



COUNCIL OF EUROPE    CONSEIL DE L'EUROPE

CPT/Inf (91) 3

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

# **1st General Report on the CPT's activities**

**covering the period November 1989 to December 1990**

Strasbourg, 20 February 1991

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## I. MAIN FEATURES OF THE CPT

1. Before reporting on the highlights of the CPT's activities during its first year of existence, it would perhaps be useful to describe the CPT's salient features. This should prove particularly helpful in differentiating the basis and aims of the CPT from those of two other Council of Europe supervisory bodies within the field of human rights: the European Commission and European Court of Human Rights.

2. Unlike the Commission and the Court, the CPT is not a judicial body empowered to settle legal disputes concerning alleged violations of treaty obligations (i.e. to determine claims *ex post facto*).

The CPT is first and foremost a mechanism designed to **prevent ill-treatment from occurring**, although it may also in special cases intervene after the event.

Consequently, whereas the Commission's and Court's activities aim at "conflict solution" on the legal level, the CPT's activities aim at "conflict avoidance" on the practical level.

3. The CPT's activities are based on the concept of co-operation (Article 3 of the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment; hereinafter referred to as "the Convention"). The CPT's task is not to publicly criticise States, but rather to assist them in finding ways to strengthen the "cordon sanitaire" that separates acceptable and unacceptable treatment or behaviour. In fulfilling this task the CPT is guided by the following three principles:

- i) that the prohibition of ill-treatment of persons deprived of their liberty is absolute,
- ii) that ill-treatment is repugnant to the principles of civilised conduct, even if used in milder forms, and
- iii) that ill-treatment is not only harmful to the victim but also degrading for the official who inflicts or authorises it.

4. The CPT first of all explores the prevailing factual situation in the countries it visits. In particular it:

- i) examines the general conditions in establishments visited;
- ii) observes the attitude of law enforcement officials and other staff towards persons deprived of their liberty;
- iii) interviews persons deprived of their liberty in order to understand how they perceive (i) and (ii) and hear any specific grievances they may have.

Subsequently, the CPT reports to the State concerned, giving its assessment of all the information gathered and providing its observations. If necessary, it recommends measures designed to prevent the possible occurrence of treatment that is contrary to what reasonably could be considered as acceptable standards for dealing with persons deprived of their liberty.

5. In carrying out its functions the CPT has the right to avail itself of legal standards contained in not only the European Convention on Human Rights but also in a number of other relevant human rights instruments (and the interpretation of them by the human rights organs concerned). At the same time, it is not bound by the case-law of judicial or quasi-judicial bodies acting in the same field, but may use it as a point of departure or reference when assessing the treatment of persons deprived of their liberty in individual countries.

6. To sum up, the principal differences between the CPT and the European Commission and European Court of Human Rights are:

- i) the Commission and the Court have as their primary goal ascertaining whether breaches of the European Convention of Human Rights have occurred. By contrast, the CPT's task is to prevent abuses, whether physical or mental, of persons deprived of their liberty from occurring; it has its eyes on the future rather than the past;
- ii) the Commission and Court have substantive treaty provisions to apply and interpret. The CPT is not bound by substantive treaty provisions, although it may refer to a number of treaties, other international instruments and the case-law formulated thereunder;
- iii) given the nature of their functions, the Commission and the Court consist of lawyers specialising in the field of human rights. The CPT consists not only of such lawyers but also of medical doctors, experts in penitentiary questions, criminologists, etc;
- iv) the Commission and Court only intervene after having been petitioned through applications from individuals or States. The CPT intervenes ex-officio through periodic or ad-hoc visits;
- v) the activities of the Commission and Court culminate in a legally binding finding as to whether a State has breached its obligations under a treaty. The CPT's findings result in a report, and, if necessary, recommendations for State action to correct unacceptable conditions or behaviour; in the event of a State's failure to comply with the CPT's recommendations, the CPT may issue a public statement on the matter.

## II. SOME BASIC INFORMATION ABOUT THE CPT's ACTIVITIES

7. The Convention establishing the CPT was opened for signature on 26 November 1987 and entered into force on 1 February 1989. By 31 December 1990 it had been ratified by 20 of the 24 member States of the Council of Europe (see [Appendix 1](#)).

The first elections of CPT members took place on 19 September 1989. The Committee's first meeting was held less than two months afterwards, from 13 to 16 November 1989.

8. The CPT is composed in principle of one member from each Party. At present it has 17 members (see [Appendix 2, Part A](#)), the members in respect of Finland, Iceland and San Marino not yet having been elected. The CPT's Bureau consists of Mr A. Cassese (President), Mr B. Sørensen (First Vice-President) and Mr J. Bernheim (Second Vice-President).

The CPT's Secretariat forms a distinct section of the Council of Europe's Directorate of Human Rights, and is currently made up of 5 officials (see [Appendix 2, Part B](#)).

9. Between November 1989 and December 1990, the CPT held 6 plenary meetings. The Bureau met on numerous occasions, either between or in the course of plenary meetings.

10. During the first fourteen months of its existence the CPT has in particular:

- i) adopted its Rules of Procedure;
- ii) elaborated a set of "common working tools" designed to facilitate its task of visiting places where persons are deprived of their liberty;
- iii) organised a series of information meetings and training sessions aimed at providing all the Committee members, regardless of their profession and past experience, with a common basic knowledge of, and a common approach to, the issues involved in visits to places of detention;
- iv) agreed upon some general guidelines for the conduct of visits;
- v) carried out four periodic visits (to Austria, Denmark, Malta and the United Kingdom) and one ad hoc visit (to Turkey);
- vi) drawn up, and adopted by consensus, reports on the visits to Austria and Malta and transmitted them to the Governments in question (\*).

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(\*) At its plenary meeting held in January 1991, during which this General Report was adopted, the CPT adopted by consensus its report on the visit carried out in 1990 to Turkey.

### **III. ESTABLISHMENT OF THE PROCEDURAL AND ORGANISATIONAL FRAMEWORK FOR THE PROPER CONDUCT OF VISITS**

a) The Rules of Procedure

11. One of the very first tasks of the CPT was, of course, to draw up its Rules of Procedure, pursuant to Article 6, paragraph 2, of the Convention.

The Rules were adopted in November 1989 and have subsequently been amended on several occasions, either for the purpose of dealing with unforeseen issues which arose or to ensure that the Rules fully reflected the practices that the CPT had developed in specific areas (the Rules of Procedure can be obtained from the Committee's Secretariat).

