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

# **11th General Report on the CPT's activities**

**covering the period 1 January to 31 December 2000**

Strasbourg, 3 September 2001



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

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The CPT is required to draw up every year a general report on its activities, which is published. This 11th General Report, as well as previous general reports and other information about the work of the CPT, may be obtained from the Committee's Secretariat:

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## 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 CPT 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 mechanism of the European Court of Human Rights.

The CPT 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 in these States when they appear to the Committee "to be required in the circumstances".

When carrying out a visit, the CPT enjoys extensive powers under the Convention: access to the territory of the State concerned and the right to travel without restriction; unlimited access to any place where persons are deprived of their liberty, including the right to move inside such places without restriction; access to full information on places where persons 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 CPT's mandate thus extends beyond prisons and police stations to encompass, for example, psychiatric institutions, detention areas at military barracks, holding centres for asylum seekers or other categories of foreigners, and places in which young persons may be deprived of their liberty by judicial or administrative order.

Two fundamental principles govern relations between the CPT and 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 is developed with the State concerned. The Committee's visit report is, in principle, confidential; however, almost all States have chosen to waive the rule of confidentiality and publish the report.

## ACTIVITIES IN 2000

### Visits

1. The CPT organised 15 visits totalling some 160 days during 2000, an increase of 10 days as compared to 1999. A list of the countries and places of detention visited by CPT delegations in 2000 is set out in Appendix 4.

2. The CPT carried out 10 **periodic visits**: to Albania, Cyprus, France, Germany, Italy, Lithuania, Poland, the Russian Federation, the Slovak Republic and Ukraine. This was the first time that the CPT had visited Lithuania. The Russian Federation received its second periodic visit within two years, the CPT's delegation focusing its attention on the Siberian region.

Facilities for immigration detainees continued to figure prominently in visiting programmes. Further, for the first time in any country, the CPT delegation which visited Germany examined the situation in homes where elderly persons may be placed involuntarily.

3. Five **ad hoc visits** were organised, two to the North Caucasian region of the Russian Federation (in late February/early March and in April), two to Turkey (in July and December), and one to the Transnistrian region of the Republic of Moldova (in November).

4. The **ad hoc visits to the North Caucasian region** were triggered by the current conflict in the Chechen Republic, the aim being to examine the treatment of persons deprived of their liberty in that part of the Russian Federation. The preliminary observations made by the CPT's delegation at the end of the February/March 2000 visit were published on 3 April 2000, with the authorisation of the Russian authorities. In those observations, it was pointed out that the information gathered by the delegation strongly indicated that many persons had been physically ill-treated in a detention facility located at Chernokozovo (a village in the north-west of the Chechen Republic) during the period December 1999 to early February 2000. The Russian authorities were requested to carry out a thorough and independent inquiry into events at the detention facility during that period. However, the delegation also stressed that it was satisfied that, at the time of the visit, persons detained in the Chernokozovo facility were not being physically ill-treated.

In the light of all the information gathered during the visit, the delegation also recommended that members of the Russian military forces and law enforcement agencies involved in the operation in the North Caucasus be reminded that no circumstances whatsoever can justify the infliction of torture or inhuman or degrading treatment or punishment upon persons who are in the custody of State authorities.

To date, the Russian authorities have not authorised the publication of the preliminary observations made by the delegation which carried out the April 2000 visit, or of the report on the two ad hoc visits subsequently drawn up by the CPT<sup>1</sup>.

5. One of the main purposes of the **ad hoc visit to Turkey in July 2000** was to examine the steps being taken by the Turkish authorities to introduce smaller living units for prisoners and, more specifically, the F-type prison project. This is a controversial issue. The CPT made clear in the reports on its August 1996 and October 1997 visits to Turkey (which have already been published) that in principle it has no objections to the Turkish authorities' plans; large-capacity dormitories of the kind commonly found in Turkish prisons are for various reasons not a satisfactory means of accommodating inmates.

However, the CPT has also repeatedly emphasised that moves towards smaller living units must be accompanied by measures to ensure that prisoners spend a reasonable part of the day engaged in purposeful activities outside their living units. The introduction of smaller living units must under no circumstances be allowed to lead to a generalised system of small-group isolation. The ad hoc visit enabled the CPT to explore this matter in depth with the Turkish authorities.

