Prisoners and Detainees**

Article 14	Food	Page 21
Article 15	Accommodation	Page 22
Article 16	Religious rites	Page 26
Article 17	Health Services	Page 27
Article 18	Death	Page 29
Article 19	Sports and Physical Exercises	Page 32
Article 20	Educational and Vocational Training	Page 33

Article 21	Education, and profession training programs	Page 33
Article 22	Establishing Libraries	Page 34
Article 23	Encouragement	Page 35
Article 24	Work	Page 35
Article 25	Private Sector	Page 37
Article 26	Role of the Civil Society	Page 37
Article 27	Home Leave of Prisoners	Page 40
Article 28	Visits	Page 42
Article 29	Correspondence	Page 44

**Chapter Four
Transfer of Prisoners and Detainees**

Article 30	Transfer prisoners and detainees	Page 46
	Page 53	

**Chapter Five
Release from**

Article 31	Release of Prisoner	Page 51
Article 32	Release of detainee	Page 53

**Chapter six
Miscellaneous Provisions**

Article 33	The high council	Page 54
Article 34	Mentoring and control	Page 55
Article 35	Giving temporary shelter	Page 56
Article 36	Filming and Reporting	Page 58
Article 37	Enforcement date	Page 60

CHAPTER ONE GENERAL PROVISIONS

Article 1

Basis

These Regulations have been enacted in accordance with Article 16 (2) of the Law of Prisons and Detention Centers for better regulating affairs of the Prisons and Detention Centers and ensuring the rights of prisoners and detainees.

Article 2

Objectives

The objectives of this Regulation are as following:

1. Maintains proper care and custody of prisoners and detainees,
2. Abides by the laws, human rights norms, religious, cultural and ethical values;
3. Facilitates the participation of prisoners and detainees in rehabilitation programs;
4. Educates prisoners and detainees in order that they reintegrate into the society as healthy, law-abiding citizens,
5. To create a moral not to refer to criminal action.

Article 3

Obligations of Authorities

The staff of the prisons and detention centers are obliged to a fair administration for prisons and detention centers and to ensure the rights of prisoners and detainees based on the provisions of law of prisons and detention centers, this regulation and relative bills.

Chapter Two Procedure of Holding Prisoners and Detainees

Article 4

Holding of suspects and convicts

The attributed cases of suspects and convicts that are under the investigation in courts shall be kept in detentions centers and those who are convicted by the final verdict of the court shall be kept in prisons in the center and provinces.

Article 5
Procedure of holding

1. Female prisoners and detainees shall be held in separate prisons and detention centers from male prisoners and detainees.
2. Female staff shall maintain security, custody and control of female prisoners/detainees, and male staff shall maintain security, custody and control of male prisoners/detainees.

Male police shall not be allowed to enter female prisons and detention centers. Entry of male police into female prisons and detention centers or section to prevent or respond to security incidents shall be an exception and must be requested by the commander.

(3) Detention of the accused or convicted that have not turned 18 shall not be allowed in detention centers and prisons.

- (4) Prisoners affected by epidemic illness, physiological disease or addicted to drug shall be kept separate from other prisoners and detainees.

Article 6
Reception

1. The Prison and detention center administration shall at the time of reception of prisoners and detainees observe the following points:
 - a. Ensure of their health and issued warrant for detention or the verdict of the court.
 - b. Ensure the physical well being, mental health and safety of prisoners and detainees.
 - c. Exact search of the prisoners/detainees.
 - d. Provide prisoner or detainee with contact facilities in order to have communication with his/her family.
2. Personal property items to the prisoner/detainee's after search shall be content and register in the relevant registry book. Extra equipments shall be surrendered to their relatives; in case there is no relative available the items shall be kept in a safe place until the prisoner/detainee's release.
3. The money comes from detainees during entry or then from a legal way shall be kept in a bank. In case there is no bank available it shall kept in finance department of prison and a receipt shall be given to the person.
4. Prisoners or detainees can use from the money in paragraph (3) to answer his/her need based on the condition set by the prison or detention center.

Article 7
Registration of Documents

1. , the administration of prison or detention center shall at the time of the reception of prisoners/detainees record the following legal information in a special register and attach it to the relative file:
 - a. Place of issuance, dates and number

- b. Date of arrest
- c. Date of entry
- d. Duration of imprisonment or detention;
- e. Date of the expiry
- f. Type of the attributed crime

Article 8

Reception committee

(1) To determine the physical and mental health condition of accused detainees at the time of their reception in prisons/detention centers, the following staff will interview the accused detainee:

- a. An assigned doctor as the head
- b. A psychologist as member
- c. A legal expert as member
- d. A prison/detention center officer selected by the prison commander as member.

