

WOLKITE UNIVERASTY



IMPLEMENTATION OF PRISONER'S RIGHT OF EDUCATION AND WORK; THE LAW AND PRACTICE IN WORABE TOWN PRISON ADMINISTRATION

A SENIOR THESIES SUBMITTED TO THE SCHOOL OF LAW OF WOLKITE UNIVERSITY TO PARTIAL FULFILMENT OF THE REQUIREMENT FOR THE DEGREE OF LLB IN LAW

BY: ABDI AHMEDIN

ID NO 001/010

ADVISOR: TASHOMA HABASHA (LLB)

Thesis approval page

The thesis titled “IMPLEMENTATION OF PRISONER’S RIGHT OF EDUCATION AND WORK; THE LAW AND PRACTICE IN WORABE TOWN PRISON ADMINISTRATION” By ABDI AHMEDIN is approved for degree of Bachelor of laws (LLB).

Approved by Board of Examiners

_____	_____	_____
Advisor	Signature	Date
_____	_____	

Examiner	Signature	Date

Declaration

I, Abdi Ahmedin declare that this research is my original work and it is not done in any other university and all the documents I used for the research have been fully acknowledged.

Name: Abdi Ahmdin

Signature: _____

Date _____

ACKNOWLEDGMENT

First of all I would like to extend my deepest gratitude to Allah. For giving me courage and strength my heart full great gratitude also goes to my advisor Mr. Teshoma for guiding me through my research by providing comments and suggestions, this paper could not be done without him. Finally, I would like to say special thanks for all my family.

Acronyms

ACHR-African charter human right

UDHR- universal declaration of human right

ICCPR –international convention civil and political right

ICESCR- international convention economic social and cultural right

CAT – convention against torture

FDREC- federal democratic republic of Ethiopia constitution

SMR - The United Nations Standard Minimum Rules for the Treatment of Prisoners

Abstract

This study's cardinal purpose was at assessing the practice of the right to education and work of prisoners. Prisoners' education and work in the prison are emerging as a major corrections and social services issue. Right oriented services, almost non-existent a decade ago, are developing in institutional and community settings and a range of services including learning and works in the prison centre. The study was conducted in worabe (silte zone) central prison centre. The FDRE constitution allows the right to education and work of prisoners within the prison premises. 24 participants (14males and 10 females) were selected by using purposive sampling. The data obtained are analysed using table and percentage. The challenges for this right are the law itself and non-suitability of the prison administration. The law incorporated such rights the right to education and the right to work but there is no proclamation, regulation or directive has situated way of implementation of those right unless imposing duty on the administration to implement such rights. The government should bring out the rule and regulation for that prisoner matriculation. The absence of institutional cooperation between institution like the prisoner administration with another institution like educational service and employer institution and there is no market accessibility for their production and labour force. The prison administration should be cooperated with other institution another one is there is lack of budget to implementation of such right. The government should budget to the implementation of such right.

Contents

Declaration.....	ii
ACKNOWLEDGMENT.....	iii
Acronyms.....	iv
Abstract.....	v
Chapter one.....	1
Introduction.....	1
Back ground of the study	1
Statement of the problem	3
Objectives of the study.....	4
General objective	4
Specific objectives	4
Research Question	5
LITERATURE REVIEW	5
Significance of the study.....	5
Scope of the study.....	6
Organization Of the study.....	6
Methodology of study.....	6
Sampling.....	6
CHAPTER TWO	8
2 REVIEW OF RELATED LITERATUR.....	8
2.1 Purpose of prison	8
2.2 Significance of education and work.....	10
2.3 Prison centre education and work Rule.....	12
2.4 Is the type of Crime matters education and work	13
2.5 Denmark perspective on the right to education and work.....	14
2.6 Finland perspective on the right to education and work	16
CHAPTER THREE	18
3 PRISONERS' RIGHT IN ETHIOPIAN LAW	18
3.1 Prisoners right in general	18

3.2	Federal prison commission establishment proclamation	19
3.3	Ethiopian Criminal code	19
3.4	Regulation on the Treatment of Federal Prisoners.....	20
3.5	Ethiopian perspective on the right to education and work.....	21
CHAPTER FOUR.....		22
4	DATA PRESENTATION, INTERPRETATION AND ANALYSIS.....	22
4.1	How was created awareness to the prisoner about the right which is enjoy in the life of prison .	22
4.2	In the prison life there is limited right and also unlimited rights among such unlimited right the right to education and the right to work are some of how is such right implemented in worabe prison.	23
4.3	Is it coordination among institutions to the enforcement of such right the right to education and the right to work.....	24
CHAPTER FIVE		27
CONCLUSIONS AND RECOMMENDATION.....		27
5.1	CONCLUSION.....	27
5.2	RECOMMENDATION	28
Annexes		31

Chapter one

Introduction

Back ground of the study

A correction centre is considered as a place in which Incarcerations are physically confined and deprived of personal freedoms and rights to some extent.¹ Prison centre is part and parcel of the criminal justice system of any country. Prisons may be designed exclusively for adults, young offenders, females, teens, convicted prisoner, under-trials etc. Even though the objective of imprisonment is different from legal system to legal system it may have a punitive nature or deterrence or a lesson to others or a reformative or rehabilitating effect. The primary purpose of punishment is to protect the whole society from victimization.² Incarceration is a lawful punishment that is imposed by the State for the commission of a crime. Deprivation of liberty greatly influences the opportunity for prisoners the right education and works.³ Most of the time a criminal who is convicted to a crime may be put in to a jail or prison centres, and the person who is imprisoned is known as prisoner. Even if imprisonment results into denial of certain rights of prisoner, especially the right to movement and other rights related with personal liberty, but it shall not mean that prisoners do not exercise any other rights, especially from the perspective of human rights. Like any other person, prisoner entitled to the enjoyment of their human rights by the mere fact of being a human. The core International Human Rights Instruments clearly protect and acknowledges rights of prisoner.

In ICESCR is other one instrument the right of everyone to an adequate standard of living, particularly important to the rights of prisoners. This right includes the right to adequate food, clothing and housing and to the continuous improvement of living conditions. In addition, the Covenant details the rights to work, to reasonable conditions of employment, to protection of families and children, to health, to education, and to take part in cultural life. ⁴ ICCPR the

¹ Dr.Sunaina, Judicial introspection of conjugal rights vis-a-vis human rights of the prisoners, International Journal of International Law, Vol. 1 Issue 2, here after(D. Sunaina) ISSN: p 2

² Ibid.

³ Ibid.