12. The following features of the Rules of Procedure should be highlighted:

- i) the CPT's work is directed collegially, the emphasis being placed on the Bureau rather than the President (see Rule 10 (paragraph 2) and paragraphs 14 to 17 below);
- ii) a sort of "alarm system" has been established for use in urgent situations, when reports received by the Committee make it advisable for it to request that the relevant national authorities immediately provide information or explanations concerning the circumstances in question, prior to a possible visit by the CPT (see Rule 30 and paragraphs 23 to 25);
- iii) a procedure has been established for the notification of periodic visits, designed to serve various needs simultaneously (see paragraphs 26 to 30). In particular, this procedure, provided for in Rules 31 (paragraph 4) and 35:
  - a) enables non-governmental organisations and individuals to submit to the CPT in good time information concerning the countries concerned;
  - b) enables the States to be visited to organise meetings of the visiting delegation with the national authorities;
  - c) at the same time, maintains a certain element of surprise as regards the actual carrying out of the visit.
- iv) in order to ensure that the CPT is, and is seen to be, absolutely impartial, the so-called "national" member cannot be chosen as a member of the delegation entrusted with carrying out a visit to his or her country (see Rule 37 (paragraph 2) and paragraph 20);
- v) provisions have been included in the Rules designed to deter breaches of the rule of confidentiality (see, in particular, Rules 47 and 48, as well as paragraph 82, points iii and iv)).

b) Working methods

13. In developing its working methods the CPT has placed particular importance on the **collegial direction** of the CPT's work and taken measures to ensure the absolute **impartiality** of all its deliberations and decisions concerning visits to States Parties to the Convention. It has also devised a number of procedural devices designed to promote the **effectiveness** of its activities.

i) Collegial direction of the CPT's work

14. The draft Rules of Procedure prepared by the Secretariat, and modelled to a considerable extent on the Rules of Procedure of the European Commission and European Court of Human Rights, granted a major role to the President of the Committee. In addition to taking all important decisions when the Committee was not in session, it was foreseen that the President would also have the main role in the conduct of business while the Committee was in session.

On the proposal of the President himself, the CPT instead assigned the task of directing its work to the Bureau, consisting of the President and the two Vice-Presidents.

15. In pursuance of this approach, specific powers of great importance have been granted to the Bureau. In particular, between plenary sessions the Bureau may request Parties to provide information or explanations under Rule 30, and may decide in cases of urgency on the carrying out of an ad hoc visit (Rule 32 (2)) and take all related measures (Rules 37 (1), 38 (1) and 39 (1)). Further, the Bureau controls the draft agenda of plenary sessions (Rule 15) and has the power to decide on the convening of an extraordinary meeting of the Committee (Rule 14 (2)).

Moreover, the many proposals that emanate from the chair in the course of plenary sessions are those of the Bureau, not the President alone.

16. It might also be noted in this context that, unlike the position under the Rules of Procedure of both the European Commission and European Court of Human Rights, the President does not have a casting vote within the CPT; in the event of a tie a proposal would be rejected, even if the President had voted for its adoption.

17. There are two interrelated reasons for the strong emphasis placed on the collegiate direction of the CPT's work. First, the Committee deals with multi-disciplinary matters of considerable complexity and is called upon to make delicate decisions concerning co-operation with Parties to the Convention. It was therefore felt - particularly at the beginning of the Committee's activities, when teething problems may make mistakes more likely, and the risk of setting questionable precedents is greatest - that crucial decisions should be taken by the Committee as a whole or, when it is not in session, by more than one person. Similarly, since one of the salient features of the CPT lies in its membership (consisting of a combination of medical doctors, experts in penitentiary systems, human rights' specialists and jurists), it was deemed appropriate to put the direction of the Committee in the hands of a group of members so that the diversity of the Committee's expertise could be brought to bear on its decisions (the Bureau currently consists of a jurist with experience in the area of human rights and two medical doctors, one with wide experience in the field of the rehabilitation of torture victims, and the other specialising in forensic medicine and psychiatry with broad experience of the treatment of detainees).

ii) Ensuring the CPT's impartiality

18. The novel task entrusted to the CPT by the Convention (i.e. the visiting of places of detention in States Parties where, traditionally, these States have not allowed international bodies to carry out extensive investigations) has prompted it to strive to ensure that it is, and is seen to be, completely impartial in all its deliberations and decisions concerning such visits. In this regard the Committee has developed two important practices: one concerns the selection of the countries to receive periodic visits, and the other (made up of three distinct measures) deals with the role of the Committee member elected in respect of the country in which a visit is to be conducted i.e. the "national" member.

19. Concerning the **first practice**, it has been decided that for the first few years at least, the countries to receive periodic visits shall be chosen by the drawing of lots. This decision has not been articulated in a rule of procedure (Rule 31, paragraph 2, simply states that "Before the end of each calendar year, the Committee shall establish a provisional programme of periodic visits for the following calendar year. In drawing up this programme the Committee shall ensure, as far as possible, that the different States Parties to the Convention are visited on an equitable basis, regard being had to the number of relevant places in each State Party"). The practice followed is the result of a consensus reached within the Committee.

Whether this practice will be retained even after the CPT has completed its first round of periodic visits to all Parties remains to be discussed by the Committee.

20. As for the **second practice**, relating to the position of the "national" member, the CPT reached the conclusion that, on balance, the participation of that member in a visit to the country in question would be disadvantageous. Although the "national" member usually has special knowledge of his own country which could be helpful to the visiting delegation, it was feared that his presence in the delegation could, in certain circumstances at least, give an appearance of bias.

At first, this position was not reflected in a rule of procedure. In this connection it should be noted that when the Convention was drafted, the issue of the role of the "national" member was so controversial that it was decided to leave the question open, allowing the Committee to proceed on a trial and error basis. However, the above-mentioned approach was followed in respect of each of the five delegations that conducted visits in 1990. Consequently, a formal rule on the matter has now been adopted (Rule 37 (2): "The member of the Committee elected in respect of the State to be visited shall not be chosen as a member of the visiting delegation").

Of course, this provision does not prevent the national member from providing information and advice to the delegation while it is preparing its visit to the country concerned (see also paragraph 62).

21. Another measure taken to enhance the impartiality of the Committee is the decision that the "national" member should refrain from taking part in the vote of the plenary Committee on the report drawn up under Article 10, paragraph 1, of the Convention following a visit to the country concerned. The "national" member can, of course, participate in the discussion on the draft report, but it was felt that while he could be helpful in casting light on particular problems raised in the draft, he ought not to have a say in the final decision on the report.

22. A third measure designed to ensure absolute impartiality in the functioning of the Committee is embodied in Rule 9, whereby "No member of the Committee shall preside when the report on a visit to the State Party in respect of which he was elected is being considered".

iii) Promoting the CPT's effectiveness

23. Three measures should be underlined in this respect:

**Firstly**, the CPT considered that it must be able to react expeditiously and effectively when it receives disturbing reports but when the facts at its disposal are not sufficient in themselves to justify an ad hoc visit. On this important issue the Committee adopted Rule 30, which reads as follows:

- "1. Before deciding on a particular visit, the Committee or, if appropriate, the Bureau may request information or explanations as regards the general situation in the State concerned, as regards a given place, or as regards an isolated case concerning which it has received reports;
2. Following receipt of such information or explanations, details of remedial action taken by the national authorities may be requested."