(2) The committee set out in (1) shall be obliged to respect the provisions set out in articles 6 and 7 of this regulation during reception.

Article 9

Creation of Personal Files

(1) The prison and detention center administration shall create files for prisoners and detainees. The files shall include the following information:

- a. Name and surname;
- b. Father's name;
- c. Grand Father name
- d. Date of birth;
- e. Place of birth;
- e. Sex and marital status;
- f. Qualification
- g. Occupation
- h. date and place of committed crime
- l. Place of arrest and its date
- j. types of crime
- k. Length of time in police custody;
- l. Duration of the sentence
- m. Name of the defense attorney;
- n. Security classification of prisoner/detainee in large and average extent
- o. Interest in rehabilitation programs (ability, needs and participation of prisoner or detainee in educational or vocational training programs, as appropriate);
- p. Health information and medical needs
- q. Telephone number of relatives
- r. Photograph
- s. Numbers of children accompanying prisoner/detainee

2. The prison and detention administration shall provide the detainee/prisoner with information of paragraph (1) of this article mentioning the text of the court's verdict or search warrant and include it to the form attached to this Regulation.

3. The administration of the prison and detention center, classify prisoners and detainees in to different maximum, medium and minimum groups in view of controlling and mentoring, the reasons of the classification is sent to general directorate of prisons and detention center for approval and notify prisoners, detainees and the prosecutor from the decision.

Article 10

Committee of Classification

(1) To classify prisoners and detainees in view of their characteristics mentioned in paragraph (2) of this article, a commission with the following composition shall be formed in prisons and detention centers of the center and provinces.

- a. A police of the prison and detention center, selected by the prison/detention center commander as Chairman of the Commission;
- b. A physician as member
- c. An educational staff as member
- d. A psychologist as member
- e. A monitoring prosecutor on prison and detention centers as member ;

1. The Commission shall classify prisoners/detainees based on following characteristics;

- a. Age;
- b. Criminal history;
- c. Types of crime
- d. Duration of the sentence;
- e. Drug addiction;
- f. Health condition;
- g. Citizenship
- h. Practices and behavior during imprisonment or detention;
- i. Personality, habits, and common feelings

(3) Abide by paragraph (2) of this article, The Committee shall assign a security classification of maximum, medium or minimum to each prisoner and detainee based on their performance and behaviour during imprisonment or detention

(4) If prisoners or detainees are not satisfied with the assigned classification mentioned in paragraphs (2) and (3) of this article they may submit a written appeal to the Central Prison Department. The Central Prisons Department shall review the appeal and respond within one week.

Article 11

Restriction of Rights

(1) Despite the restriction set out in provisions of Article 4 and 40 of the Law on Prison and Detention Centers, Rights of prisoners and detainees may also be restricted in the following circumstances:

- a. escape or attempted to escape
- b. strike
- c. Breaches of security and disciplinary regulations of prison/detention center included in relative bills.
- d. misbehaving with other prisoners and detainees
- e. In other situation based on the recommendation of the prosecutor or court.

(2) The Prison and detention center administration in view of situation set out in (1) of this article and approval of the general directorate of prisons and detention center Shall apply the following restriction for 15 days .

- a. To exclude prisoners or detainees to contact with their family members or relatives.
- b. .To hold in separate cell.

(3) Prisons and detention center administration shall notify the prosecutor on time from the restriction applied.

(4) The prison and detention center administration recommends the need to expand the restriction set out in paragraph (2) of this article through the general directorate of prisons and detention centers to the minister of justice.

(5) If the prisoners or detainees resisted against the prison and detention center staff or try to harm themselves, the staff shall handcuff them based on the procedure.

(6) Prisoners or detainees shall not maintain fire arms, lacerating, striking, and communicating equipments.

(7) Prisoners or detainees shall not use or maintain Oil, Gas or other firing materials and equipments used for, inside the prison or detention center. Urgency and exceptional situation is excepted based on the recommendation of the prison and detention center administration.

(8) Prisoners and detainees shall not cook food inside the prison and detention center.

