

CPT/Inf (95) 10

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

# **5th General Report on the CPT's activities**

**covering the period 1 January to 31 December 1994**

Strasbourg, 3 July 1995

**TABLE OF CONTENTS**Page

<b>Preface</b> .....	3
<b>I. ACTIVITIES IN 1994</b> .....	4
A. Visits .....	4
B. Meetings and follow-up of visits .....	5
C. Exchange of views with the liaison officers appointed under Article 15 of the Convention .....	7
D. Other activities .....	9
<b>II. ORGANISATIONAL ISSUES</b> .....	10
A. The Convention and its Protocols .....	10
B. CPT membership .....	11
C. Budgetary questions .....	11
<b>APPENDIX 1:</b>	
A. Signatures and ratifications of the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment .....	13
B. Signatures and ratifications of Protocol No. 1 to the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment .....	15
C. Signatures and ratifications of Protocol No. 2 to the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment .....	17
<b>APPENDIX 2:</b>	
A. Members of the CPT listed in order of precedence .....	19
B. Secretariat of the CPT .....	20
<b>APPENDIX 3:</b>	
Places of detention visited by delegations of the CPT in 1994 .....	21

## Preface

The European Committee for the prevention of torture and inhuman or degrading treatment or punishment (CPT), was set up under the 1987 Council of Europe Convention of the same name (hereinafter "the Convention"). According to Article 1 of the Convention:

"There shall be established a European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment.... The Committee shall, by means of visits, examine the treatment of persons deprived of their liberty with a view to strengthening, if necessary, the protection of such persons from torture and from inhuman or degrading treatment or punishment."

The work of the Committee is designed to be an integrated part of the Council of Europe system for the protection of human rights, placing a proactive non-judicial mechanism alongside the existing reactive judicial mechanisms of the European Commission and European Court of Human Rights.

The Committee implements its essentially preventive function through two kinds of visits - periodic and ad hoc. Periodic visits are carried out to all Parties to the Convention on a regular basis. Ad hoc visits are organised when they appear to the Committee "to be required in the circumstances".

When carrying out a visit, the Committee enjoys extensive powers under the Convention: unlimited access to the territory of the State concerned and the right to travel without restriction; unlimited access to any place where people are deprived of their liberty, including the right to move inside such places without restriction; access to full information on places where people deprived of their liberty are being held, as well as to other information available to the State which is necessary for the Committee to carry out its task.

The Committee is also entitled to interview in private persons deprived of their liberty and to communicate freely with anyone whom it believes can supply relevant information.

Visits may be carried out to any place "where persons are deprived of their liberty by a public authority". The Committee's mandate thus extends beyond prisons and police stations, to encompass psychiatric institutions, detention areas at military barracks, holding centres for asylum seekers or other categories of foreigners, and places in which young or old persons may be deprived of their liberty by judicial or administrative order.

Two fundamental principles govern relations between the Committee and the Parties to the Convention - co-operation and confidentiality. In this respect, it should be emphasised that the role of the Committee is not to condemn States, but rather to assist them to prevent the ill-treatment of persons deprived of their liberty.

After each visit, the CPT draws up a report which sets out its findings and includes, if necessary, recommendations and other advice, on the basis of which a dialogue can develop with the State concerned. The CPT's visit report is, in principle, confidential; however, most States have chosen to waive the rule of confidentiality and publish the report.

## I. ACTIVITIES IN 1994

### A. Visits

1. The CPT carried out four periodic visits during 1994: in chronological order, to Spain (10 to 22 April); the United Kingdom (15 to 31 May); Austria (27 September to 7 October) and Hungary (1 to 14 November). In the case of the first three countries, this was the second occasion on which they had been visited on a periodic basis.

The CPT also carried out a visit of a follow-up nature to Turkey (from 16 to 28 October 1994), with a view to examining developments since the Committee's Public Statement of 15 December 1992 (on which, see the CPT's 3rd General Report - CPT/Inf (93) 12, paragraphs 9 to 12).

2. In its 4th General Report, the CPT indicated that 25 visiting days had been set aside for visits to be organised in the course of 1994, in the light of information received, it being emphasised that often those visits would be brief and targeted at particular places of detention or situations (cf. CPT/Inf (94) 12, paragraph 22).

Five such ad hoc visits were carried out in 1994: to Spain (from 10 to 14 June); the Netherlands Antilles and Aruba (25 June to 2 July); France - Department of Martinique (3 to 7 July) and Paris (20 to 23 July); and Sweden (23 to 26 August). Attention should be drawn in particular to the ad hoc visit to Spain, which was carried out at very short notice and focused on interviewing a number of persons who had recently been detained by the law enforcement agencies. It might be also be noted that the second visit to France and the visit to Sweden were targeted at places which had previously been visited in the course of a periodic visit, respectively the "Dépôt" of the Préfecture de Police in Paris and Stockholm Remand Prison.

3. The places of detention visited by CPT delegations in 1994 are set out in Appendix 3. In addition to prisons and establishments of the law enforcement agencies, the Committee has continued to pay particular attention to holding facilities for foreigners. Further, there were an increased number of visits to institutions for minors.