24. When discussing the drafting of this Rule, it was felt that it was necessary to place the request for information or explanations within the framework of a possible visit, as otherwise the measure envisaged might be considered as exceeding the normative structure of the Convention. The Rule eventually adopted has the double merit of being formally in keeping with the Convention (which only empowers the Committee to make visits or to take action relating to visits) and of providing for a means of action in urgent situations that was not originally foreseen in explicit terms by the drafters of the Convention. The power thus conferred on the Committee may prove very useful in allowing the monitoring of the treatment of detainees without necessarily involving visits - which could turn out to be expensive, time-consuming and, in the event, unnecessary. The States Parties, in turn, should find this measure most helpful, for it allows them to provide explanations countering the reports received by the CPT or to take action to remedy a situation of ill-treatment, and thereby avoid having to face a visit by a CPT delegation.

25. The Rule in question has already been applied in a number of instances, and has been well received by the States concerned.

26. The **second measure** taken by the CPT to increase its effectiveness relates to the notification of periodic visits. When the Convention was being drafted, it did not occur to the draftsmen that, while in the case of ad hoc visits the Committee acts on the basis of fresh and reliable information received from one or more sources, in the case of a periodic visit the Committee may lack all the general and specific information on the situation in the country concerned that is necessary for the carrying out of a really worthwhile visit. While debating its procedures and methods of work, the Committee felt that a means had to be found of inciting the receipt of relevant information concerning a country due to receive a periodic visit, but a means which at the same time allowed a certain measure of surprise as regards the actual carrying out of the visit to be maintained. The dilemma was resolved by deciding that the notification of a periodic visit to the country concerned, which under the Convention could be taken to consist of a single act, should instead be conceived of as a process.

27. This process consists of three stages. First, towards the end of a given year, the CPT gives each of the Parties featuring in the provisional programme of periodic visits for the following year (cf. Rule 31 (2) of the CPT's Rules of Procedure) an advance indication of the fact that the Committee envisages organising a periodic visit there in that year. Shortly afterwards, the Committee issues a short press release indicating the names of the countries where a periodic visit is planned.

The second stage consists of a formal notification to the States concerned (usually sent about two weeks before the visit) of the Committee's intention to carry out the visit. This formal notification gives the date when the visit will start, indicates the probable length of the visit and provides the names of the Committee members making up the visiting delegation as well as those of any experts and interpreters; it also contains a request that meetings with specified Ministers and/or high ranking officials be arranged.

In the third stage, notice is given a few days before the actual commencement of the visit of the places that the CPT intends to visit. However, it is always spelt out that in the course of the visit the CPT's delegation may decide to visit other places (cf. Article 8, paragraph 1, of the Convention and paragraph 58 of the Explanatory Report).

28. This three-stage process is in line with the principle of co-operation between the CPT and Parties laid down in Article 3 of the Convention, for the names of the countries concerned are rendered public only after each of them has been duly informed.

It also offers a number of practical advantages, perhaps the greatest being that the first stage gives interested organisations and individuals advance notice of the countries in which periodic visits are envisaged in a given year, thereby enabling them to concentrate their efforts and provide relevant and up-to-date information to the Committee in good time. A considerable element of surprise is nevertheless retained, since there is no indication of when during the year the visit will take place.

Further, as regards the second stage, notifying the date of the start of the visit two weeks in advance *inter alia* greatly facilitates the setting up of meetings with relevant Ministers, officials and organisations.

29. It is important to note that this three-stage process only applies to periodic visits; it has been established on an experimental basis and is susceptible to modification.

30. Finally, it should be added that the whole scheme was communicated to all the Parties by the Committee's President before being put into practice. None of these States objected to it, and it can therefore be regarded as accepted by them.

31. **A third measure** designed to enhance the effectiveness of the CPT regards the follow-up to the Committee's visits.

The Committee has had to confront the problem of how to implement Article 10, paragraph 2, of the Convention, whereby if a Party "refuses to improve the situation in the light of the Committee's recommendations" the CPT may decide to make a "public statement" on the matter. The problem arising in connection with the application of this provision lies in how it is to be ascertained whether the Party concerned has improved the situation in the light of the Committee's recommendations.

32. The CPT concluded that the best way of implementing Article 10, paragraph 2, would be for the Committee to include in its report to the Government of the country visited a request that it report back to the Committee, within a certain period of time, on the measures taken to implement the recommendations contained in the report. The State concerned is expected to give an account not only of the legislative and administrative measures taken, if any, but also of the implementation, in actual practice, of the Committee's recommendations.

To date the practice of the CPT has been to ask the States concerned to submit an interim report (usually within six months of their receiving the CPT's report), to be followed by a final report (usually within twelve months of receipt of the CPT's report).

33. It should be stressed here that the CPT is keen to establish an on-going dialogue with the authorities of each of the Parties. The transmission of the report drawn up under Article 10, paragraph 1, of the Convention is therefore to be seen as the beginning, not the end, of a process.

c) Common working tools

34. Both the particular nature of the CPT's membership referred to above (see paragraph 17) and the fact that the CPT is the first entity of its kind and is therefore breaking new ground, made it necessary to provide the CPT members with a body of general knowledge about the types of institutions of detention to be visited and the techniques of conducting visits. This need has been met in two ways: by compiling a set of common working tools, and by a series of information meetings and training sessions.

35. The common working tools consist of a series of documents prepared either by Committee members or by outside experts consulted by the CPT, and concerning each type of place of detention coming under the purview of the CPT's activity: prisons, police stations, psychiatric institutions, military establishments, refugee camps, etc. In addition, general documents have been compiled on the methods of conducting a visit and on the case-law of the European Commission and European Court of Human Rights that is relevant to the CPT's activities.

36. The CPT does not intend to make public the documents referred to above, at least not for the time being, and this for two reasons in particular: first, they were conceived of as internal documents, for the private use of Committee members; second, they may well be improved and revised, in the light of the experience gained by the CPT.

d) Training

37. Information meetings and training sessions were another means of providing CPT members with a basic common knowledge and experience. Information meetings were held with delegates of the International Committee of the Red Cross, both in Strasbourg and in Geneva, as well as with other experts selected by the CPT: e.g. persons with specialised professional knowledge of psychiatric institutions, prisons, police establishments, etc. In a number of cases, members of the CPT, specialised in a relevant area, provided training to the other members of the Committee.

The information meetings and training sessions focussed on either the inner workings of one of the aforementioned types of places of detention and how best to organise the visit to such a place or on general issues such as the techniques for interviewing detainees or the authorities in places of detention.

38. In addition to oral presentations, discussions and simulation exercises, the CPT members have viewed a number of documentary films on prisons and other establishments. Furthermore, thanks to the co-operation of the Swiss authorities, the CPT had the opportunity before starting its visits proper, of visiting for training purposes a prison in Geneva as well as the medical service attached to that prison.

39. The training of Committee members must be an ongoing process: in order to carry out their functions thoroughly and professionally, they need continual updating and fresh in-depth exchanges of views with experts in the various areas relevant to the CPT's work.