Article 12

Procedures for Searching Prisoners

(1) The authorities of prisons and detention centers shall search prisoners and detainees in the following circumstances:

- 1- Upon reception or entry into a prison/detention center
- 2- Before and after all visits
- 3- After having completed work activities or educational and vocational training, or participated in sports or physical exercises
- 4- In other circumstances when a prisoner or a detainee exits from the prison or detention center facility.

(2) If prisoner/detainee needs to be searched due to concealment of unauthorized items, the searches shall be conducted by an officer of the same sex and without the presence of anyone of the opposite sex.

1. Whenever unauthorized items are found during search of the prisoner/detainee. The staff of prison and detention center shall report in written to relative commanders of prison. Every commander shall do the legal proceedings in his/her section.

Article 13

Prohibited Acts and related duties of prison detention center staff

- (1) Prisons and detention centers staff are prohibited from doing the following:
 1. To torture, take revenge, or any types of psychologically harass and annoyance of prisoners or detainees
 2. To take revenge or punish the prisoners or detainees.
 3. To receive any unauthorized fee, gratuity, or anything of material value either directly or indirectly from prisoners/detainees or their relatives or authorized visitors;
 4. To buy things from prisoners/detainees
 5. To sell things on prisoners/detainees. Selling things in the container by the staff of prison/detention center is excluded from this order.
 6. To take loans or lend money or other goods to/from prisoners/detainees;
 7. To bring any object into the facility for a prisoner/detainee or to deliver any object to any other place or individual on behalf of a prisoner or detainee; transferring the object?????
 8. To disclose information that became known to them in the course of their duties.

Chapter Three Rights of Prisoners and Detainees

Article 14 **Food**

- (1) Food shall be provided and served to prisoners and detainees three times a day at standard times by the prison and detention center administration.
 - (2) The food standard set out in paragraph (1) of this article is recommended with consideration to its quality and quantity by the high council of prisons and detention centers and is applicable after the approval of the council of ministers.
 - (3) The quality and quantity of food served to the prisoners and detainees shall be checked by the appropriate medical personnel.
 - (4) Prison and Detention Center provide the facility for prisoners and detainees to consume their food in dining room.
- 5- During the month of Ramadan, food for prisoners and detainees shall be prepared in better quantity and quality and be distributed at the appropriate times pursuant to Islam.
- 6- Clearly detail quantity and type of food to be served on daily basis to men, women, pregnant women, children, newly born babies and sick prisoners/detainees.

Article 15 **Accommodation**

- (1) As far as possible the rooms for prisoners and detainees shall have the following requirements:
 - (1) Space allocated for accommodation must be a minimum of 2 Square meters for each prisoner or detainees without bed.
 - (2) Windows shall be large enough to allow sufficient natural light and ventilation to enter into cells;
 - (3) Lightning of the corridors, halls, cells and common areas shall follow this provision;
 - (4) Furnishing of the cells with cooling and heating equipments with consideration of season requirement based on appointed standards.
 - (5) Furnishing of the cells with beds, bedding, blanket, mattress, pillows and necessary dishes.
 - (6) To observe all the medication standards.
- (2) Prisoners and detainees shall contribute to the cleaning of their respective cells and toilets on daily basis rotation. For this purpose, prisons and detention administration shall provide necessary cleaning equipment to the prisoners/detainees; sick people, handicapped, pregnant women and mothers with children are exempted from this provision.
- (3) Kitchen, library and internal courtyards of prisons or detention centers shall be cleaned by prisoners and detainees who do not require strict control and are assigned by the Prison Commander on rotational basis.

- (4) A kindergarten shall be established at each prison and detention center for children aged 2 to 7 years, of imprisoned and detained parents with the cooperation of the Ministry of work and social affairs, Ministry of Martyrs and disables. Children with 7 years age can only stay with their fathers or mothers during the night. With the cooperation of the prison administration, the Ministry of Work and Social Affairs and the Ministry of Martyrs and Disables, keep the children without guardians or children that their fathers or mothers are in prison in orphanage or nurseries.
- (5) In order to observe hygiene, the cells of prisoners and detainees are by assigned doctor based on the provision of paragraph (3) of Article 27 of prison law and if it is needed the cells can be fumigated time by time.
- (6) To ensure hygiene, the prison and detention center administrations shall make a regular arrangement for prisoners and detainees to take bath, cut hairs and wash their cloths.