4. With some isolated exceptions, the cooperation received by visiting delegations from national authorities at ministerial level has continued to be very good.

Cooperation received at places of detention during 1994 was also, on the whole, quite satisfactory. However, from time to time, delegations encountered difficulties in gaining rapid access to detention facilities; in some cases, access was delayed for up to an hour, and the presentation of credentials signed by a member of Government did not always prove sufficient to overcome the problem.

The CPT is satisfied that, in almost all of the above-mentioned cases, the delays experienced resulted only from inadequate knowledge about the facilities to be accorded to visiting delegations. Nevertheless, the CPT feels obliged to emphasise that to delay access to a place of detention in order to allow time to remove persons whom the authorities concerned do not wish the Committee's delegation to meet, would amount to a flagrant violation of Articles 3 and 8 of the Convention.

5. The difficulties referred to in paragraph 4 illustrate the importance of Parties to the Convention ensuring that detailed information on the CPT's mandate and on the obligations of Parties vis-à-vis the Committee reaches all relevant authorities, including at local level.

The CPT would emphasise once again (cf. the 3rd General Report - CPT/Inf (93) 12, paragraph 6) that such information should also be provided to prosecuting and judicial authorities as well as to relevant health authorities (see also paragraph 15 below). As regards the former, certain public prosecutors and judges with whom CPT visiting delegations had dealings during 1994 clearly knew little about the Convention or the Committee. On occasion, this led to misunderstandings and delays in the carrying out of the delegation's task.

6. Finally, it should be noted that, in two of the countries which received a second periodic visit during 1994, persons in charge of certain places of detention which had been visited in the course of the first periodic visit claimed that they had no knowledge of the observations concerning those places which had been made by the CPT. The Committee requests Parties to the Convention to ensure that the contents of its visit reports are brought to the attention of all the authorities and persons concerned in an appropriate form.

#### B. Meetings and follow-up of visits

7. The CPT held four plenary sessions during 1994. The Bureau also met on a regular basis, and there were numerous meetings of visiting delegations.

8. Ten visit reports were adopted during 1994: on the periodic visits to Belgium, Iceland, Ireland and Norway in 1993 as well as to Spain and the United Kingdom in 1994, and on the ad hoc visits to the United Kingdom (Northern Ireland) in 1993 and to France (Paris), the Netherlands Antilles and Aruba, and Spain in 1994.

The average interval between the end of a periodic visit and transmission of the visit report remained at some seven to eight months. As the CPT has indicated in the past (cf. the 4th General Report - CPT/Inf (94) 10, paragraph 8), this period is too long. However, the signs are that in the course of 1995, the Committee will come much closer to meeting its objective of an interval of no more than six months. It might also be noted that two of the ad hoc visit reports adopted during 1994 (concerning France (Paris) and Spain) were submitted to the State concerned within two to three months of the visit.

9. The CPT would also emphasise that a State visited will be aware of the thrust of the delegation's findings long before it receives the visit report. Visiting delegations systematically meet the national authorities concerned at the end of a visit, in order to give their preliminary impressions. Further, visiting delegations are now having more frequent recourse to Article 8, paragraph 5, of the Convention and making "immediate observations" on particularly urgent matters. In such cases, the State concerned will be requested to submit a report on the issue in question within a specified time-limit (usually three months), it being understood that this report shall be fully taken into account when the CPT draws up its visit report (see also paragraph 17 below).

10. As regards the process of on-going dialogue, most States visited are presenting their interim and follow-up reports broadly within the time limits set by the CPT. However, in certain cases, the time limit for submission has been exceeded by six months or more. Such a situation is particularly unsatisfactory when it concerns an interim report, which usually represents the first official reply to a visit report.

The CPT would add that it is far from satisfied with its own record as regards the on-going dialogue. As a result of workload problems at the level of its Secretariat, the Committee continues to experience great difficulties in responding in good time to interim and follow-up reports presented by States visited. This is all the more worrying given that the gap between periodic visits to a given country is considerably longer than the Committee would wish.

In this context, the CPT must stress that, in the absence of a sustained post-visit on-going dialogue, the momentum for change generated by a visit will almost certainly be frittered away.

11. In the course of 1994, the CPT's reports on its visits to Belgium, Greece, Iceland, Norway, Portugal, San Marino and the United Kingdom (Northern Ireland) were published, pursuant to Article 11 (2) of the Convention. Further, a number of interim reports (Greece, Iceland, Luxembourg, Norway, Portugal and the United Kingdom (Northern Ireland)) and follow-up reports (Finland, France and Switzerland) in response to CPT visit reports were published during the year<sup>1</sup>.

Twenty-one of the thirty seven visit reports drawn up to date by the CPT have been published, and there is good reason to believe that most of the remaining sixteen (a number of which have only recently been submitted to the Governments concerned) will be published in the not too distant future. In fact, it is fair to say that publication of the CPT's visit reports has become the norm, non-publication the exception; a development which might well not have been expected by the authors of the Convention. Naturally, the CPT welcomes this situation.