The CPT therefore intends to continue to hold information meetings and training sessions on a regular basis, the more so as new members of the Committee, elected by the Committee of Ministers following the gradual acceptance of the Convention by other States, may find them particularly helpful. Of course, these new members will also draw much benefit from the experience that CPT members are themselves accumulating in the course of their work in the field.

e) Relations with the Governments of Parties to the Convention

40. As early as November 1989 the CPT decided to invoke Article 8, paragraph 2b, of the Convention (i.e. provision of "full information on the places where persons deprived of their liberty are being held") vis-à-vis all the Parties and also to request those Parties which had not already done so to inform it of the authority competent to receive notifications to its Government (cf. Article 15 of the Convention). Further, it decided to draw the attention of the Parties to the importance of the appointment of one or more liaison officers.

Unfortunately, certain Parties did not respond to the above requests with the expeditiousness one would have expected. More than one year later, some Parties have still not provided all the information in question.

41. The CPT also indicated to the Parties that it would be desirable for them to issue circulars or instructions to the relevant national authorities with a view to disseminating knowledge about the Convention and the Committee (see also paragraphs 91 to 93). The CPT is pleased that some (albeit not very many) Parties have taken up this suggestion and trusts that the others will follow suit in due course.

f) The establishment of working relations with other international institutions

42. Shortly after the commencement of its activities, the CPT established working relations with the European Commission and European Court of Human Rights, the International Committee of the Red Cross (ICRC), the United Nations Committee against torture, the United Nations Special Rapporteur on questions relevant to torture and the United Nations High Commissioner for Refugees. The Committee has also entered into contact with certain non-governmental organisations.

43. In its relations with other bodies the CPT is, of course, bound by its obligation of confidentiality. This means that it cannot disclose anything about its findings or its deliberations (though it can of course provide information on its working methods in general). Consequently, the flow of information between the CPT and the bodies concerned is very much a one-way process.

44. Particular mention should be made of the CPT's relations with the ICRC, which have turned out to be particularly fruitful, in spite of the fact that both the CPT and the ICRC are each bound by, and scrupulously observe, strict confidentiality rules.

The establishment of relations between the CPT and ICRC was essential given the provisions of Article 17, paragraph 3, of the Convention ("The Committee shall not visit places which representatives or delegates of protecting powers or the International Committee of the Red Cross effectively visit on a regular basis by virtue of the Geneva Conventions of 12 August 1949 and the Additional Protocols of 8 June 1977 thereto") and the related observations in paragraph 93 of the Explanatory Report. However, the CPT's relations with the ICRC have not been concerned only with the question of distribution of competences. In particular, through information meetings held before the CPT's first visits, the ICRC kindly made available to Committee members the extensive expertise it has gained over the years in the area of visits to places of detention (see also paragraph 37).

#### IV. THE EMPHASIS PLACED ON THE PREVENTIVE NATURE OF THE CPT's FUNCTIONS

45. As already stated (see paragraphs 2 to 6) the CPT is not a fact-finding body similar to other bodies existing in the area of human rights. The task of fact-finding with which the CPT has been entrusted must be geared to **forestalling possible acts or practices** of torture or inhuman or degrading treatment or punishment. To put it differently: the main purpose of the Committee's fact-finding is not the minute and punctilious establishment of whether or not serious abuses have actually occurred that characterises a judicial or quasi-judicial process. Rather, the CPT has a much broader remit: it must ascertain whether, in places where persons are deprived of their liberty by a public authority, there are general or specific conditions or circumstances that are likely to **degenerate into** torture or inhuman or degrading treatment or punishment, or are at any rate conducive to such inadmissible acts or practices.

46. The above does not exclude, of course, an element of fact-finding or supervision relating to events in the recent past, especially in the case of ad hoc visits, where the visit is triggered by serious and consistent allegations of grave abuses in a particular country. In these cases, one of the tasks of the CPT is plainly to verify on the spot whether or not those allegations are well-founded. But even in such cases, the CPT's overarching duty is broader than merely reporting on the allegations; rather, it must look into the general conditions surrounding the alleged abuses and, if need be, suggest ways of both stopping the abuses in the immediate and of preventing their reoccurrence in the future.

47. Four important consequences follow from the fact that "prevention" constitutes the lynchpin of the whole monitoring system set up by the Convention.

48. First, the CPT must always look into the general conditions of detention existing in the countries visited. It must examine not only whether abuses are actually occurring but also be attentive to those "indicators" or "early signs" pointing to possible future abuses. For instance, it must - and indeed does - scrutinise the physical conditions of detention (the space available to detainees; lighting and ventilation; washing and toilet facilities; eating and sleeping arrangements; the medical care provided by the authorities, etc.) as well as the social conditions (for example, relationships with other detainees and the law enforcement personnel; links with families, social workers, the outside world in general, etc.). The CPT also pays close attention to the extent to which certain basic safeguards against ill-treatment exist in the country visited e.g. notification of police custody; access to a lawyer; access to a medical doctor; the possibilities of lodging complaints about ill-treatment or conditions of detention.

49. Second, often one cannot understand and assess the conditions under which persons are deprived of their liberty in a given country without considering those conditions in their general (historical, social, economic) context. Although human dignity must be effectively respected in all Parties to the Convention, the background of each of these countries varies, and can account for differences in their response to human rights issues. It follows that, to fulfil its task of preventing abuses, the CPT must often look into the underlying causes of general or specific conditions conducive to mistreatment.

50. The third consequence is closely associated with the two previous ones. In a number of instances the CPT - after investigating the conditions of detention in a particular country - may not find it appropriate to confine itself to merely suggesting immediate or short-term measures (such as, for example, administrative action) or even such measures as legislative improvements. It may find it necessary to recommend long-term measures, at least whenever it has become apparent that unacceptable conditions exist in a country as a result of deep-rooted factors that cannot be alleviated simply by judicial or legislative fiat or by resort to other legal techniques. In such cases, educational and similar long-term strategies may prove essential.

51. A fourth consequence flows from all the above remarks, namely that for the CPT to accomplish its preventive function effectively, it must aim at a degree of protection that is greater than that upheld by the European Commission and European Court of Human Rights when adjudging cases concerning the ill-treatment of persons deprived of their liberty and their conditions of detention.

## V. VISITS

### a) Countries visited

52. At its first meeting (13-16 November 1989) the CPT decided that in 1990 it would carry out periodic visits to two large countries (i.e. large from the point of view of population rather than territory) and three countries with smaller populations. The countries were chosen by lot, for the reasons indicated above (see paragraphs 18 and 19). Spain and the United Kingdom, as well as Austria, Denmark and Malta, were selected.

53. At the same meeting the Committee requested its Bureau to make proposals at the CPT's next meeting concerning possible ad hoc visits. At the next meeting (22-26 January 1990) the CPT unanimously accepted the Bureau's proposal that an ad hoc visit to Turkey be carried out in 1990.