Article 16

Performance of Religious Rites

- (1) The prison and detention center administrations shall take the following measures to ensure that religious classes are held, mandatory and obligatory rites are performed in a better way and preaching is done:
 1. Assigning religious scholars
 2. Performance of five times prayers in one or several different congregations
- (2) A prisoner or detainee belonging to a religion other than Islam shall have a book of his religion for studying.

Article 17

Health Services

- (1) In each prison and detention center in the center and provinces, the Ministry of Justice, in cooperation with the Ministry of Public Health, shall establish regularly functioning health facilities.
- (2) In each prison and detention centre, the Ministry of Justice, in cooperation with the Ministry of Public Health, shall check prisoners and detainee once a month beside the regular medical services for prisoners and detainees:
- (3) Prison and detention center administration is duty bond to regulate the medical arrangements in a manner to be sufficient for the requirements of the patients in side the prison.
- (4) Prisoners and detainees affected with epidemic illness can be medically treated based on the recommendation of doctor.
- (5) If the medical treatment of prisoners and detainees is not possible inside the prison or detention center, they should be treated in medical centers outside of the prison base on the provisions set out in paragraph (2) of the article 27 of Prison law.
- (6) If the concerned medical doctor certifies that the patient has fully recovered, he can be returned to the prison or detention center.
- (7) If a prisoner or detainee harm himself/herself intentionally, the expenses of the treatment might be on his/her own. After the studying and

results by the psychologist, the commander of the prison and detention center takes decision that the prisoner/detainee should reimburse the medical expenses.

(8) If a medical doctor diagnoses that the health condition of an illness prisoner or detainee is critical and is being threatened by death, the prison or detention center administration shall inform his relatives of his condition.

Article 18

Death

- (1) If a prisoner or a detainee dies, his relatives shall be notified immediately, and his body shall be released to his relatives after an examination and determination of the cause of his death by a forensic medical specialist. The report of forensic medical examination shall be prepared in three copies. One copy of the report on the cause of the death shall be retained in the forensic medicine department, one copy in the prison or detention center administration and one copy shall be put in the personal file of the deceased by the competent prosecutor. Prison and detention center administration is duty bound to give a copy of the report and results of the examination to the relative of the dead prisoner during release.
- (2) If relatives of the dead prisoner or detainee refuse to receive his body or the prison or detention center administration cannot find his relatives, the body shall after funeral prayers be buried in the graveyard allocated for prisoners. The prison or detention center administration shall take measures to identify the grave of the dead prisoner or detainee in case his/her relatives are found.
- (3) If a prisoner or detainee belonging to another religion dies, his/her relatives shall be notified. In the absence of his relatives or their refusal to receive the body, the religious leaders of his sect shall be notified. In case no one shows up to receive his dead body, he shall be buried in a special part of the prisoners' graveyard and a special mark shall be placed on his grave.
- (4) If the dead prisoner or detainee is a foreign national, the Ministry of Justice, through the Ministry of Foreign Affairs, shall inform the related Embassy of origin and the International Committee of the Red Cross of his death. If the arrival of the relatives of the deceased foreign prisoner or detainee takes time, the prison or detention center administration shall keep the dead body in a special place inside the prison or detention center or in one of the health facilities.

Article 19

Sports:

1. In addition to the right to walk in the open air, opportunities shall be paved for the prisoners to do their interested sports based on a schedule. If this right is restricted based on some security reasons, the prison and detention center administration notify the respective prosecutor from the decision.
2. The affairs to the sport practices shall be regulated in a separate regulation.

Article 20

Educational and Vocational Training

To educate prisoners and detainees, find them jobs, foster their will and develop their talents, educational, vocational training courses shall be held in prisons and detention centers with the cooperation of the Ministry of Labor and Social Affairs, Ministry of Martyrs and Disables, Ministry of Education and other governmental and NGOs. In view of circumstances, the affairs related to this are regulated in a separate regulation.

Article 21 **Training and educational programs**

In order to conceive the social loss of the committed crime, feel responsibility, bring social order, humanitarian duties, respect the other people culture and religion by the prisoner and detainees, the prison and detention center administration shall regulate the Educational and training programs based on the separate regulation.

Article 22 **Establishment of Libraries**

1. The prison and detention center administrations shall establish libraries and furnish them with a sufficient number of , scientific, religious, professional and vocational books with the cooperation of the government agencies, NGOs and charity organizations by taking into consideration the number of prisoners and detainees.
2. Prisoners and detainees can study in the libraries at the specific hours and in accordance with the rule of the libraries and permission of their concerned authorities may receive books on loan.
3. Prisoners and detainees may subscribe in magazines, periodicals and newspapers.

