

CPT

EUROPEAN COMMITTEE FOR THE PREVENTION
OF TORTURE AND INHUMAN OR DEGRADING
TREATMENT OR PUNISHMENT



The CPT's approach to structural prison problems

What is the CPT?

History

Creation of the CPT the 1st February 1989

Mission

Eradicate torture and ill-treatment in Europe

Mandate

Strengthen the protection of persons deprived of their liberty

Means

On-site visits to places where persons may be deprived of their liberty



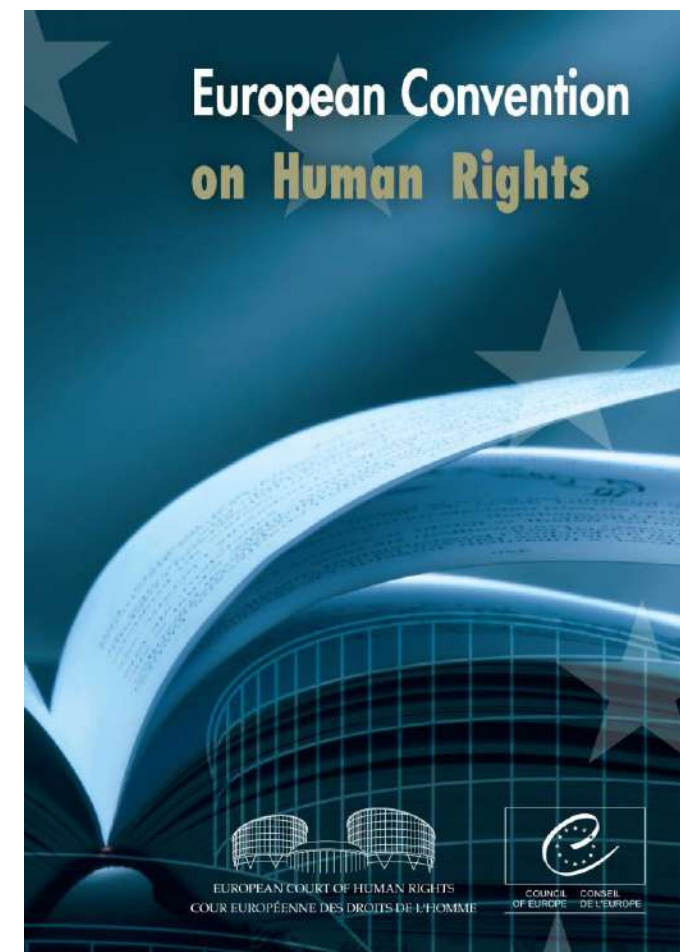
The Committee's mandate

"No one shall be subjected to torture or to inhuman or degrading treatment or punishment".

1950 - Article 3 of the European Convention on Human Rights inspired the drafting of the Convention establishing the CPT.

"By means of visits, the Committee examines the treatment of persons deprived of their liberty with a view to strengthening, where necessary, their protection against torture and inhuman or degrading treatment or punishment."

1989 - Ratification of the Convention establishing the CPT (article 1).



“Structural problems” according to HUDOC-CPT

- 39 reports + 1 public statement
- 19 countries (or territories): Albania, Armenia, Belgium, BiH, Bulgaria, Cyprus, Greece, Iceland, Italy, Latvia, Montenegro, North Macedonia, Russian Federation, Serbia, Kosovo*, Türkiye, Ukraine, England/Wales, Scotland

HUDOC CPT
European Committee for the Prevention of Torture
and Inhuman or Degrading Treatment or Punishment

structural problem **SEARCH**

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Executive summary
(Albania: visit 2023)
CPT/Inf(2024)01 | Section: 1/39 | Visit Report | Document date: 24/11/2023 | Publication date: 12/01/2024
Report to the Albanian government on the periodic visit to Albania carried out by the CPT from 4 to 15 May 2023
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B. Prisons / 1. Preliminary remarks / a. recent developments
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CPT/Inf(2024)01 | Section: 14/39 | Visit Report | Document date: 24/11/2023 | Publication date: 12/01/2024
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B. Prison establishments / 1. Preliminary remarks
(Serbia: visit 2023)
CPT/Inf(2024) 04 | Section: 15/37 | Visit Report | Document date: 15/07/2023 | Publication date: 25/01/2024
Report to the Serbian Government on the CPT visit to Serbia carried out from 21 to 30 March 2023
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D. Situation of female forensic psychiatric patients in the Prison Hospital
(Albania: Visit 2021)
CPT/Inf (2022) 08 | Section: 6/7 | Visit Report | Document date: 26/04/2022 | Publication date:
REPORT TO THE ALBANIAN GOVERNMENT ON THE VISIT TO ALBANIA CARRIED OUT BY THE EUROPEAN COMMITTEE FOR