54. Due to organisational constraints, and more particularly the limited resources of the CPT's Secretariat, the Committee subsequently decided to postpone the visit to Spain to 1991. Consequently, in 1990, it carried out five visits, four periodic (to Austria, from 20 to 27 May 1990; Malta, from 1 to 9 July 1990; the United Kingdom, from 29 July to 10 August 1990; and Denmark, from 1 to 8 December 1990) and one ad hoc (to Turkey, from 9 to 21 September 1990).

### b) Visiting delegations

55. The CPT decided in early 1990 that delegations going to large countries should consist of five Committee members, plus one or two experts, two members of the Secretariat, and if necessary an appropriate number of interpreters. For visits to small countries, delegations should consist of three to four Committee members, plus one expert, one or two members of the Secretariat, plus interpreters as required.

56. The Convention provides that "as a general rule, the visits shall be carried out by at least two members of the Committee "(Article 7, paragraph 2). The CPT considered that it would be preferable for a number of reasons to have more than two members in each delegation. Firstly, it was felt important to give as many members as possible first-hand experience of the visiting process as soon as possible. Even more importantly, a delegation of four or five members accompanied by experts has the capacity to split into two or more sub-groups, thereby increasing significantly the amount of ground that can be covered in the time available (see further, paragraph 60).

57. The Bureau made proposals to the plenary Committee regarding the composition of the delegations, after duly consulting individual Committee members and taking into account the likely particular needs as regards each visit.

As already indicated (see paragraph 20), it was agreed that no Committee member would serve on the delegation visiting the country in respect of which he or she was elected.

58. It was decided that each delegation should agree upon a Head of the delegation, in consultation with the CPT's Bureau (cf. Rule 37, paragraph 3). The Head of the delegation is responsible for the actual conduct of the visit. In particular, he or she is in charge of relations with the national authorities of the country visited and organises, as well as oversees, the drafting of the delegation's report.

59. As regards experts, the CPT decided as a first step to request the Secretariat to prepare a tentative list of experts, on the basis of suggestions made by Committee members and of names already known to the Secretariat or brought to its attention by reliable sources. Secondly, the CPT decided that experts should be appointed on an ad hoc basis, i.e. in relation to a particular visit: no-one should receive an on-going appointment as an expert of the CPT. Thirdly, it was decided that, during a visit, individual experts should not be allowed to conduct on their own discussions with national authorities; on the other hand an individual expert might interview detainees on his own, provided that he had been expressly authorised to do so by the Head of the visiting delegation.

60. The CPT decided that each visiting delegation could divide into sub-groups, each of the groups to include a medical doctor whenever possible and appropriate.

In fact, all the delegations that carried out visits in 1990 frequently split into two or even three sub-groups. Indeed, there is often no need for the whole delegation to undertake a visit to a specific place or to be present at discussions with national authorities or relevant non-governmental organisations. It should be added that whenever the whole of a CPT delegation does visit a place of detention (e.g. a large prison), it invariably divides into sub-groups when working within the place concerned. In this way the effectiveness and thoroughness of the visit are greatly enhanced.

Regular meetings of the whole delegation in the course of and/or at the end of the day ensure that there is due coordination of the activities of sub-groups.

c) Length of visits

61. The CPT decided that, at least in 1990, visits to small countries should last roughly one week while those to large countries should last up to two weeks. The CPT's visiting delegations abided by this decision (see paragraph 54).

d) Places visited

62. The choice of the actual places of detention to be visited in each of the countries selected is made by the delegation, on the basis of the information available to it. The national member takes part in the first meeting that the delegation holds to prepare its visit and may inter alia suggest places and institutions to be visited. That is in principle where the national member's participation ends. However, he or she remains at the disposal of the delegation in the event of the latter requiring supplementary information or advice.

Of course, once in the country visited, the delegation may decide on the spot to visit places of detention other than these originally selected and notified to the national authorities (see Article 8, paragraph 1, of the Convention and paragraph 58 of the Explanatory Report).

63. A list of the places of detention visited by the CPT's delegations in 1990 is set out in Appendix 3. It should be added that some of the CPT's delegations also visited police academies and similar institutions for the training of law enforcement officials.

e) The scenario of a typical visit

64. At the outset of a visit to a country the delegation will meet the national authorities (Ministers and/or high-ranking officials of the relevant ministries e.g. foreign affairs, justice, internal affairs, health, etc.). The delegation also meets representatives of national non-governmental organisations specialising in areas of interest to the CPT.

Of course, throughout the visit, the delegation remains in regular contact with the liaison officer.

65. After the initial contacts with the national authorities and non-governmental organisations, the delegation sets out to visit places of detention, often splitting into sub-groups for this purpose. In some cases, sub-groups operate in different parts of the country concerned. However, whenever possible the sub-groups remain in the same area, thereby facilitating the overall direction of the delegation's activities.

66. The delegation (or sub-group) spends on average 1½ to 2 days in a moderately-sized to large institution (400 + detainees). Visits to places such as police stations or alien holding centres at airports obviously take much less time; visits to the former are on occasion carried out at night. Delegation members take notes as they proceed; however, it has been decided to refrain from using tape-recorders or taking photographs.

It should be noted in this context that a visit to a prison enables the CPT not only to examine how persons detained there are being treated but also to acquire information on how they were treated before they arrived in the prison.

67. At the end of the visit, the Head of the delegation, if possible with the rest of the delegation, meets again with the national authorities contacted at the beginning of the visit. Experience has shown that such final discussions are greatly appreciated by both sides. They provide an opportunity for comments on the circumstances surrounding the visit and the manner in which it has been conducted, and for the giving of some tentative first impressions of the places of detention visited.

68. Before leaving the country, the whole delegation meets to discuss an outline of the report prepared by the Head of the delegation and to allocate responsibility for the drafting of specific sections.

f) Co-operation of the States visited

69. Co-operation between the CPT's delegations and national authorities at ministerial level has almost invariably been very good, though some divergences of opinion have arisen as regards the interpretation of the Convention and the importance of the Explanatory Report (see paragraphs 74 to 77). Moreover, there has on the whole been a satisfactory degree of co-operation between the delegations and the authorities in charge at the places visited. However, a certain amount of reticence has on occasion been met, in particular in police establishments. This may be explained to some extent by a lack of information on the part of the officials directly concerned. In this regard, the CPT hopes that Parties will step up efforts to disseminate information about the Committee's existence, powers and objectives (see also paragraphs 91 to 93).

g) The CPT's reports to the States visited

70. Initially the CPT decided that each visiting delegation should submit to the plenary CPT a distinct delegation report on the visit. After discussion in the CPT, this report was then to be transformed, in the light of the comments made during the discussion, into a draft report from the CPT to the Government concerned, for consideration and adoption at the following meeting. This procedure was applied in two instances, but proved cumbersome and time-consuming. It was consequently decided to streamline it, by requesting that each delegation immediately prepare a draft CPT report on the visit conducted, accompanied if appropriate by additional background material for the Committee's consideration. This will mean that it should often be possible to finalise and adopt a visit report in the space of one meeting of the CPT.