Article 23 **Encouragement**

Prisoners or detainees who actively participate in educational and training affairs, would be encouraged and praised according to their behavior by the prison and detention administration. , Based on the provisions of this article more facilities shall be provided accordingly.

Article 24 **Employment**

- (1) The prison administration shall facilitate industrial, agricultural or professional activities and employments for prisoners;
- (2) Prison and detention center administration is duty bound to appoint the prisoners or detainees having professional experience in vocational trainings, education, medication and other occupation.
- (3) The salary or wage for the prisoner or detainee is hired by the prison and detention center administration is equivalent to 60% salary of the same work or occupation in governmental offices.

- (4) Further affairs relating to the employment of prisoners mentioned in paragraphs (1,2,) of this article shall be regulated in a bill
- (5) The prison or detention center administration shall arrange for a common area where skilled handicraft workers can participate in authorized handicraft projects, unless this work make trouble for other prisoners.
- (6) Prisoners and detainees shall not employ other prisoners or detainees and shall not profit from the labor of others.

Article 25

Private Sector

In accordance with the provisions of this present Regulation, the Ministry of Justice may attract private investment in order to provide employment opportunities for prisoners and detainees.

Article 26

Role of the Civil Society

1. In accordance with the provision of Article 30 of the Law of Prisons and Detention Centers, Registered National NGOs, and International NGOs and charity organizations and agencies that wish to perform activities or implement programs, such as educational, economic (industrial and agricultural) or vocational training courses, recreation or cultural activities in favor of prisoners and detainees shall submit a request to the Commanders of prisons or detention centers or directly to the Ministry of Justice.

The request shall clearly detail:

- a. Purpose of the activities;
 - b. Period during which the activities will be conducted;
 - c. List of materials and equipment to be brought inside the prison or detention center.
 - d. List of individuals who will enter in the prison or detention center to perform daily activities.
2. The prison or the detention center administration shall send without delay a copy of the request mentioned in paragraph (1) of this article and recommendations in writing to the Ministry of Justice. The Ministry of Justice shall review the request and take the appropriate decision on the request.
 3. After the approval of the request by the Ministry of Justice, the prison or detention center Commander shall take in due consideration managerial requirements and security constraints for conducting the requested activities.
 4. The prison or detention center administration may also seek the assistance of registered national NGOs and international relief organizations for the improvement of the affairs of prisons and detention centers and helping prisoners or detainees or their families in accordance with the provision of paragraph (2) of this article and take necessary measures in this respect.

Article 27

Home Leave of Prisoners

- (1) To ensure that prisoners maintain relations with their families and relatives, leaves mentioned in article 37 of this law shall be granted to prisoners by taking into consideration the type of their offence, degree of punishment, behavior and their control and supervision by the police during their leave period.
- (2) The leaves set out in paragraph (1) of this article are granted while a valuable grantee for his/her returning at the end of the leave is given to the prison administration.
- (3) Prisoners sentenced from 1 to 5 years in prison, provided that they have served one fourth of their sentence and their behavior has been assessed as positive can use from their leaves mentioned in paragraph (1) of this article each year.
- (4) The following categories of prisoners cannot benefit from leaves mentioned in paragraph (1) of this article:
 1. Prisoners convicted of crimes against internal and external security;
 2. Foreign citizens
 3. Recidivist criminals.
- (5) The leave is granted after the approval of the prison and detention center general director.
- (6) Prison and detention center administration is duty bound to submit the list of eligible prisoners to the prison and detention center general administration two months before the leave.
- (7) It is not permissible to grant leave to prisoners when the security situation is not conducive or when it is not possible to control and supervise prisoners.
- (8)

Article 28

Visits

- (1) Prisoners and detainees shall have the right to be visited by family members and relatives at least three times per month in accordance with the provision of Article 31 of the Law of Prisons and Detention Centers.
- (2) Prisoners and detainees may have the right to be visited only by family members and relatives whose list is included in his personal file.
- (3) Visits with prisoners and detainees shall occur in designated areas or rooms under the supervision of the assigned related officials.
- (4) Each visit shall last at least one hour. If the visitor has come from a remote place, the prison or detention center administration can authorize the extension of the duration of the visit for one more hour. Remote place in this case means 30 km.
- (5) The prison and detention center administration shall register in the visitors' Register the name of each visitor, name of the prisoner or detainee, date of the visit, time of entry into and exit of the visitor from the prison or detention center.