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<sup>1</sup> Further, in the first half of 1995, the CPT's reports on its periodic visits to Italy and Liechtenstein have been published (in both cases together with the interim report of the national authorities), as have the report on the Committee's ad hoc visit to Sweden and the interim report drawn up by the Belgian authorities.

C. Exchange of views with the liaison officers appointed under Article 15 of the Convention

12. On 4 March 1994, the CPT held a meeting with the liaison officers appointed by States Parties under Article 15 of the Convention. This meeting coincided with the completion of the first round of periodic visits, and its purpose was to gather the views of the Parties to the Convention on the CPT's activities and to provide a forum for addressing practical issues arising out of the Committee's visits.

Twenty-three of the then twenty-five Parties to the Convention were represented at the meeting.

13. Naturally, the role of the liaison officer - both before, during and after visits - was considered in some depth.

In this context, it was agreed, *inter alia*, that States should take the initiative of updating the information required under Article 8 of the Convention (in particular as regards places of detention within their jurisdiction) on a regular (eg. annual or biennial) basis. There was also agreement that the developing practice of national authorities providing visiting delegations with identity documents/passes (in addition to the identity papers issued by the Council of Europe) should be encouraged.

Emphasis was placed on the importance of being able to contact liaison officers on a 24 hour basis in the course of visits. Further, certain participants requested that visiting delegations contact the liaison officer on a daily basis, in order to pre-empt problems which might arise.

Diverging views were expressed as regards relations with the media. Certain liaison officers maintained that contact with the media should be avoided during the visit itself. However, other liaison officers felt that it might be useful for the national authorities - possibly acting jointly with the CPT - to issue a statement at the outset of a visit; such a statement could *inter alia* explain the importance of the rule of confidentiality.

14. A detailed exchange of views was held on the issue of a delegation's right of access to medical records and to documents concerning a detained person held by police or judicial authorities, on the basis of Article 8 (2) (d) of the Convention ("A Party shall provide the Committee with ..... other information ..... which is necessary for the Committee to carry out its task"). In this connection, the CPT emphasised that it was for the Committee to determine which information it required to complete its task. Furthermore, when stating that "in seeking such information, the Committee shall have regard to applicable rules of national law and professional ethics", the Convention was simply laying down procedural rules to be respected by the CPT in gaining access to the information required. These provisions could not be used to justify a refusal to grant access to the information requested, nor access under conditions which would be tantamount to a refusal.

On the other hand, it was recognised that, in view of variations in national rules and practice, a case by case approach would have to be adopted in this area, it being understood that the matter would be "resolved in the spirit of mutual understanding and cooperation upon which the Convention is founded" (cf. paragraph 64 of the Explanatory Report on the Convention).

15. Experience had shown that problems of access to medical records and other documents often had their origins in a lack of knowledge about the Convention and the CPT on the part of those concerned. In this connection, there was general agreement on the importance of national authorities ensuring that information was circulated on the Committee's mandate and the related obligations of Parties to the Convention, including to persons/bodies which may not be directly accountable to those authorities (eg. members of the medical and legal professions).

16. A number of liaison officers suggested that if allegations of ill-treatment were received during a visit, the CPT should contact the liaison officer - or another trustworthy person/body appointed by the State Party - before the visit report was drawn up. This would enable the national authorities to investigate the allegations as soon as possible and, if necessary, implement appropriate measures.

In reply, it was stressed that the CPT fully shared the national authorities' concern about the need to react rapidly to allegations of ill-treatment. However, it was vital to strike the right balance between the confidentiality of a CPT interview with a detained person and the requirement of cooperation enshrined in the Convention. Often the persons involved did not want information which could identify them to be released ; even if this was not the case, it was not necessarily in their interests for specific information to be given. In consequence, it would be difficult to define a uniform approach.

17. Among other matters discussed, it should be mentioned that there was broad agreement with the approach adopted by the CPT in relation to "immediate observations" under Article 8 (5) of the Convention. Some liaison officers pointed out that such observations had enabled necessary improvements to be made rapidly.

Inevitably, the perennial question of the Committee's title was also raised. It was mentioned that management and staff of places visited sometimes found the term "torture" difficult to accept. In this context, it was agreed that when States issued identity documents to CPT delegations, they could if they wished use a title which they considered more appropriate to their national situations. However, in Council of Europe documents, the CPT's official title would continue to be used. It was also pointed out that any difficulties in this area could best be overcome by better information on the true nature and extent of the CPT's mandate (cf. also the 2nd General Report - CPT/Inf (92) 3, paragraph 63).

18. To sum up, the CPT welcomes the wide-ranging and constructive nature of its discussions with the liaison officers and has the intention of organising similar meetings at three to four yearly intervals.



D. Other activities

19. The CPT is pleased to note that academic and professional circles are displaying a growing interest in the Committee's activities. Members of the CPT and of its Secretariat are increasingly being invited to speak about the Committee's work at meetings organised by universities and professional associations; further, several detailed studies of different aspects of the Committee's work have already been completed and others are in preparation.

