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Meeting: 1355^h meeting (September 2019) (DH)

Communication from a NGO (Association for the Defence of Human Rights in Romania – Helsinki Committee (APADOR-CH)) (29/08/2019) in the TICU group of cases v. Romania (Application No. 24575/10).

Information made available under Rule 9.2 of the Rules of the Committee of Ministers for the supervision of the execution of judgments and of the terms of friendly settlements.

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Réunion : 1355^e réunion (septembre 2019) (DH)

Communication d'une ONG (Association for the Defence of Human Rights in Romania – Helsinki Committee (APADOR-CH)) (29/08/2019) dans le groupe d'affaires TICU c. Roumanie (requête n° 24575/10)
(anglais uniquement).

Informations mises à disposition en vertu de la Règle 9.2 des Règles du Comité des Ministres pour la surveillance de l'exécution des arrêts et des termes des règlements amiables.

DGI

27 AOUT 2019

SERVICE DE L'EXECUTION
DES ARRETS DE LA CEDH



**ASOCIAȚIA PENTRU APĂRAREA DREPTURILOR
OMULUI ÎN ROMÂNIA - COMITETUL HELSINKI**

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27th August 2019

Additional information to the Submission before the Committee of Ministers on the implementation of general measures in respect to the cases of Țicu v. Romania (24575/10) and Predescu v. Romania (19696/10)

Considering the response of the National Administration of Penitentiaries (NAP) to APADOR-CH's FOI request¹ we add the following information:

The total number of detainees who received treatment for mental illness, in the period 2016-2019:

YEAR	The number of detainees who received treatment for mental illness
2016	3852
2017	4248
2018	2317
01.01.2019-30.06.2019	2225

¹ APADOR-CH formulated a FOI request to the National Administration of Penitentiaries on 26.07.2019 regarding the situation of the psychological and psychiatric assistance in penitentiaries; The National Administration of Penitentiaries replied on 19.08.2019.

As the numbers show, in 2019 only there were 2225 detainees who received treatment while the total number of psychiatrics that are currently working in all the penitentiaries is 11.

The total number of existing beds in the psychiatric units:

No.	Prison	Unit	Number of beds
1.	Mioveni Prison Hospital	Psychiatry - chronics	40
2.	Constanța-Poarta Albă Prison Hospital	Psychiatry - acutes	25
		Psychiatry - chronics	25
3.	Bucharest-Jilava Prison Hospital	Psychiatry	47
4.	Bucharest-Rahova Prison Hospital	Psychiatry - drug addicts	12
	Total		149

The total number of patients in the psychiatric units, in the period 2016-2019:

Year/ Unit	Mioveni Prison Hospital	Constanța- Poarta Albă Prison Hospital		București- Jilava Prison Hospital	București- Rahova Prison Hospital	Total number of patients/y ear
		acuți	cronic i			
2016	656	297	164	1376	301	2794
2017	733	294	195	1538	284	3044
2018	638	325	181	1559	321	3024
01.01- 30.06.2019	294	172	78	995	174	1713

The total number of patients in the psychiatric units in 2019 was **1713** while the total number of beds in all the psychiatric units is **149**. We obviously understand that the accommodation of patients is not done simultaneously, but even under these conditions we find the beds' number totally insufficient for the number of patients.

Moreover, the total number of the psychologists that are currently working in all the penitentiaries is 175². It is indeed a better situation than the psychiatric assistance, but we have to keep in mind that the psychosocial service is responsible for all the detainees. Considering the information published by the National Administration of Penitentiaries, on 25.06.2019 the prison population amounted to 19083 detainees.³ This clearly raises a question mark upon the quality of the psychological assistance.

Not least, in the Government's updated action plan from 2016 it was mentioned a draft of the general director of NAP' decision concerning the profiling of penitentiaries. According to this draft *"prisoners with severe psychiatric conditions in compensation stages, who require only monitoring or find themselves in a period of stabilized medication, **will be accommodated in the sections intended strictly for inmates with severe psychiatric conditions. The rooms in these sections will be organized similarly to infirmary chambers, with distinct functional circuits and beds on a single row. The aforementioned functional circuits entail separate arias, distinct from the common spaces intended for the remainder of prisoners. The placement in such rooms will be effected only at the indication of the unit's medical staff. Permanent supervision will be ensured through nurses; the medical centre will be set up in the proximity of the infirmary accommodation rooms. The treatment will be applied under strict medical supervision. Out of cell activities will be performed separately by persons with severe psychiatric conditions.**"*

The Decision 704/2016 was adopted on 11th October 2016 and according to art. 3 (10): "The prisons-hospitals in which special sections for the detainees with serious mental

² Figures provided by the National Administration of the Penitentiaries in the FOI request's answer.

³ Statistic published by the National Administration of Penitentiaries, available at: <http://anp.gov.ro/wp-content/uploads/2019/06/25.06.2019-Capacitatea-de-cazare-a-unitatilor-si-efectivele-acestora-ef-20509-CC-18262-pentru-site.pdf>

*disorders, including those caused by alcohol or other psychoactive substances, are provided in annex no. 2. **In all places of detention, infirmaries are established with stationary rooms and structural sections in which rooms are used for the accommodation and treatment of detainees with serious mental disorders, including those caused by alcohol or other psychoactive substances.***

There is a substantial difference between the updated action plan (12th October 2016), the decision of the general director of NAP (11th October 2016) and the existing situation.

Both the action plan and the general director of NAP's decision mention special places for detainees with severe mental disorders. From APADOR-CH's [monitoring visits](#) in penitentiaries conducted starting with January this year, the organization couldn't identify this special places so far. Moreover, the updated action plan speaks about strict medical supervision in applying the treatment, which is impossible considering the lack of psychiatrists in most of the penitentiaries.

Regarding this issue, APADOR-CH appreciates the progress of the Government in organizing special rooms for the accommodation of detainees with mental disorders as it was mentioned in the recent information note. However, the progress is too slow compared to the amplitude of the problem. There are almost 3 years since the Government declared in the action plan this initiative and at the present moment none of the spaces are ready to use.

APADOR-CH reiterates the importance of the psychiatric and psychological assistance for the detainees while in prison and for their social reintegration and therefore recommends the Committee of Ministers to urge the state for solving the problem on long terms.