- (6) The prison or detention center administration shall facilitate without any restriction the private visit of a prisoner's or detainee's defense attorney.
- (7) A male prisoner cannot visit a female prisoner unless they are married or they relative.

Article 29

Correspondence

- (1) Prisoners and detainees shall have the right to send and to receive letters in accordance with the provision of Article 31 of the Law of Prisons and Detention Centers.
- (2) Prisoners and detainees who do not have sufficient funds to buy stationary, such as pens, paper, envelopes, and stamps, the prison and detention center administration shall provided the above mentioned nessesary material for them free of charge.
- (3) When there is a well-grounded suspicion (reasonable and probable grounds) that prohibited items are enclosed in an envelope sent to prisoners and detainees, the prison and detention center police can open and examine its contents without reading the letter, envelops sent by prisoners and detainess is also obeyed by this provision.
- (4) When there is a well-grounded suspicion to believe that the content of a letter may constitute a crime or disrupt taking legal action in a case, the Prison Commander may decide to confiscate and send the letter to the competent judicial authority. The concerned prisoner or detainee shall be notified of the confiscation of the letter.

Chapter Four

Transfer of Prisoners and Detainees

Article 30

Transfer

- (1) In accordance with the provisions of Article 47 and 48 of the Law of Prisons and Detention Centers, prisoners and detainees shall be escorted by armed prisons and detention centers Police during the transfer. The number of prisons and detention centers Police shall be decided by the prison Commander based on the number and dangerousness of the prisoner or detainee to be transferred;
- (2) Prisoners and detainees shall be handcuffed during the transfer from one place to another based on security reasons.
- (3) Prisoners and detainees shall be searched for forbidden equipments and shall be examined by healthcare staff prior to the transfer.
- (4) During transfer from one prison or detetniton center to another prison or detention center, prisoners and detainees shall be allowed to take their money and personal belongings maximum up to 30 kg.
- (5) During the transfer of prisoners and detainees the following point shall be considered.

1. Copy of the order of transfer in accordance with the provisions of Articles 21 and 47 of the Law of Prisons and Detention Centers;
 2. Sufficient food and drinkable water for each prisoner and detainee;
 3. Prisoner's or detainee's personal file;
 4. Medical certificate authorizing the transfer;
 5. List of prisoners' or detainees' personal belongings transferred and of those to be transferred at a later stage
- (6) The following individuals should not, under normal circumstances, be part of a collective transfer:
1. Pregnant women or women with children;
 2. Prisoners or detainees under medical treatment;
 3. Dangerous prisoners and detainees requiring strict control and observation.
- (7) The prison and detention center administrations shall execute the decision of the competent court on the transfer of a prisoner or a detainee for the purpose of criminal proceedings.
- (8) If the maintenance of a prisoner and detainee is not appropriated in a district prison and detention center, the prison and detention center administration of the district shall notify the provincial administration of prison and detention center.
The provincial administration of prison and detention centers shall take decision to transfer a prisoner and detainee after the direction of the Minister of Justice.
- (9) If the maintenance of a prisoner and detainee is not appropriated in a province prison and detention center, the prison and detention center administration of the province shall notify the General administration of prison and detention center.
The General administration of prison and detention centers shall take decision to transfer a prisoner and detainee after the direction of the Minister of Justice.
- (10) In accordance with the provision of paragraph (2) of Articles 20 and 21 of the Law of Prisons and Detention Centers, a prisoner or his relatives may directly submit a request for transfer of a prisoner/detainee to the Minister of Justice or the administration of the prison where he is held. The administration shall forward the request with necessary comments about the prisoner to the Ministry of Justice to make the required decision.

Chapter 5 Miscellaneous Provisions

Article 31 Release of a prisoner

The prison administration shall notify the relevant prosecutor on month before the expiry of the term of imprisonment of a prisoner. In this case, the relevant prosecutor shall send a certificate of release of the prisoner to the administration of the relevant prison until the completion of the specified term of imprisonment. In case of delay, the Ministry of Justice shall be notified about the issue with reasons. Minister of justice in cacoordance with the provision of law shall make decision regarding the release of the prisoner.

- (1) The release of a prisoner shall be executed on the date indicated on the certificate and before noon if possible.