In the course of the visit, the delegation also reviewed the treatment and physical conditions of detention of persons deprived of their liberty by the police, in particular in the Istanbul metropolitan area.

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1 The CPT carried out a further ad hoc visit to the North Caucasian region in March 2001, and on 10 July 2001 made a public statement concerning the Chechen Republic of the Russian Federation.



The preliminary observations made by the Committee's delegation at the end of the visit as well as the subsequent response of the Turkish authorities were published on 7 December 2000, with the authorisation of the Turkish authorities. The full report on the July 2000 ad hoc visit will be published shortly (cf paragraph 16).

6. Since October 2000, the F-type prison project has been at the centre of a coordinated hunger strike campaign, involving hundreds of prisoners in Turkey covered by the 1991 Law to Fight Terrorism. **On 6 December 2000, the Turkish Government invited the CPT to carry out a visit to Turkey**, in order to contribute to efforts underway aimed at finding a solution capable of bringing the hunger strikes to an end. That visit began on 10 December 2000 and was interrupted on 16 December 2000 (the visit subsequently continued from 10 to 15 January 2001).

The CPT's delegation held detailed discussions with the Turkish authorities directly responsible for issues concerning the hunger strikes, including the Minister of Justice. It also had consultations with persons involved in attempts to reach a mediated solution; they included members of the Human Rights Inquiry Commission of the Turkish Grand National Assembly and a group of well-known artists and intellectuals. Further, the delegation held talks at Istanbul Prison and Detention House (Bayrampaşa) with representatives of the principal group of prisoners taking part in the hunger strikes, and it spoke with prisoners who were on hunger strike.

On 13 and 14 December 2000, a mediatory team, led by a member of the Human Rights Inquiry Commission of the Turkish Grand National Assembly and including representatives of various non-governmental organisations, held intensive talks with representatives of the principal group of prisoners taking part in the hunger strikes. However, the talks were suspended during the night of 14 to 15 December 2000, without a solution having been found.

On 15 December 2000, the CPT's delegation had further contacts with the prisoner representatives and members of the mediatory team, but was not able at that juncture to identify a means of bringing the hunger strikes to an end. Consequently, the delegation decided to interrupt its visit.

On 19 December 2000, security forces intervened simultaneously in twenty prisons where hunger strikes were taking place. In the course of that operation, which ended on 22 December 2000, 32 persons died and a large number of persons were injured. More than 1000 prisoners were transferred to other establishments and, in particular, to three F-type prisons brought into service ahead of schedule. Notwithstanding the interventions, many of the prisoners concerned remained on hunger strike.

In the course of 2001, the CPT has continued to play an active role in relation to the above-mentioned events and the on-going hunger strike crisis.<sup>2</sup>

7. Following an invitation from the central authorities in Chişinău, at the end of November 2000, the CPT carried out an **ad hoc visit to the Transnistrian region of the Republic of Moldova**. The Transnistrian region unilaterally declared itself an independent republic in 1991; negotiations aimed at resolving this situation are still taking place.

The local authorities of the Transnistrian region cooperated fully with the CPT's delegation. In particular, the delegation was granted access to all places of deprivation of liberty which it wished to visit and to all persons deprived of their liberty which it wished to interview. The former Moldovan parliamentarian Ilie ILASCU was one of the many prisoners interviewed.

The CPT is very grateful to the Secretary General of the Council of Europe, the Council's Commissioner for Human Rights and the OSCE Mission to Moldova for the action they took to help pave the way for the Committee's visit.

8. The general trend of good **cooperation between CPT visiting delegations and State authorities**, at both national and local level, continued throughout 2000. However, as in previous years, there were isolated examples of poor cooperation in police establishments, such as delays in gaining access to the establishments concerned and/or to information which was necessary for the delegation to carry out its task and attempts to deter detained persons from talking with members of the delegation. In one police establishment, a law enforcement official threatened to arrest a delegation member; however, the matter was subsequently resolved amicably.