71. As concerns the time-span for the preparation of reports, the CPT's objective is to have visit reports sent to the Party concerned not later than six months after the end of the visit. This deadline has been - or should be - met as regards four of the CPT's first five visits. Unfortunately, the report on the other visit will probably only be finalised some eight months after the visit took place. This is due to the present shortage of manpower in the Secretariat (soon to be remedied - see paragraph 90) as well as to the Committee's attention being in part directed to the creation and modification of working methods and procedures.

72. To date the CPT's visit reports have been adopted by consensus, without a vote being taken.

73. The CPT is, of course, unable to disclose the contents of the reports (Article 11, paragraph 1, of the Convention stipulates as follows: "The information gathered by the Committee in relation to a visit, its report and its consultations with the Party concerned shall be confidential" (\*). However, it may be of interest that, as regards their structure, it has been decided not to make all reports conform to a rigid format, but rather to prepare them as warranted by the specific case. Nevertheless, the CPT will try to produce reports that have some basic elements of presentation in common.

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(\*). However, Rule 42 (2) of the CPT's Rules of Procedure provides that if a Party publishes a CPT visit report, but does not publish the entire report, the Committee itself may decide to publish the whole report (see also paragraph 77 of the Explanatory Report on the Convention).

The reports often contain an introductory part dealing with the general context (i.e. historical, social, cultural) in which conditions of detention in the country visited have to be viewed for them to be assessed properly, as well as with the legislative provisions governing the deprivation of liberty.

It should also be noted that in addition to any formal recommendations that might be made (see Article 10 of the Convention), the CPT's reports frequently contain comments and requests for information on particular issues.

## VI. SPECIFIC ISSUES

### a) Legal problems concerning the interpretation of the Convention

74. On the occasion of the visits carried out in 1990, two legal questions of general importance arose concerning the interpretation of the Convention.

75. **Firstly**, it was advanced that visa requirements imposed by a Party on persons travelling to its territory could also be applied to a CPT visiting delegation, including members of the CPT as well as experts and members of the Secretariat.

The CPT disagrees with this view. In its opinion, the wording of point 2b of the Annex to the Convention ("exemption from any restrictions" on "entry into .. the country in which they (CPT members and experts) exercise their functions") clearly rules out the application of a visa requirement to members of the CPT or experts assisting the Committee during journeys made in the exercise of their functions. Article 8(2)(a) of the Convention should also be recalled in this connection, which obliges Parties to provide the Committee with "access to its territory and the right to travel without restriction". Further, the observations on this provision set out in paragraph 61 of the Explanatory Report on the Convention spell out expressly that visa requirements may not be invoked against members of a CPT visiting delegation.

76. The **second legal question** raised concerns whether a Party which invokes Article 14, paragraph 3, of the Convention and declares that an expert or other person assisting the Committee may not be allowed to take part in a visit, is obliged to provide the reasons for that declaration when requested to do so by the CPT or the relevant visiting delegation.

In the CPT's opinion, a literal and logical interpretation of Article 14, paragraph 3, leads to the conclusion that a Party must be prepared to disclose its reasons for invoking that provision. Similarly, it considers that an obligation to provide those reasons also flows from the principle of co-operation laid down in Article 3 of the Convention. This view is supported by the wording of paragraph 85 of the Explanatory Report.

77. Both the above-mentioned legal questions concerning the interpretation of the Convention have been raised before the Committee of Ministers, together with the related issue of the legal status of the Explanatory Report on the Convention.

### b) Relations with the media

78. At the outset of its activities, the CPT decided to refrain from having any contact whatsoever with the media, in order to ensure respect for the basic obligation of confidentiality, which is one of the cornerstones of its conduct of business.

79. Gradually, however, the CPT came to realise that it had underestimated the interest of the media as well as of non-governmental organisations and individuals in being fully informed about the CPT's activities.

As a matter of fact, a few months after the CPT became operational, some newspapers began carrying articles purportedly disclosing confidential material; and indeed they on occasion set out - sometimes in a distorted way - matters that should have remained confidential. Further, following one visit carried out by the CPT, a newspaper clearly pieced together information received from persons and organisations with which the visiting delegation had been in contact and purported to disclose the delegation's findings. After another visit, a newspaper published erroneous statements about what the delegation was supposed to have seen in a particular prison. In other cases, newspapers alleged that the national authorities of a particular country had publicised confidential statements made within the CPT.

80. Highly concerned by this trend, the CPT decided at its sixth meeting (7-9 November 1990) to attempt to tackle the problem of the media. It decided to adopt a three-pronged policy: to officially channel to the media all information not covered by the rule of confidentiality; to reinforce its practices and procedural rules on the subject of confidentiality; to react immediately to statements in the media distorting the CPT's activities.

81. As regards the first of these policy lines, the CPT decided the following:

- i) a press release shall be issued at the end of each visit - be it periodic or ad hoc - indicating the name of the country visited, the dates of the visit, the composition of the delegation and the places visited;
- ii) the CPT's Bureau shall maintain appropriate informal contacts with representatives of the media on a regular basis, while strictly respecting the rule of confidentiality.

It should also be mentioned that the press release issued shortly after the countries to receive periodic visits in a given year have been chosen (cf. paragraph 27) offers the additional advantage of avoiding media speculation about the countries chosen.

82. As for the second policy line, the CPT decided that:

- i) visiting delegations should avoid contact with the media during the course of a visit;
- ii) individual Committee members may give interviews to representatives of the media, but a) the interviews should not disclose any confidential information, b) they should be given on an "on the record", attributable basis, and c) a copy of each interview should be forwarded to the CPT's Secretariat;
- iii) if there are serious grounds for believing that a Committee member has violated the rule of confidentiality, the Committee may, after the member concerned has had an opportunity to state his views, decide by a majority of two-thirds of its members to issue an admonition to that member; in case of a new breach of confidentiality by the same Committee member, the CPT may inform the Committee of Ministers of the matter, under Rule 47 of its Rules of Procedure; if a Committee member to whom an admonition has been addressed is a member of the Bureau, he shall resign from his position as President or Vice-President;

- iv) if the breach of confidentiality is to be attributed to a member of the Secretariat or to an expert, the Committee would act under the recently adopted Rule 48 of the Rules of Procedure and take appropriate measures;
- v) in case of allegations in the media that the national authorities of a State Party have disclosed confidential material, the Bureau should immediately draw the attention of those authorities to such allegations and insist that the rule of confidentiality also applies to States.

83. Finally, as concerns the third policy line, the CPT has decided that the Bureau should immediately issue a correction of any inaccurate information in the media concerning the Committee's activities.