- (2) Order or certificate of release shall be recorded in the relevant registry, prisoner personal file and the Head of the District Police where the released is resident or will reside and if possible his relatives shall be notified prior to the release date.
- (3) Prisoners have the following rights during release:
 1. To receive a certificate of attendance for having participated in any approved programs, to include educational or vocational training courses or economic activities;
 2. To receive a certificate of good conduct or behavior.
 3. Sufficient clothing and financial assistance to the indigent if possible;
 4. Return of money and personal belongings kept by the prison administration.
 5. In case the close relative of released women is not present, she shall be introduced officially to the Ministry of Women Affairs to stay in appropriate place.

Article 32

Release of a detainee

Detainees shall be released in the following situation.

1. In the circumstances mentioned in Articles 20 of the Law on Prisons and Detention Centers and criminal procedure law.
2. In the situation to receive a written notification from the acquitting or concealment of the criminal file from the Attorney General Office.

Miscellaneous Provisions

Article 33

The Supreme Council of Prisons

(1) To implement the objective of this regulation the high council of prisons and detention centers have the duties and authorities based on the provisions of Article 14, 15, and 16, of the Law on Prison and Detention Centers:

- (1) To better organize the affairs related to food, clothing, work and health of the prisoners and detainees;
- (2) To ensure that human rights is respected within the prison and detention centers.
- (3) To evaluate the reports from the general administration of prisons and detention centers about the condition of prisons and detention centers.
- (4) To take necessary decision for finding ways to resolve problems in prison, detention centers, prisoners and detainees.
- (5) To approve regulations and procedures needed for prisons and detention centers.
- (2) Sessions of the Supreme Council of Prisons shall be held by the presence of the two third of the members and the decisions shall be taken with the majority votes of the members present in the session. In case of equal votes, the vote of the members including the Chairman of the Council shall be valid.

Article 34

Mentoring

Prisons and detention center administration is obliged to provide necessary opportunities for prosecutors to implement the following objectives.

1. Investigation
2. Mentor the application of the decisions of the legal and judicial high authorities
3. To ensure that no one is imprisonment or detained illegally or kept more than their fix time.

Article 35

Provision of Temporary Shelter

- (1) Prison and detention center administration is obliged to provide appropriate place for the people set out in Article 53 of the Law on Prison and Detention Centers:
The prison and detention center administration give shelter up to the appointed time and at the end of the date surrenders the person to the Attorney General Office.
- (2) An individual whose life is threatened may inform the relevant judicial authority and request in written with ground reasons to be temporarily sheltered in a prison or detention center, for their personal safety.
- (3) The prosecutor is obliged to do appropriate investigation about the request of the person, after satisfaction can submit the request to give shelter for him/her to the Minister of Justice.
The affairs related to the food and visits set out in this article can be regulated by the prison and detention center administration with the agreement of the person in view of the situation.
- (4) A prisoner or detainee can request in written to leave the prison or detention center before the end of the time. Prison and detention center administration shall submit the request to the prosecutor, after the request is reviewed the prosecutor can adopt decision.
- (5) The prison and detention center administration is duty bond to register the time of giving shelter in the office and maintain its records.

Article 36

Filming and Reporting

- (1) Filming, reporting and photographing of prisoners or detainees shall take place with the permission of the Minister of Justice and the consent of prisoners and detainees provided that their identity shall not be disclosed.
- (2) A filmmaker, reporter and photographer shall submit his request in writing to a prison or detention center administration and shall include the following information:
 - (1) A certified copy of the license as journalist, photographer or filmmaker;
 - (2) Personal brief information of the person or persons entering the prison or detention center;
 - (3) Prison or detention center to be visited;
 - (4) Details of activities to be conducted in the prison or detention center;
 - (5) Date and time of the visit and duration of the activities.
- (3) The prison or detention center administration shall consider the request mentioned in paragraph 2 of this article and forward it to the Minister of Justice for making decision. In case the request is accepted the limitation and condition of the permission shall be specified.

- (4) Individuals who have obtained permission to enter a prison or a detention center for achieving the objectives of this article shall act in accordance with the terms and conditions of the permission and shall not violate them; otherwise their activities shall be stopped and their films, reports or photographs shall be checked and if necessary shall be confiscated.
- (5) Filming, reporting or photographing if reproduced or disseminated, may affect or endanger the security of a prison or detention center shall not be allowed.

Article 37:
Enforcement Date

This Regulation shall be effective from the date of approval and shall be published in the official gazette.