20. Support for the Committee from non-governmental organisations continues to be strong. In this context, particular reference should be made to the Seminar on the implementation of the Convention, organised by the Association for the Prevention of Torture, which was held in Strasbourg from 5 to 7 December 1994. This event provided an opportunity for NGO, Governmental, Parliamentary and CPT representatives to exchange views and concerns about the Committee's past and future work. The Acts of the Seminar will represent a most valuable reference document.

21. The CPT has also had meetings in the course of 1994 with various other bodies active in fields falling within the Committee's terms of reference, in particular with the International Committee of the Red Cross and the Council on Penological Cooperation.

Of course, the CPT is also most grateful to the Ministers' Deputies for once again having invited its President to a hearing, on 13 October 1994, in the framework of their consideration of the Committee's 4th General Report.

## II. ORGANISATIONAL ISSUES

### A. The Convention and its Protocols

22. The Convention was ratified by an additional five States during 1994; Slovenia deposited its instrument of ratification in February, Bulgaria and Slovakia in May, and Poland and Romania in October. To date, the Convention is in force in respect of 29 of the 34 member States of the Council of Europe<sup>2</sup>.

23. The two Protocols amending the Convention<sup>3</sup>, which were opened for signature on 4 November 1993, were signed and/or ratified by a number of States during 1994. It should be recalled that before the Protocols can enter into force, they must be ratified (or signed without reservation as to ratification) by all the Parties to the Convention. To date, 16 of the current 29 Parties to the Convention have taken this step, and 10 of the remaining 13 Parties have signed the Protocols with reservation as to ratification<sup>4</sup>.

24. The CPT is somewhat concerned by the time being taken for the entry into force of Protocol No. 2. Unlike the 1st Protocol, this is a technical text, providing mainly for the grouping of the CPT members for election purposes, along the lines of the system already followed in the European Commission of Human Rights. The entry into force of this Protocol will make it possible to avoid the current profusion of different term of office expiry dates (see Appendix 2 A) and thereby greatly facilitate the CPT's work, in particular as regards the organisation of visits and the membership of delegations.

The CPT therefore hopes that those Parties to the Convention which have not yet consented to be bound by Protocol No. 2 shall expedite the domestic procedures required for this step to be taken. In this context, consideration might usefully be given to dealing with Protocol No. 2 quite separately from Protocol No. 1.

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<sup>2</sup> See Appendix 1 A for the state of signatures and ratifications of the Convention.

<sup>3</sup> Protocol No. 1 "opens" the Convention by providing that the Committee of Ministers may invite any non-member State to accede to it; Protocol No. 2 introduces amendments regarding the renewal of the CPT's membership and provides that members may be re-elected twice.

<sup>4</sup> See Appendix 1 B and C for the state of signatures and ratifications of the Protocols.

## B. CPT membership

25. There were no changes in the Committee's membership during 1994, although both Mr Tonio Borg (Malta) and Mr Günther Kaiser (Germany) were re-elected for a second term of office. However, a number of new CPT members have already been elected in the course of 1995: Mr Mario Benedettini (in respect of San Marino), Mrs Christina Doctare (Sweden)<sup>5</sup>, Mr Vitaliano Esposito (Italy)<sup>6</sup>, Mr John Olden (Ireland), Mrs Jagoda Poloncová (Slovakia) and Mr Florin St\_nescu (Romania). It might also be noted that Mrs Pirkko Lahti (Finland) has recently been re-elected for a second term of office, and that Mr Borg resigned from the Committee in June 1995, following his appointment to a post in the Maltese Government.

As a result, the CPT presently has 24 members, the seats in respect of Bulgaria, Hungary, Malta, Poland and Slovenia being vacant (see Appendix 2 A for the full list of members).

26. In its 4th General Report, the CPT once again drew attention to the importance of increasing the number of members who possess specialist practical knowledge of penitentiary systems or are medical doctors with relevant experience, and at the same time indicated that the number of women among the CPT's membership remained rather low (cf. CPT/Inf (94) 10, paragraph 16). The elections to date in 1995 would suggest that this message has been heard.

In the light of recent experience, the CPT must also underline the importance of electing members who are both in a position, and ready, to serve the Committee effectively (cf. Article 4, paragraph 4, of the Convention).

## C. Budgetary questions

27. The CPT's budgetary requests for 1995 in respect of visits and meetings were accepted by the Secretary General and the Committee of Ministers of the Council of Europe.

Nevertheless, mid year estimates indicated that there might be a shortfall in funds by the end of the year, principally as a result of a greater need for linguistic services (both interpretation and translation) than was originally foreseen. The Committee is most grateful to the Committee of Ministers for subsequently having authorised the Secretary General to effect, if the need arises, Vote to Vote transfers in order to deal with this difficulty.

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<sup>5</sup> Mrs Doctare shall replace Mr Love Kellberg, who has resigned with effect from 20 September 1995.

<sup>6</sup> Mr Esposito replaces Mr Nicolò Amato, who resigned from the CPT in January 1995.