⁴The International Covenant on Economic, Social and Cultural Rights entered into force in January 1976. here after (ICESCR) Art 6-15

Covenant details the right to life the prohibition of torture, The Covenant is a legally binding instrument which must be respected by Governments and their institutions, including prison authorities.⁵ CAT Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment both safeguards prisoner's rights particularly prohibiting torture and cruel, inhuman or degrading treatment or punishment, without exception or derogation.⁶ UDHR descaled about the right to work and education. Everyone has the right to work, everyone, without any discrimination, has the right to equal pay for equal work. Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection and everyone has the right to education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.⁷

While the Covenant provides for progressive realization and acknowledges the constraints due to the limits of available resources, it also imposes on States parties various obligations which are of immediate effect. States parties have immediate obligations in relation to the right to education, such as the guarantee that the right will be exercised without discrimination of any kind and the obligation to take steps towards the full realization of article Such steps must be deliberate, concrete and targeted towards the full realization of the right to education.⁸

The fundamental purpose of education and work is developing habits of the mind that will foster well- being. The purpose and justification of a sentence of imprisonment or a similar measure is ultimately to protect society against crime. Education and work does not end when a person is arrested and imprisoned; even though, education and work in prison was unless protected by law and prisoners do not have legal rights in that respect.⁹ Education and work in prison often aims to make the inmate more employable after release. Administrating and attending educational

⁵ International Covenant on Civil and Political Rights, General Assembly resolution 2200A (XXI) of 16 December 1966, entry into force 23 March 1976.here after (ICCPR) Art. 17& Art. 23

⁶ The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment entered into force in June 1987.here after (CAT) art 2

⁷ The Universal Declaration of Human Rights represents a great step forward taken by the international community in 1948.here after (UDHR)art 23 and 25

⁸ Ibid art 13

⁹ Dame Sally Coates Unlocking potential review of education in prison pg.3

programs in prisons can be difficult. Staff and budget shortages, a lack of educational Prison resources and computers, and the transfer of prisoners between facilities are common barriers. Prisoners may be reluctant to participate, often due to past educational failures or a lack of motivation¹⁰ for many prisoner Education and work in prison should give individuals the skills they need to unlock their potential, gain employment, and become assets to their communities. It is one of the pillars of effective rehabilitation. Education should build social capital and improve the well-being of prisoners during their sentences.¹¹

Any attempt to justify a right to education in prison on the grounds that it has a rehabilitative effect must consider such familiar alternative views as that the proper purpose of punishment is deterrence or retribution. If the sole legitimate purpose of punishment is retribution, it is immaterial that education has or may have a rehabilitative effect. Unless rehabilitation is part of some practice that is itself deserved as a punishment, or is consistent with what is deserved, the retributivist can both admit that education brings benefits and dismiss these as having no place in the practice and theory of just punishment. There is an extensive literature on punishment as retribution and deterrence.¹² In the FDREC constitution The State has the obligation to allocate ever increasing resources to provide to the public health, education and other social services and the Constitution of FDREC provides that: “Every Ethiopian has the right to choose his or her means of livelihood, occupation and profession”.¹³ and also federal prison proclamation number, incorporated many right of prisoner, Prisoners shall be provided with the opportunity to attend academic education and Prisoners shall be categorized and be given work assignments on the basis of their skills, professions and attitudes, and they shall be paid for the work they perform.¹⁴

Statement of the problem

The effect of the right to education and work in prisoner well-being and future behaviour is an important consideration in the development of prison policy. Prison centre is one of the places where in place where incarcerations persons spent their punishment having limitation to their

¹⁰ The United Nations Educational, Scientific and Cultural Organization here after (UNESCO) Institute for Education, 1995.

¹¹<https://www.gov.uk/life-in-prison/education-and-work-in-prison>

¹² Duff and Garland, 1994; Garland, 1990; Hart, 1968; Nozick, 1981; Walker, 1991.

¹³ The Constitution of the Federal Democratic Republic of Ethiopia of 1995, here after (FDREC) Neg. Gaz., 1st Year No. 1, Art. 41.

¹⁴ Federal Prisons Commission Establishment Proclamation, 2019, proc. No.1174, Neg. Gaz. Year 26, No.14. art. 43 and 45.

democratic right. Correction centres should conduct such activities without affecting the prisoner's right. Imprisonment of an individual can be emotionally devastating and practically debilitating. Loss of income, social isolation, difficulties of maintaining the advantage of learning, deterioration in the individual work done motivation and extra burden of a living standard, sense of loss and hopelessness of prisoners'. And also the impacts on the prisoner are prisoners' well-being, rule breaking within the prison and relapse into crime.

When we think about prisoners one of the things that come to our mind is the right to education and vocational training. The aim of such right is that to create awareness on the incarcerated persons as if not neglected from the future life him as well as the society. The researcher observes the practice by visiting correction centres that is under warabe (silte zone) prison administration. The right to education and works are the right for prisoner. So considering the fact that prisoner having such right like the right to education and works and other related right, the researcher combine that right with the impact of prisoner behaviour after release and the possibility of commit a crime again and again. So in this case there is chance that the purposes of punishment will lose its aim. The researcher triggered by such problems to conduct the study to synthesis the reality visa-vies the law and to put possible way outs in front of personals of administration of the prison and policy makers.

Objectives of the study

General objective

The general objective of this study is to assess whether the Ethiopian laws incorporate the right to education and work in prisoners and applicability in worabe town prison administration taking as case study area.

Specific objectives

- To search how Ethiopian laws incorporate the right to education and work.
- To inspect legal basis of right to education and wok of prisoner's.
- To check the applicability of the right to education and work in worabe (silte zone) prison administration

- The study recommends some way outs

Research Question

To deal with the problem of statement and achieve the objectives of the research the study is designed to answer the following questions:

1 What is the impact of the right to education and the right to work on the prisoners?

- 1 What are legal bases for those rights?
- 2 How is the applicability of the right to education and the right to work of prisoners in worabe town?
- 3 What would be the way-outs?

LITERATURE REVIEW

Many conventions and many writers try to explain and define the right to education and work, which is signed and ratified by the Ethiopia are incorporated that right, the right to education and works UDHR declares: ‘Everyone has the right to education.’ This implies that the right to education and training applies to all persons, including all persons in prison. Including the 1960 UNESCO Convention against Discrimination in Education and the 1966 ICSCR, which recognizes ‘the right of everyone to education’ The 2007 Lisbon Treaty recognizes the rights of citizens of the European Union through the enforcement of the Charter of Fundamental Rights, and Article 14 of the Charter recognizes that ‘everyone has the right to education and to have access to vocational and continuing training’. On the base of such convention Ethiopia has proclamation and regulation which is important to implement such right. And there is many journal articles likes Dr.Sunaina, Judicial introspection of conjugal rights vis-a-vis human rights of the prisoners, International Journal of International Law and so on which analysis the right to education and work.