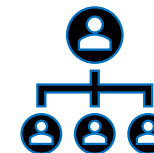
Structural problems



Overcrowding



Ill-treatment / violence



Informal hierarchy



Staff



Material conditions



Overcrowding

Consequences

- Inappropriate living conditions
- Lack of privacy
- Tensions
- Reduced opportunities: *work, acti, etc*
- Insufficient staff



6 m²



4 m²/person



Overcrowding: CPT recommendations

Develop coherence policies:

- Stop building new premises (except to replace dilapidated ones)
- Alternatives to detention
- Involve all the actors the criminal justice chain
- Limit the number of persons entering prisons

& review criminal legislations



Overcrowding: CPT recommendations

The CPT once again calls upon the Cypriot authorities to adopt and implement a coherent strategy designed to concretely reduce the prison population. In particular, it reiterates its recommendation that pre-trial detention should only be used on an exceptional basis and that alternatives to detention should be concretely applied to a far greater extent. It wishes to be informed of the content of the concrete steps envisaged, and the timeframe, to implement this recommendation.

Prisons

Since 1991, the CPT has noted that prisons are overcrowded to worrying levels, with occupancy rates exceeding 200% in some establishments. This overcrowding in remand prisons is all the more striking as other establishments are under-used. At the time of the visit, almost 1,500 prisoners were sleeping on mattresses on the floor. In the three prisons visited (Bordeaux-Gradignan, Lille-Sequedin and Maubeuge), many prisoners were accommodated in two or three cells measuring less than 10 m². The CPT calls upon the French authorities to take urgent measures to ensure that each detainee has a bed and at least 4 m² of living space in a collective cell. A comprehensive strategy to reduce the prison population should be adopted, including measures to limit the number of incarcerations and to facilitate the adjustment of sentences. The Committee welcomes the drastic reduction in the prison population during the Covid-19 pandemic and asks the authorities to inform it of their intentions as to the sustainability of this situation.



Ill-treatment by staff

- use of force during interventions
- maintaining order

Ill-treatment & violence

Interprisoner violence



Prevention of violence: CPT recommendations

Detection and preventive measures

- Recording of injuries
- Medical confidentiality
- Complaint & inspection mechanisms
- Staff training and supervision
- CCTV & bodycams

& effective investigations and sanctions



Material conditions

- Inappropriate facilities
- unsanitary conditions
- Impact of climate change

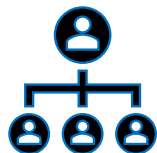




Material conditions: CPT recommendations

- Recall CPT standards & responsibility of the State
- Instruct immediate steps to remedy deficiencies
- New constructions = higher standards

& immediate observations (Art.8 §5)



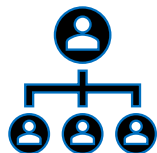
Consequences on detained persons

- Interprisoner violence
- Exploitation
- Absence of reintegration

Informal prisoner hierarchy

Consequences on the prison system

- Interference with the management
- Corruption
- Criminal activities in prison
- Use of drugs and prohibited items



Informal hierarchy: CPT recommendations

- Review prison estate (cell-type accommodation)
- Prison staff (training, number, salary)
- Identify and sanction the leaders
- Protect vulnerable persons
- Prevent, detect and prosecute inter-prisoner violence

Solutions beyond reports

Involve politicians / Ministers

Additional tools

- CPT standards
- assistance & cooperation
- training professionals & courts



Further challenges

- Evolution of the prison population
- Staffing level - custodial & medical
- Purpose(s) of the detention

Lack of cooperation- public statements:
Azerbaijan -July 2024 / Russia – Nov 2024

Thank you!

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X @CoE_CPT #CPT