28. The CPT's request that its Secretariat be reinforced by an additional administrative officer in 1995 was not accepted.

In this connection, it is undeniable that the resources of the CPT's Secretariat, in particular at A-grade level, have not fully kept pace with the geographical expansion of the Committee's activities. At present, 5½ A grade officials (1 A5 official on a half-time basis<sup>7</sup> and 5 administrative officers) serve a body which is now responsible for organising both periodic and ad hoc visits to places of detention in 29 countries. These staff members are closely involved in all aspects of the Committee's work (the preparation and carrying out of visits, the drawing up of draft visit reports, and the follow-up to visits). This heavy workload is gradually taking its toll in terms of a lengthening gap (currently some four to five years) between periodic visits to a given country and a weakening of the on-going dialogue following a visit. As a result, both the credibility and the effectiveness of the CPT are being put at risk.

29. The CPT is also disappointed that the request that a retainer system be introduced for the members of its Bureau has not yet been accepted. Given the time now devoted by Bureau members to CPT work (not to mention the arduous nature of the on-site element of that work), such a measure is, in the Committee's opinion, fully justified.

30. The CPT recognises that the difficult economic climate inevitably limits the resources which can be placed at the Committee's disposal. It is for this reason that the Committee has always striven to be modest in its budgetary requests. Nevertheless, in the interests of ensuring the proper functioning of the machinery established by the European Convention for the prevention of torture and inhuman or degrading treatment or punishment, the CPT hopes that the Secretary General and the Committee of Ministers will be in a position to take positive steps to address the above-mentioned matters.

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<sup>7</sup> Since February 1995, the staff member in question holds jointly the posts of Secretary of the CPT and Head of Division II (Mass Media and Equality between Women and Men) in the Directorate of Human Rights.

**APPENDIX 1**

**A. Signatures and ratifications of the  
European Convention for the Prevention of Torture  
and Inhuman or Degrading Treatment or Punishment  
(\* (as at 1 July 1995)**

<b>MEMBER STATES</b>	<b>Date of signature</b>	<b>Date of ratification</b>	<b>Date of entry into force</b>
<b>ANDORRA</b>			
<b>AUSTRIA</b>	26.11.87	06.01.89	01.05.89
<b>BELGIUM</b>	26.11.87	23.07.91	01.11.91
<b>BULGARIA</b>	30.09.93	03.05.94	01.09.94
<b>CYPRUS</b>	26.11.87	03.04.89	01.08.89
<b>CZECH REPUBLIC</b>	23.12.92		
<b>DENMARK</b>	26.11.87	02.05.89	01.09.89
<b>ESTONIA</b>			
<b>FINLAND</b>	16.11.89	20.12.90	01.04.91
<b>FRANCE</b>	26.11.87	09.01.89	01.05.89
<b>GERMANY</b>	26.11.87	21.02.90	01.06.90
<b>GREECE</b>	26.11.87	02.08.91	01.12.91
<b>HUNGARY</b>	09.02.93	04.11.93	01.03.94
<b>ICELAND</b>	26.11.87	19.06.90	01.10.90
<b>IRELAND</b>	14.03.88	14.03.88	01.02.89
<b>ITALY</b>	26.11.87	29.12.88	01.04.89
<b>LATVIA</b>			
<b>LIECHTENSTEIN</b>	26.11.87	12.09.91	01.01.92
<b>LITHUANIA</b>			
<b>LUXEMBOURG</b>	26.11.87	06.09.88	01.02.89
<b>MALTA</b>	26.11.87	07.03.88	01.02.89
<b>NETHERLANDS</b>	26.11.87	12.10.88	01.02.89
<b>NORWAY</b>	26.11.87	21.04.89	01.08.89
<b>POLAND</b>	11.07.94	10.10.94	01.02.95
<b>PORTUGAL</b>	26.11.87	29.03.90	01.07.90

<b>ROMANIA</b>	04.11.93	04.10.94	01.02.95
<b>SAN-MARINO</b>	16.11.89	31.01.90	01.05.90
<b>SLOVAKIA</b>	23.12.92	11.05.94	01.09.94
<b>SLOVENIA</b>	04.11.93	02.02.94	01.06.94
<b>SPAIN</b>	26.11.87	02.05.89	01.09.89
<b>SWEDEN</b>	26.11.87	21.06.88	01.02.89
<b>SWITZERLAND</b>	26.11.87	07.10.88	01.02.89
<b>TURKEY</b>	11.01.88	26.02.88	01.02.89
<b>UNITED KINGDOM</b>	26.11.87	24.06.88	01.02.89

(\*) The Convention is open for signature by the member States of the Council of Europe.