Significance of the study

The purpose of criminal justice system is by rehabilitate the prisoner to deterrence effect on the society. Education and work in prisons should have purposes no less important than those of education and work in the community outside. In particular, the aims of prison education should

be essentially the same as those in adult education and also Education in prison is sometimes also seen as a means towards socialisation or socialisation. This can be a valid objective, provided it is not taken to mean imposing behaviour on people. Genuine education and work must respect the integrity and freedom of choice of the others. However, education and work can awaken positive potential in prisoners and make them aware of new possibilities and, to that extent, can facilitate their choosing for them to turn away from crime.

Scope of the study

There are a lot of variables that need to be study among incarcerations; but this study is delimited on the right of prisoners for the right to education and work. The study will have coverage than prison administration of worabe(silte zone).

Organization Of the study

The entire study is entail: preliminary matters, body with respective chapters and end matters mainly recognize sources in the form of bibliography. Accordingly, besides preliminary and end matters, this research is organized in four chapters. Chapter one deals with the introduction part which encompasses background of the study, statement of the problem, scope, significance and limitation. Review of related literature is address in chapter two. Prisoner's right in Ethiopia will address in chapter three and chapter four includes data presentation and analysis will be addressed. Finally, chapter fives conclude and recommend the possible way outs for the problem.

Methodology of study

The proposed research is use a qualitative and quantitative method since the research is mainly concerned in the human rights of prisoners. And the researcher uses both tabular and essay type to analyse the data. The proposed research is use both primary and secondary source to address the specific objective, uses primary data like laws, interviews, and observation and questioner researcher. And it is basically rely on different publication like books, journals, article and official documents is use as secondary source of data for the research.

Sampling

The area for this investigation is based on purposive sampling. The criteria that are used to determine these participants are their educational and work status and years they spent in prison.

Incarcerated people Spent three years and above in prison is the only participants of this research. The rationale for selecting participants who Spent more than a three years in prison is, prisoners who Spent less than a three years have a great possibility of realised from the prison and get education and their works since they are new for the prison environment. The researcher takes prisoners who attained above the year of three years. From the total population 200 of prisoners in worabe(silte zone) prison centre Administration I am take 24 prisoners (14 men and 10 women) to conduct this research. To 10 numbers of women prisoners the researcher provides research questioner since it is difficult to interview them as men because men cannot enter to women's custody. But in relation to the men respondents the researcher is interviews them to get the appropriate information. And the researcher is interviews some staff of prison administration.

CHAPTER TWO

2 REVIEW OF RELATED LITERATUR

2.1 Purpose of prison

A correction centre is considered as a place in which Incarcerations are physically confined and deprived of personal freedoms and rights to some extent.¹⁵ This in effect means that one who commits a crime and is found guilty will end up in prison by force of law. The objective of imprisonment is different from legal system to legal system it may have a punitive nature or deterrence or a lesson to others or a reformative or rehabilitating effect. This certainly does not mean that a person in detention legally forfeits all his rights merely because of his status as a prisoner. People who have been sentenced lose some of their rights such as freedom of movement, but they keep other rights such as the right to human dignity, the right to life. This means that a prisoner retains his human dignity in all circumstances his right to human dignity is inviolable in all circumstances irrespective of the type of crime he committed. On the other hand, state law enforcement officials should treat prisoners with humanity and with respect for the inherent dignity of the human person and maintain and uphold the human rights of all persons.¹⁶

The protection of human right for free individuals only demands that the State does not breach the right, in case of a prisoner this will usually also require that responsible organ actively shape the preconditions under which the prisoner can actually enjoy this right. In addition to the right to inherent human dignity and human treatment prisoners have the right to equality and freedom from any discrimination based on different statutes. It is prohibited making discrimination on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.¹⁷ This is so, because all human beings are born free and equal in dignity and right naturally.¹⁸

The international as well as the regional treaties guarantee the right of prisoners from any form of torture or treated cruelly or inhumanely under any circumstances. This means that any form of

¹⁵ Dr.Sunaina, cited above no 1 Vol. 1 Issue 2, ISSN:

¹⁶ ICCPR Art.10 and (ACHPR Art.5).

¹⁷ Revised United Nations Standard Minimum Rules for the Treatment of Prisoners Hereinafter (SMR), Mar. 2015, (Rule 6)

¹⁸ UDHR cited above no 7 (Art.1).

torture or ill treatment or degrading treatment is prohibited Not only any form of torture or inhuman treatment prohibited by the international convention, but also order from a superior not be invoked as a justification of torture.¹⁹ The protection of prisoners' fundamental rights will create a link with the outside world for prisoners to reintegrate into society following their release. In addition to being protected from ill-treatment, prisoners continue to enjoy the right to freedom of expression, the right to practice their religion,²⁰

The right of effective access to a lawyer,²¹ And the right to freedom of expression, This right of expression includes freedom to seek, receive and impart information and ideas of all kinds, either orally A detained or imprisoned person shall have the right to be visited by members of his/her family and shall be given adequate opportunity to communicate with the outside world, subject to reasonable conditions and restrictions as specified by law, in writing or in print, in the form of art, or through any other media of the prisoner's choice.²²

A detained or imprisoned person shall have the right to be visited by members of his/her family and shall be given adequate opportunity to communicate with the outside world, subject to reasonable conditions and restrictions as specified by law.²³ This does not mean that the rights to private life, family life and founding a family can simply be ignored by the prison authorities. Deprivation of liberty greatly influences the opportunity for prisoners as well as their relatives to enjoy their right to private life, family life, and the possibility to found a family. In case of prisoner of foreign national shall be allowed to be visited by consular and diplomatic to which they belong.²⁴ If the prisoner is without diplomatic or consular representation in the country or stateless persons shall be allowed to be visited by diplomatic of state who takes the charge of their interest.²⁵ The above discussed rights are among the some rights of prisoners which incorporated in international as well as regional conventions.

¹⁹ CAT (Art.2) and SMR (Rule6).

²⁰ICCPR (Art.18),ACHPR(Art.9) ACHR(Art.12) and SMR(Rule6(2) and Rule 41

²¹ (n15)(Art.14) Body of principle (principle11).

²² Ibid (Art.19) and ACHPR(Art.9).

²³ Principles on detention or imprisonment, principle 19, SMR, rules 37and 79

²⁴ SMR for the Treatment of Prisoners Adopted by the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Geneva in 1955, and approved by the Economic and Social Council by its resolutions 663 C (XXIV) of 31 July 1957 and 2076 (LXII) of 13 May 1977 (Rule 38).