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2 cf. Council of Europe press releases No185a/f01 (of 16 March 2001) and No 295a/f01 (of 24 April 2001)

## Meetings

9. The CPT held three plenary sessions during 2000, in the course of which 14 reports (covering 15 visits) were adopted: on visits to Austria, Estonia, Greece, Hungary, Norway, the Russian Federation and the United Kingdom (Northern Ireland) in 1999, and to Cyprus, France, Italy, Lithuania, Poland, the Russian Federation (North Caucasian region) and Turkey in 2000. Once again, the expedited procedure for the adoption of visit reports proved its worth.

10. At its 42nd meeting (July 2000), the CPT established a working group entrusted with carrying out a comprehensive review of all aspects of the Committee's working methods.

In this connection, there is a generally-held view within the Committee that it must seek to give a sharper focus to many of its visits and make them more targeted. At the same time, the heavy and time-consuming reporting procedure must be rationalised. The CPT must also enhance its capacity to react rapidly to events as they happen and, in particular, to ensure a presence on the spot when emergency situations arise; for many, this is the litmus test as regards the Committee's credibility.

11. At its 43rd meeting (November 2000), the CPT established another working group entrusted with monitoring the evolution of the Committee's jurisprudence. This working group will seek out possible inconsistencies in the CPT's jurisprudence on specific matters and identify areas in which there is room for development of the jurisprudence.

12. The practice of organising information seminars in States which are relatively new Parties to the Convention has continued. Such a seminar took place in Vilnius, Lithuania, on 17 and 18 January 2000.

13. The CPT has also pursued the practice of direct, high-level discussions between State authorities and representatives of the Committee. Discussions of this kind were organised in Athens on 20 November 2000, in order to examine in detail the authorities' responses to various issues raised in the reports on the CPT's visits to Greece in 1997 and 1999.

14. CPT representatives have continued to participate in many meetings organised by intergovernmental and non governmental organisations, in order to speak about particular aspects of the Committee's work. The CPT was also honoured that its President was invited to attend the European Ministerial Conference on Human Rights held in Rome on 3 and 4 November 2000.

Reference should also be made to the President's hearing before the Committee on Legal Affairs and Human Rights of the Parliamentary Assembly on 13 June 2000. There was a most useful discussion on possible synergy between the CPT's activities and the action of the Parliamentary Assembly. One idea invoked was to have the Parliamentary Assembly debate the CPT's work on a regular basis. This could certainly help to raise public awareness about the Committee's activities and thereby increase their impact.

## Publications

15. In the course of 2000, eight CPT reports were published by the Committee, at the request of the governments concerned: on visits to Andorra (in 1998), Moldova (in 1998), the Netherlands (in 1999), Norway (in 1999), Spain (in January 1997 and in 1998), Turkey (in 1999), and the United Kingdom (in 1997). Many interim and follow-up responses of governments were also published during the year.

16. At the time of writing, 74 of the 111 visit reports drawn up to date by the CPT have been published. Many of the remaining 37 visit reports have only recently been forwarded to governments and will in all likelihood be published in due course. A State-by-State table showing the situation as regards the publication of CPT visit reports is set out in Appendix 2

It is particularly noteworthy that the Turkish authorities have recently authorised the publication of all CPT visit reports concerning Turkey which have not yet been placed in the public domain, together with their responses.

## Cooperation with the International Criminal Tribunal for the former Yugoslavia (ICTY)

17. In the course of 1999, the ICTY asked whether the CPT would consider accepting the task of monitoring, in certain States, the treatment of persons serving sentences imposed by the Tribunal. The CPT was honoured that the Tribunal sought its assistance and, having regard to the great importance of the Tribunal's work, decided to respond favourably to its request. An exchange of letters between the Tribunal and the CPT regulating this matter was finalised in November 2000. The exchange of letters is reproduced in Appendix 5.

## ORGANISATIONAL ISSUES

### The Convention and its Protocols

18. The Convention (and its two Protocols) were ratified by the Republic of Georgia on 20 June 2000. Consequently, at that time the CPT's field of operations once again encompassed all member States of the Council of Europe.<sup>3</sup> Subsequently, in January 2001, Armenia and Azerbaijan became members of the Organisation; they gave a commitment to ratify the Convention within a one-year delay.