**B. Signatures and ratifications of Protocol No. 1  
to the European Convention for the Prevention of Torture  
and Inhuman or Degrading Treatment or Punishment  
(as at 1 July 1995)**

<b>MEMBER STATES</b>	<b>Date of signature</b>	<b>Date of ratification</b>	<b>Date of entry into force</b>
<b>ANDORRA</b>			
<b>AUSTRIA</b>	04.11.93	***	
<b>BELGIUM</b>	04.11.93	***	
<b>BULGARIA</b>		***	
<b>CYPRUS</b>	02.02.94	***	
<b>CZECH REPUBLIC</b>	28.04.95		
<b>DENMARK</b>	04.11.93	26.04.94	
<b>ESTONIA</b>			
<b>FINLAND</b>	04.11.93*	04.11.93*	
<b>FRANCE</b>	04.11.93	***	
<b>GERMANY</b>	04.11.93	***	
<b>GREECE</b>	04.11.93	29.06.94	
<b>HUNGARY</b>	04.11.93*	04.11.93*	
<b>ICELAND</b>	08.09.94	29.06.95	
<b>IRELAND</b>		***	
<b>ITALY</b>		***	
<b>LATVIA</b>			
<b>LIECHTENSTEIN</b>	04.11.93	05.05.95	
<b>LITHUANIA</b>			
<b>LUXEMBOURG</b>	04.11.93	***	
<b>MALTA</b>	04.11.93*	04.11.93*	
<b>NETHERLANDS</b>	05.05.94	23.02.95	
<b>NORWAY</b>	04.11.93*	04.11.93*	
<b>POLAND</b>	11.01.95	24.03.95	
<b>PORTUGAL</b>	03.06.94	***	

<b>ROMANIA</b>	04.11.93	04.10.94	
<b>SAN-MARINO</b>	04.11.93	***	
<b>SLOVAKIA</b>	07.03.94	11.05.94	
<b>SLOVENIA</b>	31.03.94	16.02.95	
<b>SPAIN</b>	21.02.95	08.06.95	
<b>SWEDEN</b>	07.03.94*	07.03.94*	
<b>SWITZERLAND</b>	09.03.94*	09.03.94*	
<b>TURKEY</b>	10.05.95	***	
<b>UNITED KINGDOM</b>	09.12.93	***	

\* Signature without reservation as to ratification

\*\*\* State whose ratification is necessary for the entry into force of the Protocol



**C. Signatures and ratifications of Protocol No. 2  
of the European Convention for the Prevention of Torture  
and Inhuman or Degrading Treatment or Punishment  
(as at 1 July 1995)**

<b>MEMBER STATES</b>	<b>Date of signature</b>	<b>Date of ratification</b>	<b>Date of entry into force</b>
<b>ANDORRA</b>			
<b>AUSTRIA</b>	04.11.93	***	
<b>BELGIUM</b>	04.11.93	***	
<b>BULGARIA</b>		***	
<b>CYPRUS</b>	02.02.94	***	
<b>CZECH REPUBLIC</b>	28.04.95		
<b>DENMARK</b>	04.11.93	26.04.94	
<b>ESTONIA</b>			
<b>FINLAND</b>	04.11.93*	04.11.93*	
<b>FRANCE</b>	04.11.93	***	
<b>GERMANY</b>	04.11.93	***	
<b>GREECE</b>	04.11.93	29.06.94	
<b>HUNGARY</b>	04.11.93*	04.11.93*	
<b>ICELAND</b>	08.09.94	29.06.95	
<b>IRELAND</b>		***	
<b>ITALY</b>		***	
<b>LATVIA</b>			
<b>LIECHTENSTEIN</b>	04.11.93	05.05.95	
<b>LITHUANIA</b>			
<b>LUXEMBOURG</b>	04.11.93	***	
<b>MALTA</b>	04.11.93*	04.11.93*	
<b>NETHERLANDS</b>	05.05.94	23.02.95	
<b>NORWAY</b>	04.11.93*	04.11.93*	
<b>POLAND</b>	11.01.95	24.03.95	
<b>PORTUGAL</b>	03.06.94	***	

<b>ROMANIA</b>	04.11.93	04.10.94	
<b>SAN-MARINO</b>	04.11.93	***	
<b>SLOVAKIA</b>	07.03.94	11.05.94	
<b>SLOVENIA</b>	31.03.94	16.02.95	
<b>SPAIN</b>	21.02.95	08.06.95	
<b>SWEDEN</b>	07.03.94*	07.03.94*	
<b>SWITZERLAND</b>	09.03.94*	09.03.94*	
<b>TURKEY</b>	10.05.95	***	
<b>UNITED KINGDOM</b>	09.12.93	***	

\* Signature without reservation as to ratification

\*\*\* State whose ratification is necessary for the entry into force of the Protocol