²⁵ Cited above no 23 rule 62

2.2 Significance of education and work

Correctional education is a fundamental component of rehabilitative programming offered in juvenile justice confinement facilities, most American prisons, and many jails and detention centres. Correctional populations are over-represented with individuals having below average levels of educational attainment. Education "behind bars" presents an opportunity for the incarcerated to prepare for success upon release. A wide variety of administering entities operate correctional institutions in the United States, and a wide variety of organizations are the providers of onsite prison education programs. Various federal education programs have supported education in State and local prisons; and an Office of Correctional Education (OCE) was created by the Carl D. Perkins Vocational and Applied Technology Education Act, to coordinate and improve these efforts to support educational opportunities in correctional settings. The OCE function currently resides in the Office of Career, Technical and Adult Education (OCTAE) Division of Adult Education and Literacy (DAEL). While OCE has a unique coordinating role for correctional education, other administrative units within the Department of Education support and oversee specific programs that are based in correctional facilities.²⁶ Education enriches culture, spirit, value, and everything that characterizes us as human beings.²⁷ Education is an important aspect that plays a huge role in the modern, industrialized world. People need a good education to be able to survive. Fortunately, more and more people realize how important education is for future generations. At the same time, governments all around the world are spending money on a good education system, and people are actively encouraged to win scholarships and continue their studies. Each of us spends a big part of our childhood in education. People need a high level of education to have a better life in the future. Parents are also eager to send their kids to school and hope that they succeed in life. Everyone knows that people who have higher studies are very likely to get professional work in the future. Therefore, education carries greater importance than ever in today's society. It does not only allow people to read or write it also offers them the opportunity to have a good life, communicate better, develop new technologies and support the economy.²⁸

²⁶ <https://www2.ed.gov/about/offices/list/ovae/pi/AdultEd/correctional-education.html>

²⁷ <https://pgc.edu/purpose-of-education/>

²⁸ <https://www.educationviews.org/the-importance-of-education-in-our-society/>

Juveniles who are in the system because they have committed or been the victim of crimes may need the assistance of a social worker for issues such as a minor's ability to testify. Other issues relevant to minors include their ability to make medical decisions, child custody issues or the necessity to appoint a guardian if a parent dies or becomes incapacitated. Social workers in the criminal justice system who work with children often become advocates for different legal standards for children as compared to adults, according to the National Association of Social Workers. Although any social worker might be required to provide courtroom testimony, social workers in the criminal justice system have many roles. Some work as researchers to obtain relevant information about a particular case. Others serve as probation officers or case managers. A social worker in a jail or prison might function as a therapist for prisoners. Forensic social workers could draft reports about defendants that include.²⁹ Education is concerned with the skills, understandings, attitudes, knowledge, abilities and competences which a person needs to acquire in order to do or carry out a particular job. It is also a form of education that emphasizes the development of occupational and procedural skills needed as preparation for work.³⁰ Vocational training or career technical education programs in prison are designed to teach prisoners about general employment skills, or skills needed for specific professions and industries. The overall goal of vocational training is to reduce prisoners' risk of committing further offences by teaching them marketable skills which they can use to find and retain employment upon release. Vocational and technical training programs can also benefit the overall atmosphere in prisons by replacing idle time with constructive work. In addition, some vocational training programs can assist in the operation of prisons by having prisoners assist in³¹ institutional maintenance tasks.

Meanings of work an ancillary pursuit has grown around efforts to define the meaning of work to people, rather than what the experience of meaningful work is like for them. Although these two concepts the meaning of work versus meaningful work is distinct, their similar names warrant some explication. Whereas meaningful work, as discussed in the previous paragraphs, can be defined as the subjective experience that one's job, work or career is meaningful, provides synergy with one's meaning in life, and benefits some greater good, the meaning of work

²⁹ Field Work Practice in Correctional Setting: Indian Social Work Perspective

³⁰ Medreku Hizkyas Impact of Vocational education and Training on self- sustainability of ex-convicts: The Case of Federal Prison Administration. p. 11

³¹ Ibid p. 16

pursues the significance, beliefs, definitions and the value which individuals and groups attach to working as a major element of human activity.³²

2.3 Prison centre education and work Rule

The rule regarding education and work training differs from legal system to legal system, in the European Prison Rules and Recommendation All prisoners shall have access to education, which is envisaged as consisting of classroom subjects, vocational education, creative and cultural activities, physical education and sports, social education and library facilities.³³ Provision shall be made for the further education of all prisoners capable of profiting thereby, including religious instruction in the countries where this is possible. The education of illiterates and young prisoners shall be compulsory and special attention shall be paid to it by the administration, So far as practicable, the education of prisoners shall be integrated with the educational system of the country so that after their release they may continue their education without difficulty, Recreational and cultural activities shall be provided in all institutions for the benefit of the mental and physical health of prisoners.³⁴

Prison labour must not be of an afflictive nature, All prisoners under sentence shall be required to work, subject to their physical and mental fitness as determined by the medical officer, Sufficient work of a useful nature shall be provided to keep prisoners actively employed for a normal working day, So far as possible the work provided shall be such as will maintain or increase the prisoners ability to earn an honest living after release and Vocational training in useful trades shall be provided for prisoners able to profit thereby and especially for young prisoners. Within the limits compatible with proper vocational selection and with the requirements of institutional administration and discipline, the prisoners shall be able to choose the type of work they wish to perform.³⁵

Academic Education and Vocational Education and work Programs in Georgia's prisoner centre
The Academic Education program includes the following courses: Literacy/Remedial Reading, Adult Basic Education, and General Education Diploma Preparation. You're Test of Adult Basic

³²Harpaz & Fu, 2002, p. 641

³³ Having regard to Recommendation No. R (87) 3 on the European Prison Rules and Recommendation No. R (81) 17 on adult education policy

³⁴ SMR cited above no 17 rule 13

³⁵ibid rule 10

Education score places you in the correct course. Anyone who does not have a high school diploma or General Education Diploma may be eligible for academic education program enrolment. Priorities are the following: Pardons and Parole Pre-Release Stipulations, Short Sentences 4 years or fewer, Pre-Release centres 2 years or fewer, and sentences of more than 4 years. Academic education is expected of all eligible inmates, and classes are available at all facilities. Special Education services are also available for those qualified and age eligible.³⁶ Work Requirements. You may be assigned work consistent with your physical and mental capacity, security rating, and personal skills will be required to perform whatever work institutional authorities assign. Should you become physically or mentally unable to perform your assigned work, or become a threat to the safety or security of others, the correctional officer, or supervisor in charge may remove you from the assignment and provide necessary first aid/or emergency transportation as deemed necessary. Except in emergency situations where life or public property are in danger, prisoners will not be required to work on outside assignments during inclement conditions, when the temperature is below 28 degrees Fahrenheit, or in conditions that would jeopardize the health of the prisoners. State prisoners confined in county institutions may be required by the Warden to work on outdoor assignments during inclement weather if employees of any governmental entity within the county are performing outdoor work during such inclement weather. The required work period does not include travel time to and from work assignments, rest periods or breaks for meals.³⁷