84. The CPT is confident that its new policy in the area of relations with the media will prove helpful. In particular, the Committee trusts that the media will gradually become aware that they should respect the restraints under which the CPT operates in its efforts to engage in a fruitful dialogue with sovereign States. On the other hand, although the CPT cannot put the bulk of its work in the public domain, it will strive to make public as much information about its activities as is compatible with the obligation of confidentiality.

## VII. PROSPECTS FOR THE FUTURE

### a) Increasing the number of Parties

85. The CPT is pleased that 20 of the 24 member States of the Council of Europe have already ratified the Convention and that almost all of those which have not yet done so (Belgium, Greece, Hungary, Liechtenstein) have set in motion the ratification procedure. The CPT very much hopes that by the end of 1991, all member States of the Council of Europe will be Parties to the Convention.

86. In addition, the CPT subscribes to the idea - suggested by the Secretary General of the Council of Europe and supported by the governments of some member States, on the occasion of the Informal Ministerial Conference on Human Rights held in Rome on 5 November 1990 - that the Convention should be opened to the States members of the Conference on Security and Co-operation in Europe which are not members of the Council of Europe.

The CPT sees a lot of merit in such an opening up of the Convention. The monitoring and preventive action carried out by the Committee would gradually extend to an increased number of States. This should prove beneficial to the cause of human rights, as common standards of protection for persons deprived of their liberty would be applied to a broader circle of countries. Moreover, although they have different backgrounds, there is now a considerable identity of values between the CSCE States. The integration into the system established under the Convention of non member States that participate in the CSCE should therefore be a relatively harmonious process.

### b) Increasing the number of CPT members with non-legal backgrounds

87. The experience of the CPT's first year of activity has shown that although lawyers and experts in human rights constitute an indispensable component of the CPT, persons coming from other professions, and in particular medical doctors and experts in penitentiary systems, play a decisive role in the Committee's operation, especially in the course of visits. Furthermore, it has become increasingly apparent that female members of the CPT make an essential contribution to the Committee in terms of experience, psychological sensitivity and fair-mindedness.

88. The Committee feels that a greater number of its members should belong to the aforementioned professions and be female. Admittedly, whenever persons coming from a certain profession are needed for a visit, and no Committee member of that profession is available, the CPT can draw on experts. However, the participation of persons with the professional backgrounds mentioned at all stages of the Committee's work would prove beneficial; this is only possible through membership of the Committee.

### c) Increasing the number of visits

89. As already mentioned, the CPT carried out five visits in 1990. In 1991 it intends to undertake six periodic visits (to France, Germany, Portugal, Spain, Sweden and Switzerland), as well as, if necessary, ad hoc or follow-up visits.

It is hoped that by 1993 the Committee will have attained its objective of a rhythm of visits ensuring that each Party is visited on a periodic basis every two years, in addition to any ad hoc or follow-up visits that might prove necessary. In the CPT's view, anything longer than a two-year interval being periodic visits to a given country would seriously undermine the Committee's credibility.

90. The envisaged increase in the number of the CPT's visits over the coming years will inevitably be dependent on the Committee being provided with adequate Secretariat resources.

At present, the CPT's Secretariat has five officials, comprising two A grade staff and three support staff. The Secretariat should soon be reinforced by two further A grade officials and another secretary. However, it is clear that in due course additional staff will have to be made available if the above-mentioned objective is to be attained. In this connection, it should be underlined that the Secretariat has an essential role to play in the preparation and carrying out of visits and in the subsequent drawing up of visit reports.

d) Increasing knowledge of the CPT's activities

91. As early as November 1989, the CPT requested the States Parties to inform, by appropriate means (instructions, circular letters, etc) the relevant national authorities and staff (prison governors, prison officers, police officers, etc) of the existence, powers and role of the Committee. It also called upon the States Parties to include information on the Convention in the training of law enforcement personnel and other staff working with persons deprived of their liberty.

The Committee took this step because it thought that the more national authorities and staff responsible for places of detention knew about the Committee's role, the greater would be their co-operation with the Committee when it visited their country. In addition, knowledge about the CPT's existence and activities might constitute an incentive to ensuring that the rights of persons deprived of their liberty are fully respected.

92. To the best of the Committee's knowledge, far from all the Parties have heeded these requests. This is a matter of regret and concern for the CPT, as a wider dissemination of information about its role would greatly facilitate the accomplishment of its tasks. The CPT therefore intends to renew its requests.

93. The CPT believes that any circulars, instructions or documents concerning its role and activities should also be disseminated in places of detention, so as to bring the existence of the CPT to the attention of those most concerned by its work.

94. The CPT would also like to suggest to the relevant Council of Europe bodies that they consider the idea of organising in the future one or more training sessions for the various categories of national officials involved in the application of the Convention (prison governors, police officers, etc). The purpose of these sessions would be to sensitise the aforementioned officials to the Convention and the action of the CPT.

e) Envisaging the gradual compilation of a corpus of standards on the treatment of persons deprived of their liberty

95. As indicated above (paragraph 5), in its daily practice the CPT draws upon an array of international standards on the treatment of persons deprived of their liberty: both international treaties and the case-law developed by the international bodies responsible for their implementation, and non-binding criteria, such as the various sets of standards approved by the Council of Europe and the United Nations.

In spite of the wealth of material available, the CPT often finds that no clear guidance can be drawn from it for the purpose of dealing with specific situations encountered by the Committee, or at least that more detailed standards are needed. In relation to such situations, the CPT is feeling its way towards developing its own "measuring rods", in the light of the experience of its members and of a careful and well-balanced comparison of various systems of detention.

96. The CPT does not rule out, and indeed is now considering the feasibility of, the gradual building up of a set of general criteria for the treatment of persons deprived of their liberty. If it succeeds, over the years, in distilling a body of such general standards, the CPT might at some future date decide to make them public, so as to offer national authorities some general guidelines in relation to the treatment of persons deprived of their liberty.

It goes without saying that if and when the CPT eventually decides to take such a step, it would in no way be trying to play a legislative role, for which it was not created. It would simply be offering the relevant national authorities some non-binding guidelines that might be of assistance in the context of the improvement of the treatment and conditions of detention of persons deprived of their liberty.

## VIII. CONCLUDING REMARKS

97. The making of the Convention and the establishment of the CPT were revolutionary steps for the international community. For the first time a group of States has set up an international body of independent experts endowed with broad monitoring powers in the area of human rights. This body has been granted the unprecedented right to enter the territory of sovereign States and visit, free from any impediment, all places where persons are deprived of their liberty by a public authority.

An enlightened Swiss citizen (J.J. Gautier), two non-governmental organisations (the Swiss Committee Against Torture and the International Commission of Jurists) and the Council of Europe's Parliamentary Assembly deserve credit for this major breakthrough in the human rights field. But no less commendation should be given to the exemplary action of the member States of the Council of Europe in accepting such a significant international inroad into an extremely delicate area of domestic jurisdiction. It is thanks to the efforts of all of them that the CPT has been established and is now operational.