## APPENDIX 2

A. Members of the CPT listed in order of precedence  
(as at 1 July 1995)\*

Name	Nationality	Term of office expires
Mr Claude NICOLAY, President	Luxemburger	19.9.1997
Mr Bent SØRENSEN, 1st Vice-President	Danish	19.9.1997
Mrs Nora STAELS-DOMPAS, 2nd Vice-President	Belgian	8.01.1996
Mr Love KELLBERG**	Swedish	19.9.1997
Mr Stefan TERLEZKI	British	19.9.1997
Mr Rudolf MACHACEK	Austrian	19.9.1997
Mr Petros MICHAELIDES	Cypriot	19.9.1995
Mrs Nadia GEVERS LEUVEN-LACHINSKY	Dutch	19.9.1997
Mr Günther KAISER	German	21.6.1998
Mrs Pirkko LAHTI	Finnish	20.6.1999
Mr Constantin ECONOMIDES	Greek	1.12.1995
Mr Jón BJARMAN	Icelandic	26.3.1996
Mr José VIEIRA MESQUITA	Portuguese	24.9.1996
Mr Arnold OEHRYS	Liechtensteiner	22.10.1996
Mr Léopoldo TORRES BOURSAULT	Spanish	3.5.1997
Mr Safa REISO_LU	Turkish	19.9.1997
Mr Ivan ZAKINE	French	19.9.1997
Mrs Ingrid LYCKE ELLINGSEN	Norwegian	19.9.1997
Mrs Gisela PERREN-KLINGLER	Swiss	19.9.1997
Mr John OLDEN	Irish	21.3.1999
Mr Florin ST_NESCU	Romanian	21.3.1999
Mr Mario BENEDETTINI	San Marinense	21.3.1999
Mr Vitaliano ESPOSITO	Italian	21.6.1999
Mrs Jagoda POLONCOVÁ	Slovakian	21.6.1999

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\* At this date, the seats in respect of Bulgaria, Hungary, Malta, Poland and Slovenia were vacant.

\*\* Mr KELLBERG has resigned from the CPT with effect from 20 September 1995. On 22 June 1995, Mrs Christina DOCTARE was elected by the Committee of Ministers to the seat in respect of Sweden. Her term of office shall commence on 20 September 1995 and expire on 19 September 1999.

**B. Secretariat of the CPT  
(as at 1 July 1995)**

Mr Trevor STEVENS,	Committee Secretary
Mrs Geneviève MAYER,	Administrative Officer
Mr Fabrice KELLENS,	Administrative Officer
Mr Mark KELLY,	Administrative Officer
Mr Jan MALINOWSKI,	Administrative Officer
Ms Petya NESTOROVA,	Administrative Officer
Mrs Florence DURING,	Principal Administrative Assistant (administrative and budgetary questions)
Ms Annemie GHIELENS,	Administrative Assistant (documentation and information)
Ms Mireille MONTI,	Senior Clerk
Ms Gráinne GALVIN,	Secretary
Ms Marie O'KANE,	Secretary

## APPENDIX 3

## Places of detention visited by delegations of the CPT in 1994\*

## A. AUSTRIA

Police and Gendarmerie establishments

- Klagenfurt Police Jail
- Schwechat Police Jail
- Vienna Police Jail
- Villach Police Jail
  
- Favoriten Police Station (Vienna, 10th district)
- Simmering Police Station (Vienna, 11th district)
- Penzing Police Station (Vienna, 14th district)
- Schmelz Police Station (Vienna, 15th district)
  
- Security Bureau of the 2nd Division of the Criminal Investigation Department of the Federal Directorate of the Vienna Police
  
- Schwechat International Airport Police Stations
  
- Pörschach am Wörthersee Gendarmerie Station

Prisons

- Stein Prison
- Schwarzau Womens Prison

## B. FRANCE\*\*

**Department of Martinique**Police and Gendarmerie establishments

- Departmental Gendarmerie Company of Fort-de-France
- Fort-de-France Police Headquarters

Prisons

- Fort-de-France Prison (including the Ducos Centre).

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\* Certain of the visits to places of detention in Austria, France (Paris), Spain, Sweden, Turkey and the United Kingdom were of a follow-up nature, the places in question already having been visited by a CPT delegation in the past.

\*\* Ad hoc visit

**C. FRANCE\*****Paris**Police establishments

- "Dépôt" of the Préfecture de Police (and its annexe at Vincennes)
- Les Halles Police Station, Pierre Lescot Street (1st district)
- Central Police Station, Louis Blanc Street (10th district)
- Clignancourt Police Station, Marcadet Street (18th district)
- 3rd Division of the Criminal Police (police judiciaire), Louis Blanc Street (10th district)
- 4th Division of the Criminal Police, Charenton Street (12th district).

**D. HUNGARY**Police establishments

- Police Central holding facility, Gyorskocsi u. 31
- Pest County police holding facility, Aradi u. 21-23
- 3rd District Police Station, Tímár u. 9/a
- 5th District Police Station, Szalay u. 11-13
- 6th and 7th Districts Police Station, Dózsa György u. 18-24
- 8th District Police Station, Víg u. 36
- Community Hostel of the Kerepestarcsa Police Regiment, Deák Ferenc, 1-3.

Prisons

- Budapest Remand Prison, Nagy Ignác u., 5-11 and Gyorskocsi u. 25-27
- Tököl Prison and Remand Centre for Adolescents, Ráckevei u., 6

**E. NETHERLANDS ANTILLES AND ARUBA\*****Curaçao**Police establishments

- Barber Police Station
- Punda Police Station
- Rio Canario Police Station
- Criminal Investigation Department, Rio Canario

Prisons

- Koraal Specht Prison.