2.4 Is the type of Crime matters education and work

Many international conventions in which Ethiopia is a party in the domestic laws prohibit any discrimination on ground of different statutes.³⁸ Education in prison should give individuals the skills they need to unlock their potential, gain employment, and become assets to their communities, it is one of the pillars of effective rehabilitation and Education should build social capital and improve the well-being of prisoners during their sentences. Improved prison education can transform individual prisoners' lives, but it can also benefit society by building safer communities and reducing the significant financial and social costs arising from

³⁶ Orientation handbook for offenders Georgia Department of Corrections

³⁷ ibid

³⁸ FDER constitution ,ICCPR, and ACHPR

reoffending.³⁹ Since the right to education and the right to work are given as right to prisoners as a means of rehabilitation. It should be allowed for all prisoners regardless of the crime they commit why because it is a right given to all prisoners naturally. Rehabilitation could be achieved by allowing him/her to have good rehabilitation.⁴⁰

2.5 Denmark perspective on the right to education and work

Although there are differences among the educational systems of the five Nordic countries, all have the same basic structure, with nine years of compulsory school (although for some older prisoners the compulsory number of years of schooling was seven), an upper secondary school system with both general and vocational training, and a higher education system with universities and other educational institutions.⁴¹

Prison education is available in all Danish prisons where convicted prisoners are serving sentences. In both open and closed prisons, day-to-day administration is carried out by a director of prison activities in consultation with a trained director of education, deputy director of educational activities (with a degree from a college of education). The course modules offered generally follow the same pattern of start and end dates as for state adult education in the upper secondary school adult education diploma entitles the holder to apply for higher education. This diploma program can be completed by prisoners in the form of independent study with tutoring or as study groups.⁴² Very few prisoners manage to complete the program while serving their sentences, but many of them continue first on day release privileges from the prisons and then, after release, at adult education centers in the community. There will always be prisoners with particular abilities and needs regarding education, which the prison school is unable to satisfy immediately. These individuals can be offered an independent study option after concrete, educational assessment and in collaboration with study counsellors from educational institutions outside the prison. Experience indicates that a great deal of discipline is required by a prisoner to complete independent studies, and that not all subjects are suitable. Usually, independent study is

³⁹ Available at, <https://www.gov.uk/government/publications/2010-to-2015-government-policy-reoffending-and-rehabilitation/2010-to-2015-government-policy>.

⁴⁰ London Review of Education Volume 12, Number 2, July 2014 p.165

⁴¹ L. Koski, p. Koudahl, B. Ragnarsson, S. Samuelsson H. Gunnlaugsson, Prisoners' Educational Backgrounds, Preferences and Motivation p.10

⁴² T. Langelid, M. Mäki, K. Raundrup, and others Nordic Prison Education A Lifelong Learning Perspective. P. 44

realistic for further and higher education. It is followed up with day release privileges for study at the educational institution that provided the independent study material.⁴³

At one closed prison, short courses in welding are offered by the labour market training authorities. These courses follow a credit-giving syllabus and are concluded with an examination. The courses are between one and three weeks in length. They are held at a purpose-built “workshop school”, and run by specialist teachers. The staff policy of the Prison and Probation Service shall be one of assisting the staff to deal with their responsibilities and tasks, enhancing job satisfaction and ensuring a good staff practice compatible with contemporary standards. Staff facilities shall be of good quality as shall conditions of work, in particular with regard to personal safety. A staff structure will be established that makes possible close contact with inmates and a suitably differentiated contact with clients.⁴⁴

Prison labour is of vital importance to the inmate to enable him to return to a normal life. The Commission on Prison Labour has stated that prison labour as a principal rule must take place in the form of productive work and as to methods and organization be similar to the work performed in well-organized private firms. Consequently, work must take place in common. Educationally designed practice in working techniques, including vocational instruction, is considered equivalent to productive work, when this is important for the inmate's rehabilitation into economic activity. Efforts are made to accustom the inmates to a rhythm of work corresponding to what is normal in society, and to improve their skills by instruction and vocational training in work, in which they will probably be employed after release. The latter applies particularly to young offenders. Inmates who are psychically handicapped are given training in work to overcome these disabilities as far as possible.⁴⁵ Prisons offer general education at the both compulsory and upper secondary levels and vocational training at upper secondary level. In recent years, these courses have increasingly come to be supplemented with rehabilitation education and counselling, at a level preparatory to vocational training. The prison work opportunities and the counselling available in this context are practical work experience components of the vocational training. The prison work supervisors give workplace guidance counselling. External educational facilities are responsible for the theoretical components.

⁴³ Ibid p. 43

⁴⁴ Response of the government of Denmark to note cu 2011/26, p 6.

⁴⁵ The Penal System of Denmark p. 39

Prisoners can also take independent study courses offered by popular education centres and others, and university level courses. Preparatory courses in reading, writing and mathematics are arranged for the Roma prisoners who have particularly weak learning abilities. Prisoners with non-Finnish backgrounds are offered Finnish language lessons.⁴⁶ The prisoners attend classes, work a standard Danish workweek (37 hours), and even do their own shopping and cooking. Married couples are often allowed to live together and even with their children if under 3 years old. The result, seemingly, is an extremely low rate of recidivism. Inmates are able to easily transition from prison to everyday life.⁴⁷

2.6 Finland perspective on the right to education and work

The educational authorities are responsible for educational activities in the prisons, which is to be in line with education offered through the public educational system. Prison education is given by teachers otherwise employed at schools for adult upper secondary education, vocational training, professional education centres for adults, and institutes for new and special education. Few prisons also have staff teachers. Teach part time or full time in Finnish prisons. The same qualification requirements apply to them as to any other teacher.⁴⁸

Pursuant to chapter article 8 of the Finnish Prisons Act, prisoners have the right to participate in educational activities offered at the prisons or in the community. The Finnish Constitution guarantees every individual a subjective right to basic education free of charge. The Prisons Act also stipulates that prisoners who have not completed their basic compulsory education have a right to education other than basic education, although as a commitment of the national government rather than as a subjective right. Every individual, even if destitute, is guaranteed equal opportunities to education even beyond compulsory level, and to self-development (see chapter 2 article 16 of the Constitution. The Basic Education Act, the Upper Secondary School Act and the relevant ordinances stipulate the general rules governing basic education. The rules governing vocational training are to be found in the laws and regulations on vocational education and training for adults. According to article 18 of the Act on Vocational Training apprenticeship contracts offered to prisoners in conjunction with their work in the prisons is not to be based on work agreements. Apprenticeship contracts may deviate from the regulations concerning, for

⁴⁶ Ibid

⁴⁷ Available at <https://berkleycenter.georgetown.edu/posts/the-danish-prison-system>

⁴⁸ L. Koski, p. Koudahl, B. Ragnarsson, S. Samuelsson H. Gunnlaugsson, Prisoners' Educational Backgrounds, Preferences and Motivation p.69

example, work agreements, working hours, and vacation.⁴⁹ Prisons offer general education at the both compulsory and upper secondary levels and vocational training at upper secondary level. In recent years, these courses have increasingly come to be supplemented with rehabilitation education and counselling, at a level preparatory to vocational training. The prison work opportunities and the counselling available in this context are practical work experience components of the vocational training.