98. The CPT has been set up to contribute to the protection of human dignity. In its daily work, it puts into practice and gives life to the lofty ideals of two thinkers of the Enlightenment: Cesare Beccaria and Immanuel Kant. Through its actions the CPT gives teeth to Beccaria's scathing condemnation of torture and similar unacceptable practices and realises the concept of "humanity" propounded by Kant.

99. The CPT has endeavoured to meet three important requirements in its activities: **professionalism, impartiality and the constant willingness to co-operate with States**, based on the conviction that the best way of attaining its objectives is through a constructive dialogue with States. Of course, it is not for the Committee itself to appraise the extent to which it has succeeded in meeting those requirements. Whatever assessment be made of its action, the CPT is keenly aware of the heavy moral responsibility it must shoulder; it will spare no effort in living up to the high standards that it has set itself and that can legitimately be expected of it.

100. Finally, the CPT is pleased to note that it has enjoyed throughout the full support both of the Secretary-General of the Council of Europe and of the Committee of Ministers. It has also greatly benefited from the skill and dedication of its Secretariat. To all of them the CPT would like to express its profound gratitude.

## APPENDIX 1

### Signatures and ratifications of the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment and Punishment (\*)

MEMBER STATES	Date of signature	Date of ratification	Date of entry into force
AUSTRIA	26.11.87	06.01.89	01.05.89
BELGIUM	26.11.87		
CYPRUS	26.11.87	03.04.89	01.08.89
CZECHOSLOVAKIA			
DENMARK	26.11.87	02.05.89	01.09.89
FINLAND	16.11.89	20.12.90	01.04.91
FRANCE	26.11.87	09.01.89	01.05.89
GERMANY	26.11.87	21.02.90	01.06.90
GREECE	26.11.87		
HUNGARY			
ICELAND	26.11.87	19.06.90	01.10.90
IRELAND	14.03.88	14.03.88	01.02.89
ITALY	26.11.87	29.12.88	01.04.89
LIECHTENSTEIN	26.11.87		
LUXEMBOURG	26.11.87	06.09.88	01.02.89
MALTA	26.11.87	07.03.88	01.02.89
NETHERLANDS	26.11.87	12.10.88	01.02.89
NORWAY	26.11.87	21.04.89	01.08.89
PORTUGAL	26.11.87	29.03.90	01.07.90
SAN MARINO	16.11.89	31.01.90	01.05.90
SPAIN	26.11.87	02.05.89	01.09.89
SWEDEN	26.11.87	21.06.88	01.02.89
SWITZERLAND	26.11.87	07.10.88	01.02.89
TURKEY	11.01.88	26.02.88	01.02.89
UNITED KINGDOM	26.11.87	24.06.88	01.02.89

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

**APPENDIX 2**

**A. Members of the CPT listed in order of precedence**

<b>Name</b>	<b>Nationality</b>	<b>Term of office expires</b>
Mr Antonio CASSESE, President	Italian	19.9.1991*
Mr Bent SØRENSEN, 1st Vice-President	Danish	19.9.1993
Mr Jacques BERNHEIM, 2nd Vice-President	Swiss	19.9.1993
Mr Love KELLBERG	Swedish	19.9.1993
Mrs Lydie DUPUY	French	19.9.1993
Mr Stefan TERLEZKI	British	19.9.1993
Mr Rudolf MACHACEK	Austrian	19.9.1993
Ms Astrid HEIBERG	Norwegian	19.9.1993
Mr Ergun ÖZBUDUN	Turkish	19.9.1993
Mr Petros MICHAELIDES	Cypriot	19.9.1991*
Mr Michael MELLETT	Irish	19.9.1991*
Mrs Nadia GEVERS LEUVEN-LACHINSKY	Dutch	19.9.1993
Mr Claude NICOLAY	Luxemburger	19.9.1993
Mr José Maria MOHEDANO	Spanish	19.4.1994
Mr Günther KAISER	German	21.6.1994
Mr Manuel Antonio LOPES ROCHA	Portuguese	21.6.1994
Mr Tonio BORG	Maltese	21.6.1994

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\* Following the first elections held on 19 September 1989, the Secretary General, acting in accordance with Article 5, paragraph 3, of the Convention, chose by lot three members whose terms of office shall expire after two years. The three members chosen were Messrs Cassese, Mellett and Michaelides.

**B.**

**Secretariat of the CPT**

Mr Trevor STEVENS,	Committee Secretary
Mrs Geneviève MAYER-FABIAN,	Administrative Officer
Mrs Florence DURING,	Principal Administrative Assistant
Miss Mireille MONTI,	Secretary
Miss Deborah THOMAS,	Secretary

### APPENDIX 3

#### Places of detention visited by delegations of the CPT in 1990

#### A. AUSTRIA

##### Police establishments (other than police jails)

- Police post, Salzburg railway station
- Criminal Police Department, Salzburg
- 1st District (Innere Stadt) Police Station, Vienna
- 2nd District (Leopoldstadt) Police Station, Vienna
- 10th District (Favoriten) Police Station, Vienna
- 22nd District (Donaustadt) Police Station, Vienna
- Security Bureau (Sicherheitsbüro), Vienna

##### Prisons

- Salzburg Police Jail
- Vienna Court of First Instance Prison
- Vienna Police Jail

##### Other places

- Special transit centre, Schwechat airport

#### B. DENMARK

##### Police establishments

- Police Headquarters, Copenhagen
- Store Kongensgade Police Station, Copenhagen
- Copenhagen Airport Police Station, Kastrup

##### Prisons

- Herstedvester Institution, Albertslund
- Blegdamsvejen Prison, Copenhagen
- Police Headquarters Prison, Copenhagen
- The Western Prison (Vestre Faengsel), Copenhagen
- Nyborg State Prison
- Sandholm Institution, Birkerød

**C. MALTA**

**Police establishments**

- Police General Headquarters, Floriana
- District Police Headquarters, Sliema
- District Police Headquarters, Valletta

**Prisons**

- Corradino Prison, Paola

**Other places**

- Mount Carmel Hospital, Attard
- Military Detention Centre, Luqa Barracks, Luqa

**D. TURKEY**

**Police and gendarmerie establishments**

- Police Headquarters, Ankara
- Police Headquarters, Diyarbakir
- Interrogation Centre of the 1st Section of the Diyarbakir Police
- Central Interrogation Centre of the Departmental Command of the Diyarbakir Gendarmerie Regiment
- Ickale Gendarmerie Unit, Diyarbakir

**Prisons**

- Ankara Central Closed Prison
- Diyarbakir 1 Prison
- Malatya E-type Prison

**E. UNITED KINGDOM**

**Police establishments**

- Chapeltown Police Station, Leeds
- Millgarth Police Station, Leeds
- Brixton Police Station, London
- Hackney Police Station, London
- Paddington Green Police Station, London

**Prisons**

- Bullwood Hall Prison, Hockley, Essex
- Leeds Prison
- Brixton Prison, London
- Holloway Prison, London
- Wandsworth Prison, London