



MJU-26 (2005) Resol. 4 Final

26th CONFERENCE OF EUROPEAN MINISTERS OF JUSTICE
(Helsinki, 7-8 April 2005)

RESOLUTION No 4
on
Updating the European Prison Rules and on the possibility of
a European Prisons Charter

THE MINISTERS, participating in the 26th Conference of the European Ministers of Justice (Helsinki, 7 and 8 April 2005);

1. Considering that it is in the interests of the Council of Europe member States to establish common principles and standards of crime policy;
2. Bearing in mind that a prison sentence should always be a measure of last resort;
3. Considering that for those in custody all appropriate measures should be taken to counter the negative aspects of incarceration, at the same time ensuring a greater likelihood for the full reintegration of the prisoner into society after his or her release;
4. Aware of the growing case law of the European Court of Human Rights in the penitentiary field as well as the standards established by the European Committee for the Prevention of Torture and Inhuman and Degrading Treatment or Punishment;

5. Bearing in mind Parliamentary Assembly Recommendation 1656 (2004) and noting the proposals contained therein recommending the revision of the European Prison Rules and the drawing up, in conjunction with the European Union, of a European Prisons Charter;
6. Noting Recommendation 2003/2188 of European Parliament to the Council of the European Union, encouraging the Council of Europe to revise its European Prison Rules, and to draft a European Prisons Charter covering all the Council of Europe's Member States, which would include specific rules on a list of topics;
7. Considering the decision of the Committee of Ministers at Deputies level to transmit Recommendation 1656 (2004) of the Parliamentary Assembly to the Steering Committee on Crime Problems (CDPC) and the Council for Penological Co-operation (PC-CP) to pursue, as scheduled, the work of updating the European Prison Rules, drawing their members' attention to the proposals made now by the Parliamentary Assembly and, in particular, to the proposal to prepare a European Prisons Charter, at the same time, encouraging the European Union to become actively involved in the work under way in the Council of Europe to update the European Prison Rules, as a means of reaching common standards in this area;
8. Noting the Progress Report presented by the CDPC on their work in updating the European Prison Rules;
9. **SUPPORT** the European Committee for Crime Problems (CDPC) in its drafting of the updated European Prison Rules which should be completed as soon as possible;
10. **SUPPORT** the CDPC, once it will have approved the updated European Prison Rules, in its examination of the feasibility and of the possible added value of a European Prisons Charter;
11. **FURTHER SUPPORT** the CDPC in its examination of the feasibility and of the possible added value of a mechanism, which could be incorporated either into the updated European Prison Rules, or into a possible European Prisons Charter, providing for a means to achieve consistency in penitentiary standards and to ensure the regular updating of the relevant texts;
12. **INVITE** the Committee of Ministers to adopt the updated European Prison Rules without delay once they will have been approved by the CDPC, and to examine, based on the feasibility study, the appropriateness of elaborating a European Prisons Charter.