The prison work supervisors give workplace guidance counselling. External educational facilities are responsible for the theoretical components. Prisoners can also take independent study courses of freed by popular education centres and others, and university level courses. Preparatory courses in reading, writing and mathematics are arranged for the Roma prisoners who have particularly weak learning abilities. Prisoners with non-Finnish backgrounds are offered Finnish language lessons.⁵⁰

⁴⁹ Ibid

⁵⁰ Cited above no 47 p. 70

CHAPTER THREE

3 PRISONERS' RIGHT IN ETHIOPIAN LAW

3.1 Prisoners right in general

According to the FDRE constitution all international agreements which ratified by Ethiopia are an integral part of the law of the land.⁵¹ Hence, International instruments that are ratified by Ethiopia are subject to implementation in domestic arena. Accordingly, international human rights instruments in general and those specifically dedicated to prisoner's rights can be claimed by prisoners as long as ratified by Ethiopia.

The international instruments which are ratified by Ethiopia for the right of prisoners that can be claimed by prisoners are UDHR, ACHPR and ICCPR. The supreme law of the land recognizes all peoples are equal before the law. It prohibits any discrimination on the ground of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. In addition to the equality before the law and prohibition of discrimination, the FDRE constitution guarantees right to human dignity and right to life of the prisoners. Prisoner's right to human dignity is absolute regardless of the crime he or she committed.⁵² In addition to the equality before the law and prohibition of discrimination, the FDRE constitution guarantees right to human dignity and right to life of the prisoners. Prisoner's right to human dignity is absolute regardless of the crime he or she committed.⁵³

Like the constitution of FDRE other regional state constitution also incorporates the equality before the law, human person treatment and bans discrimination based different statutes. Which includes all persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person. Other subsidiary laws which deal about the prisoner's right will be addressed below.

⁵¹ Cited above no 13 Art.9 (4).

⁵² Ibid Art.25

⁵³ Ibid Art.18

3.2 Federal prison commission establishment proclamation

The Federal prison commission establishment proclamation ⁵⁴is the next important instrument which deals with prisoner's right. The proclamation imposes a duty on the commission to provide to detainees health care, free medical treatment, food and shelter. Also it has to provide tasks, services and activities necessary for the physical and mental well-being of prisoners. Providing prisoners with academic education, vocational training, and social work services and counselling services to facilitate their post-release rehabilitation.⁵⁵

The proclamation provides that prisoners shall be treated with human person and dignity.⁵⁶ It prohibits any form of discrimination on grounds of gender, religion, and political opinion, nationality, of social origin or any other statutes.⁵⁷ The proclamation demands the segregation of prisoners based on sex generally and to extent circumstances allowed segregation based on age, offences and similar factors particularly.⁵⁸ The proclamation also assures prisoners to get sufficient food as much as possible and also their house and compound shall not be hazardous to health.⁵⁹ On the other hand the proclamation also impose obligation on prisoners to observe disciplinary requirements and liability of prisoner for criminal offence who commits while in custody.⁶⁰

3.3 Ethiopian Criminal code

The federal criminal code like the above subsidiary laws orders the segregation of prisoners based on sex, age, between sentenced and untried prisoners⁶¹ Also the code allows the deprivation of civil right of the prisoners in case the nature of the crime and the circumstances under which the crime was committed justify such an order, and the criminal has, by his unlawful act or omission, shown himself unworthy of the exercise of his right. The Court may make an order depriving the criminal of his civil rights, to be a witness or of his family rights, particularly those conferring the rights of parental authority, of tutorship or of guardianship; or

⁵⁴ Cited above no 14

⁵⁵ Ibid art 36 cumulative with art 37

⁵⁶ Ibid Art. 6

⁵⁷ Ibid art 24

⁵⁸ Ibid art 25

⁵⁹ Ibid cumulative reading Art.35 & 36.

⁶⁰ Ibid cumulative reading Art.32&33.

⁶¹ Criminal Code of the Federal Democratic Republic of Ethiopia (Hereinafter the FDRE Criminal code), 2005,

his rights to exercise a profession. The deprivation may be permanent or temporary based on the gravity of the crime, the antecedent and character of the criminal and utility of the deprivation or the probable effect of the punishment and the interests of society.⁶²

3.4 Regulation on the Treatment of Federal Prisoners

The council of minister regulation on the treatment of federal prisoners⁶³ which is the specific one from the constitution and the proclamation states that prisoners shall be respected their human dignity save the restriction by the penalty imposed on them and any discrimination on grounds of language, political opinion, gender, religion, nationality, nation, social statutes or citizenship is prohibited.⁶⁴ The same to the above discussed laws this regulation commands the segregation of female and male prisoners based on sex. Not only segregation, but also female prisoners shall be guarded and supervised only by female wardens save the official for professional duty.⁶⁵ New development in this regulation is that segregation of prisoners on death roll as mandatory and if circumstance allows juvenile prisoners under the age of 18 persons, detained upon judicial remand, prisoners with records of serious crimes, recidivists and indecent, prisoners with communicable disease and mental cases shall have separate accommodation.⁶⁶ Regarding food security the regulation requires prisoners shall have be provided with balanced and sufficient diet by the prison and access to adequate water. When there is recommendation by medical doctor for health problem prisoners shall be provided with special food.⁶⁷ Premises shall have windows large enough to allow adequate light and fresh air. Prisoners shall be provided with cloths in case recommendation by medical doctor additional close will be provided. There shall be bed and bedding if the is recommendation by medical doctor there will be additional bed. There must be access to adequate water and necessary materials for cleanness and toilet materials. Prisoners have the right to write a will up. On the other hand the regulation also impose obligation on prisoners to observe disciplinary requirements and liability of prisoner for criminal offence who commits while in custody.⁶⁸

⁶² Cited above cumulative reading Art.123 and Art.124

⁶³ Council of minster regulation, 2007, Reg. No.138 year13, No.47.

⁶⁴ Ibid art 3

⁶⁵ Ibid art 5

⁶⁶ Ibid Article 5,(2),3(a)

⁶⁷ Ibidart 10

⁶⁸ Ibid art 22

3.5 Ethiopian perspective on the right to education and work

The FDRE constitution clearly states that the state has obligation to allocate every increasing resource to provide to the public health, education and other social services and Every Ethiopian has the right to choose his or her means of livelihood, occupation and profession.⁶⁹ The right to education and work right in the constitutions is in general way. Meaning that the term “education and work” is in too much general, it includes Primary education will be of eight years duration, offering basic and general primary education to prepare students for further general education and training. Secondary education will be of four years duration, consisting of two years of general secondary education which will enable students identify their interests for further education, for specific training and for the world of work. General education will be completed at the first cycle (grade 10). The second cycle of secondary education and Higher education at diploma, first degree and graduate levels, will be research oriented, enabling students become problem-solving professional leaders in their fields of study and in overall societal needs. The right to work includes the professions of individual man.