19. Following ratifications of Protocols Nos. 1 and 2<sup>4</sup> by Georgia on 20 June 2000, by Andorra on 13 July 2000 and by Croatia on 4 November 2000, only one more ratification (by Ukraine) is required for the entry into force of these instruments.<sup>5</sup>

The Parliamentary Assembly of the Council of Europe recently expressed regret that neither of the Protocols had yet entered into force.<sup>6</sup> The CPT fully shares that sense of frustration. This delay is particularly serious as regards Protocol No. 1: it means that States such as Bosnia and Herzegovina (which is bound under its Constitution to ratify the Convention) and the Federal Republic of Yugoslavia (whose Government has decided to accede to the Convention) are prevented from cooperating with the CPT; it also means that the possibility to invite a State such as Belarus to accede to the Convention is blocked. The CPT very much hopes that the one remaining ratification which is needed for the entry into force of both Protocols will soon be obtained.

3 The state of signatures and ratifications of the Convention is set out in Appendix 1 A; the CPT's field of operations is illustrated in Appendix 1 B.

4 Protocol N<sup>o</sup>. 1 "opens" the Convention by providing that the Committee of Ministers may invite any non-member State of the Council of Europe 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.

5 See Appendix 1 C for the state of signatures and ratifications of Protocols Nos. 1 and 2.

6 See Assembly Resolution 1248 (2001), adopted on 23 May 2001.

### CPT membership

20. Eight new CPT members took up office in 2000: Mr Antoni ALEIX CAMP (in respect of Andorra), Ms Ioanna BABASSIKA (Greece), Mr Mario FELICE (Malta), Mr Eugenijus GEFENAS (Lithuania), Mr Pétur HAUKSSON (Iceland), Ms Anhelita KAMENSKA (Latvia), Mr Marc NÈVE (Belgium) and Mr Mauro PALMA (Italy). Further, Mr Zdenek HÁJEK was re-elected (in respect of the Czech Republic).

Moreover, since the beginning of 2001, Mr Erik SVANIDZE has been elected (in respect of Georgia) and Ms Emilia DRUMEVA and Mr Pierre SCHMIT have been re-elected (in respect of Bulgaria and Luxembourg).

At the time of publication of this report, the CPT has 37 members.<sup>7</sup> The seats in respect of Hungary, Liechtenstein, Spain and Sweden are currently vacant.

21. During its meeting in March 2000, the CPT elected a new Bureau for a period of two years. The Committee elected Ms Silvia CASALE (a British criminologist) as President, renewed the post of Ms Ingrid LYCKE ELLINGSEN (a Norwegian psychiatrist) as First Vice-President, and elected Mr Volodymyr YEVINTOV (a Ukrainian lawyer) as Second Vice President.

22. In the course of 2000 and to date in 2001, the following members of the CPT have left the Committee, either on the expiry of their term of office or following their resignation: Mr Jon BJARMAN (elected in respect of Iceland), Ms Christina DOCTARE (Sweden), Mr Lambert KELCHTERMANS (Belgium), Mr Miklos MAGYAR (Hungary), Mr Arnold OEHRYS (Liechtenstein), Ms Maria SCIBERRAS (Malta) and Mr Leopoldo TORRES BOURSALT (Spain). The CPT wishes to place on record its gratitude for their contributions to the Committee's work.

7 See Appendix 2 A for the full list of CPT members. Abridged curricula vitae of the members can be obtained from the CPT's Secretariat and are posted on its website (<http://www.cpt.coe.int>).

23. In its 10th General Report, the CPT stressed that the number of members with a medical background was no longer on a par with that of lawyers in the Committee. The CPT expressed the hope that it would be possible, in particular, to increase the number of forensic doctors. The Committee also indicated that it would be desirable to have more members with relevant experience of police work. Those considerations are still valid today. Further, the proportion of women among the CPT's membership remains rather low (10 out of 37).