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\* Ad hoc visits

**Aruba**Police establishments

- Oranjestad Police Station
- San Nicolaas Police Station

Prisons

- Aruba Prison, Santo di Patia
- Dakota Prison, Oranjestad.

**F. SPAIN**National Police establishments

- Area 1 District, Calle Guipuzcoa, La Verneda, Barcelona
- Police Headquarters, Vía Layetana, Barcelona
- Central District, Calle Gordoniz, Bilbao
- Central Duty Inspection (Puerta del Sol), Calle del Marqués de Pontejos, Madrid
- Central District, Calle de la Luna, Madrid
- Arganzuela District, Ronda de Toledo, Madrid
- Minors Police Unit (Grume), Calle Hermenegilda Martínez, Madrid
- Barajas Airport District, Barajas, Madrid
- Parla police station, Juan Carlos I, Parla, Madrid

Civil Guard establishments

- La Salve District Barracks, Plaza de la Salve, Bilbao
- General Directorate, Calle Guzmán el Bueno, Madrid
- Outer Madrid Headquarters, Sector Escultores, Tres Cantos, Madrid
- Guipuzcoa Headquarters, Uliá ("El Antiguo") and Inchaurreondo, San Sebastián

Basque Autonomous Police (Ertzaintza) establishments

- Ertzaintza Station, Plaza Easo, San Sebastián
- Ertzaintza Station, Sestao
- Ertzaintza Station, Tolosa

Prison establishments

- Barcelona Men's Prison (Modelo)
- Madrid I Prison (Carabanchel Hombres)\*
- Madrid Prison for Women (Carabanchel Mujeres)
- General Penitentiary Hospital, Madrid (Carabanchel)

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\* Further, the delegation which carried out the ad hoc visit to Spain in June 1994 interviewed a number of prisoners being held at Madrid I Prison.

Other places of detention

- Joint Municipal and National Police Station, Las Ramblas, Barcelona
- Detention Centre for Aliens, Calle Guipuzcoa, La Verneda, Barcelona
- Penitentiary Unit, Terrassa Hospital, Barcelona
- Municipal Police Headquarters, Bilbao
- Cells at the Audiencia Nacional, Madrid
- Detention and Reform Centre for Minors "El Madroño", Madrid
- Detention and Reform Centre for Minors "Renasco", Madrid
- Detention Centre for Aliens, Calle la Tacona, Moratalaz, Madrid
- Special Transit Area, Barajas Airport, Madrid.

**G. SWEDEN\***

- Stockholm Remand Prison.

**H. TURKEY**Police establishments

- Ankara Police Headquarters
- Batman Police Headquarters
- Cizre Police Headquarters
- Diyarbakır Police Headquarters
- Interrogation Centre of the 1st Section of the Diyarbakır Police
- Istanbul Police Headquarters
- Foreigners Bureau, Istanbul
- Mardin Police Headquarters
- Interrogation Centre of the Mardin Police
- Nusaybin Police Headquarters
- Şirnak Police Headquarters

Gendarmerie establishments

- Batman Provincial Gendarmerie Headquarters
- Cizre Gendarmerie Headquarters
- Diyarbakır Provincial Gendarmerie Headquarters
- Central Interrogation Centre of the Diyarbakır Provincial Gendarmerie Headquarters
- Central Interrogation Centre of the Mardin Provincial Gendarmerie Headquarters

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\* Ad hoc visit



Prisons

- Ankara Central Closed Prison
- Cizre Prison
- Diyarbakır I Prison
- Diyarbakır II Prison
- Diyarbakır Garrison 2nd Class Military Prison
- Mardin Prison
- Şırnak Prison

Other places of detention

- Aliens Holding Centre (Hac Camp), Silopi

**I. UNITED KINGDOM**Police establishments

(England)

- Dewsbury Divisional Headquarters, Dewsbury
- Gatwick Airport Police Station
- Main Bridewell Police Station, Liverpool
- Alexandra Road Police Station, Liverpool
- Paddington Green Police Station, London
- Stoke Newington Police Station, London
- Walworth Police Station, London

(Scotland)

- Wester Hailes Sub-Division, Edinburgh
- Baird Street Divisional Headquarters, Glasgow
- London Road Divisional Headquarters, Glasgow
- Dalkeith Divisional Headquarters, Midlothian

Prisons

(England)

- HM Prison, Leeds
- HM Prison, Liverpool
- HM Prison, Pentonville (D Wing)
- HM Prison, Wandsworth

(Scotland)

- HM Prison, Barlinnie (C Hall and Segregation Unit)
- HM Prison, Peterhead

Immigration Service detention facilities

- Campsfield House Immigration Service Detention Centre, Kidlington, Oxfordshire
- The Beehive, Gatwick Airport
- Holding room at the South Terminal, Gatwick Airport
- The Queens Building, Heathrow Airport
- Holding rooms at Terminals 1, 2 and 3, Heathrow Airport

Other places of detention

- HM Young Offender Institution and Remand Centre, Feltham
- Customs holding facilities at Gatwick Airport
- Rampton Hospital, Retford, Nottinghamshire