Other subsidiary law of the Ethiopian legal system incorporates the visitation right. The federal prison commission establishment proclamation like the constitutions allow the right of prisoners to be visit by his or her spouses, friends, medical doctors, close relatives, spiritual father and legal attorney. However like the constitutions the federal prison commission establishment proclamation does not express the details of visitation. It refers the details shall be determined by directive to be issued by the prison administration⁷⁰

Regarding the right to education and work incorporation right have The objective of this proclamation is first to protect prisoner’s human and democratic rights in line to the FDRE constitution, and also other international agreements in which Ethiopia is a party second to rehabilitate prisoners and to join the society with good behaviour after release. The right to education and work addressed in the general manner in the FDRE constitution. And the International agreements in which Ethiopia is a party incorporeities the right that are the mentioned above the human person treatment of prisoners.

⁶⁹Cited above no 13 art 41 and art 40

⁷⁰ Federal Prisons Commission Establishment Proclamation, 2003, proc. No.365,Neg. Gaz. Year 9,No.90.

CHAPTER FOUR

4 DATA PRESENTATION, INTERPRETATION AND ANALYSIS

The prison administrative commission shall with a view to ensure that of the right to education and work of prison both right are parts of human right under international convention ratified in Ethiopia. Based on this the researcher, to identify the practical constraints hindering the implementation of the right to education and the right of work in prison institution specifically in worabe town prison administration and has conducted interview with the head of prison administration (herein after called the unit) Commander Awole Hussen who have qualification to experience, from his knowledge, and authority concerning the implantation the right of prisoners, . During the interview session, the interviewees were invited to explain the following

- How was crated awareness to the prisoner about the right which is enjoy in the life of prison
- In the prison life there is limited right and also unlimited rights among such unlimited right the right to education and the right to work are some of how is such right implemented in worabe prison.
- Is it coordination among institutions to the enforcement of such right the right to education and the right to work
- How do you create business connection to that of professional work which made by prisoners and labour force who was non-professional workers

Worabe prison administration is one of the prison institutions in the *SNNPR* which is a place of Incarcerations are physically confined and deprived of personal freedoms and rights to some extent. This in effect means that one who commits a crime and is found guilty will end up in prison by force of law. In case of a prisoner this will usually also require that responsible organ actively shape the preconditions under which the prisoner can actually enjoy this right.

4.1 How was crated awareness to the prisoner about the right which is enjoy in the life of prison

As Commander Awole said there are program which was prepared by prison administration that is important to create awareness on the right and obligation of prisoners for the prisoners. There

are explanation on the right of prisoner shall have access to free medical services available to all other citizens pursuant to health service laws of the country. Provide, three times a day, sufficient and balanced diet for each prisoner sufficient to preserve his health and his physical fitness. Have freedom of religion and belief during his stay in prison. And all right of prisoner shall be created understanding and also create awareness on the obligation of prisoner all of them are should be respect the rule and regulation of the institution if anyone who have grievance on the human treatment of the institution and other kind of infringement of right can complain.⁷¹

4.2 In the prison life there is limited right and also unlimited rights among such unlimited right the right to education and the right to work are some of how is such right implemented in worabe prison.

According to inspector Lijalem Mengste service sector head in prisoner has the right to get a lot of services like provision of food, provision of accommodation, clothing, medical service, academic and vocational training and the right to work and other rights prisoners enjoy in life of prison, But I tele specifically the implementation of the right to education and the right to work. There is school up to grad 8 up to know no anything about above elementary school prisoners, but we have plan to starting the distance education on the high school level and higher education. Our institution has no educational institution above grad 8, but prison establishment proclamation impose responsibility on us to facilitating the right of education and work. On the other hand the theirs has planned to create relation to worabe poly technical college on short time training. Most of the time when we see the age that made criminally liable is start from 15 years and the under 15 years are not enter in to the normal prisoners institution. From this fact as we can understand that the Prisoners above age 15 years can not the chance of education in the prisoner institution because mare time school starting age was 7 year so more criminal has chance to completed the primer education before enter in to prisoner centre.

Ethiopia recognize prisoners right in general and prisoners right to work in particular by signing various international and regional instruments on the protection of and incorporating them into its constitution and other domestic legislation, but the existing situation is contrary to what is

⁷¹ Interview with commander Awole Hssen , Head of worabe prison administration institution.

stated in the law. Accordingly, in worabe prison administration prisoners are already employed and have also been obliged to work on the fields.⁷²

4.3 Is it coordination among institutions to the enforcement of such right the right to education and the right to work

According to Commander Awole Hussen prisoner shall have the right to improve his knowledge and skills by participating in educational and training programs based on his interest during his stay in the prison.

The Commission, to discharge its responsibilities stated, shall establish relations with public and private education institutions or other institutions providing similar services and create suitable conditions for the institutions to provide education or special professional trainings for the prisoners within the premises of the prison or through distance education programs. our institution was create opportunity of education for non-educated one and who has not completed the elementary educational level as he side our institution have school which is give educational service up to grad 8. We have untiring strive to create relation to worabe town educational sector by employing teachers and to fulfil material which is important to education. Somehow there is gap in the relation between the two institutions by fulfilment of teachers and educational material we fulfil from the prisoner themselves who have good educational quality than the others. As he said there is a plan to create relation to anther educational institution that gives distance educational service which is supported to complete the high school and higher education.

How do you create business connection to that of professional work which made by prisoners and labour force who was non-professional workers as institution we have set up the market place in the compound and preparing small shops in the compound and also create relation to Worabe University for employing the worker has no work in the institution and create situation to work out of the compound.⁷³

The prison establishment proclamation clearly states that prisoners shall have the right to education and work.⁷⁴ The effect of the right to education on prisoner wellbeing and future

⁷² Interview with inspector Lijalem Mengste, Head of service in worabe prison administration institution.

⁷³ Cited above no 65

⁷⁴ Cited above no 14

behaviour is an important consideration in the development of prison policy. But through time education and work becomes as means for good behaviour of prisoners' and currently education and work program have the aim of preserve rehabilitation.

