



Vulnerabilities of the penitentiary system regarding the rights of the confined persons

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ABSTRACT

The loss of freedom means only a limitation of a person's move, restriction which cannot occur unless according to the law. This does not mean a loss of the other rights. Moreover, the confinement, the impossibility of movement and the limitation of the decisions of a person oblige the competent state authorities in the field to provide decent conditions for the respective person therefore not to affect the human dignity, the physical integrity or any other right provided in the international recommendations that Romania is part of or within the internal legislation. There are also institutions which, during the time a person is confined, irrespective of the normal activity of the system, involuntarily aspects of the breach of a right that the persons under detention have, occur. This is meant to trouble the good operation of the penitentiary system and, moreover, it affects the imprisoned ones whose rights have been breached. The relevant aspects for the theme proposed for the debate is based on a direct research of the phenomenon within the representative units of the penitentiary system, as well as a careful analysis of the specialized bibliography and of the incident documents in the field: international recommendations, internal legislation, statistics, and activity reports.

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