Table 3.2 Table on right to education and grad

No	Item	Number of frequency item	%
1	Do know that you have the right to education?		
	Yes	24	100
	No	-	
	Total	24	
2	Level of education?		
	Below grad 8	14	58.4
	Above grad 8	10	51.6
	Total	24	100

From the above table information item 100 % tell us that of the prisoners knows their right to be education. The prisoner centre have a duty to inform to the prisoners the right and duties they have. Rules and regulation of prison shall be explained orally or writing to every prisoners on his or her admission of federal council of minister regulation on the treatment of prisoners in the above table item 1 the respondent show that worabe prison administration is created understanding for the prisoners, As the data reveals that most of the incarcerated know their right. Item 2 depicts that 58.4% prisoners were educated in prison institution in the school and also the other one was completed the primary education before enter in to prison administration

and there has no chance to education in prison because there is no any access to education by regular or distance.

Table 3.3 on the right to work

No	Item	Item of frequency	%
1	Do know that have the right to work?		
	Yes	21	87.5
	No	3	12.5
	Total	24	100
2	Do you have worked in prison life?		
	Worked in prison	7	29.5
	Worked out of prison	10	41.6
	Total	17	71.1
3	Are you getting proportional payment?		
	Yes	-	-
	No	24	100

According to this table item one 87.5% of the respondents response YES and 12.55% responses NO. So that, most prisoners claims different work rule and different condition of work. More prisoners are known about his right in the prison. On the other hand under number two 29.5% of prisoner are employed in the prison institution compound. 41.6% of the prisoners are employed out of the compound oh the prison administration and all of them are response Shaw that have question of remuneration.

CHAPTER FIVE

CONCLUSIONS AND RECOMMENDATION

5.1 CONCLUSION

As it has been discussed in the previous chapters of the research, prisoners are one of the vulnerable groups for threat of violation of fundamental rights and freedoms. As we've said, that one of the rights of convicted persons held in jail or prison is the right to education and work.

Even if imprisonment results into denial of certain rights of prisoner, especially the right to movement and other rights related with personal liberty, but it shall not mean that prisoners do not exercise any other rights, especially from the perspective of human rights. Like any other person, prisoners are entitled to the enjoyment of their human rights by the mere fact of being a human. The cores International Human Rights Instruments clearly protect and acknowledge rights of prisoner. For many prisoners, the right to education and work are one of the principal means for the rehabilitation.

The effect of the right to education and work are prisoner well-being and future behaviour is an important consideration in the development of prison policy.

But through time the right to education and work becomes as means for good behaviour of prisoners' and currently education and work program have the aim of preserving social relations. And also the effect of education and work has positive effects of prisoner like reduction of criminality of prisoner. So, the study was designed to assess the practice of the right to education and work in Worabe prison administration. The study has come up with the following findings points;-

1. there is no proclamation, regulation or directive has situated way of implementation of those right unless imposition of responsibility on prison administration.
2. Education is one of important things for rehabilitation of prisoner albeit the importance of education couth although in worabe prison only limited level of grad eight their no internet access well organised library and class which is good for learning.

3. The prison establishment proclamation was imposes responsibility on the prison administration create the relation to other institution like distance learning institution and other governmental institution but in worabe prison administration there is no relation with other institution to implementation of such righties.
4. There is no market accessibility to the production and labour force unless the government provide market accessibility to the products of prisoners to sale their product in the market it affects there working moral of the prisoners.
5. The other one is budget no sufficient budget to implementation of those right.

5.2 RECOMMENDATION

Based on the finding, the researcher forwards the following recommendations;

The government should bring out the rule and regulation for that prisoner matriculation.

As studies revealed that the exercising of the right to education and work has great power to rehabilitate prisoners before release than those who have not exercised such right.

Therefore, the prison administration should allow such right to be exercised by providing, by facilitating educational material in prison and creating chance to learn out of prison institution by distance or other means and crating work opportunity in prison or by allowing prisoners to work out of institution.

Education in which prisoners limited only up to grad 8 and the prison administrator should be create chance to education in the high school and higher educational level. Because according to prison establishment proclamation number 1174 art 43(3) imposes obligation on the administrative institution so the prison administration should be create relation to other institution to implement such rights.

The area or place in which prisoners allowed to be worked must be suitable to access market or comfortable to their work and have proportional remunerating because the money which was saved at the time of in prison important for future life.

Bibliography

- ✓ Laws (domestic)
- ✓ FDRE constitution
- ✓ Proclamation no 1174/2019
- ✓ Regulation no 138
- ✓ Criminal Code of the Federal Democratic Republic of Ethiopia, 2004

International convention

- ✓ Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment Adopted and opted for signature, ratification and accession by General Assembly resolution 39/46 of 10 December 1984 entry into force 26 June 1987ts
- ✓ UDHR, 1948
- ✓ ICCPR, 1966
- ✓ ICESCR
- ✓ Having regard to Recommendation No. R (87) 3 on the European Prison Rules and Recommendation No. R (81) 17 on adult education policy






Books

- ✓ Nordic Prison Education A Lifelong Learning Perspective TemaNord 2009:536 L. Koski,
- ✓ p. Koudahl, B. Ragnarsson, S. Samuelsson H. Gunnlaugsson, Prisoners' Educational Backgrounds, Preferences and Motivation
- ✓ Orientation handbook for offenders Georgia Department of Corrections

Articles and journals

- ✓ Dr.Sunaina, Judicial introspection of conjugal rights vis-a-vis human rights of the prisoners, International Journal of International Law, Vol. 1 Issue 2, ISSN: 2394-2622 □
- ✓ Principles on detention or imprisonment, principle 19, SMR, rules 37and 79
- ✓ London Review of Education Volume 12, Number 2, July 2014
- ✓ Medreku Hizkyas Impact of Vocational education and Training on self- sustainability of ex-convicts: The Case of Federal Prison Administration

Website

-  <https://www.gov.uk/life-in-prison/education-and-work-in-prison>
-  <https://www2.ed.gov/about/offices/list/ovae/pi/AdultEd/correctional-education.html>
-  <https://pgc.edu/purpose-of-education/>
-  <https://www.educationviews.org/the-importance-of-education-in-our-society/>
-  <https://berkeleycenter.georgetown.edu/posts/the-danish-prison-system>

Annexes

The purpose of this questionnaire is to collect data on the condition of the right of prisoners to be educated and worked. All the data obtained from this questionnaire only applied to study the right to education and work in prison, to compare among those prisoners who are educated and worked and who are not, and also to see the difference between male and female prisoners and in particular to study the right to education and work, Since this study will be successful by your genuine response, I request you respectfully to help me by providing the correct answers. Your answers will be kept confidentially and will be applied only for this study. You do not have to write your name on this paper.

The right to education and work

1. Do you know that you have the right to education and work? Yes No
2. How many class you educated?
A. elementary B. high school C. higher education
3. Are you employed?
A. yes B. NO
4. Are you getting comparatively sufficient payment? Yes No

Wishing your remaining stay in the prison to be good, I want to thank you very much for your cooperation!!!