In this connection, the Committee welcomes the additional measures recently adopted by the Parliamentary Assembly, with a view to ensuring that the lists of candidates for membership which are forwarded to the Committee of Ministers are in conformity with the needs of the CPT.<sup>8</sup>

## **Administrative and financial questions**

24. The Parliamentary Assembly recently recommended that the Committee of Ministers increase the CPT's human and budgetary resources so that the Committee may adequately perform the duties required of it.<sup>9</sup> The CPT greatly welcomes this initiative on the part of the Assembly. As the CPT has made clear in previous General Reports, the Committee's effectiveness has been undermined by the fact that the vast expansion of its field of operations has not been matched by a corresponding increase in the Committee's resources.

At the same time, it should be noted that considerable progress has been made of late towards strengthening the CPT's resources; the Committee is particularly grateful to the Secretary General for his support in this regard. The number of visit days and the Secretariat resources are now getting quite close to the necessary levels identified some five years ago by the Committee. The CPT remains hopeful that this process of reinforcement will be completed by 2003; resources for an extra 35 visit days per year (to reach the figure of 200) and an additional three staff members are required.

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8 See Assembly Resolution 1248 (2001), adopted on 23 May 2001.

9 See Assembly Recommendation 1517 (2001), adopted on 23 May 2001.



## SOME RECENT DEVELOPMENTS CONCERNING CPT STANDARDS IN RESPECT OF IMPRISONMENT

25. Almost a decade has elapsed since the CPT described, in its 2<sup>nd</sup> General Report<sup>10</sup>, some of the main issues pursued by the Committee when visiting prison establishments. In the meantime, the Committee has carried out more than 100 visits and the number of Parties to the Convention has practically doubled. Naturally, the CPT's standards in respect of imprisonment have gradually evolved, in the light of the new situations encountered and the experience gathered.

The CPT intends, progressively, to draw up updated descriptions of its standards in all areas falling within its mandate. For the time being, the CPT would like, in this section of its 11<sup>th</sup> General Report, to highlight a miscellany of issues in the area of prison matters which are of particular current concern to the Committee and, no doubt, to those responsible for prison administration and to other interested circles throughout Europe.

### Staff-prisoner relations

26. The cornerstone of a humane prison system will always be properly recruited and trained prison staff who know how to adopt the appropriate attitude in their relations with prisoners and see their work more as a vocation than as a mere job. Building positive relations with prisoners should be recognised as a key feature of that vocation.

Regrettably, the CPT often finds that relations between staff and prisoners are of a formal and distant nature, with staff adopting a regimented attitude towards prisoners and regarding verbal communication with them as a marginal aspect of their work. The following practices frequently witnessed by the CPT are symptomatic of such an approach: obliging prisoners to stand facing a wall whilst waiting for prison staff to attend to them or for visitors to pass by; requiring prisoners to bow their heads and keep their hands clasped behind their back when moving within the establishment; custodial staff carrying their truncheons in a visible and even provocative manner. Such practices are unnecessary from a security standpoint and will do nothing to promote positive relations between staff and prisoners.

The real professionalism of prison staff requires that they should be able to deal with prisoners in a decent and humane manner while paying attention to matters of security and good order. In this regard prison management should encourage staff to have a reasonable sense of trust and expectation that prisoners are willing to behave themselves properly. The development of constructive and positive relations between prison staff and prisoners will not only reduce the risk of ill-treatment but also enhance control and security. In turn, it will render the work of prison staff far more rewarding.

Ensuring positive staff-inmate relations will also depend greatly on having an adequate number of staff present at any given time in detention areas and in facilities used by prisoners for activities. CPT delegations often find that this is not the case. An overall low staff complement and/or specific staff attendance systems which diminish the possibilities of direct contact with prisoners, will certainly impede the development of positive relations; more generally, they will generate an insecure environment for both staff and prisoners.

It should also be noted that, where staff complements are inadequate, significant amounts of overtime can prove necessary in order to maintain a basic level of security and regime delivery in the establishment. This state of affairs can easily result in high levels of stress in staff and their premature burnout, a situation which is likely to exacerbate the tension inherent in any prison environment.

### Inter-prisoner violence

27. The duty of care which is owed by custodial staff to those in their charge includes the responsibility to protect them from other inmates who wish to cause them harm. In fact, violent incidents among prisoners are a regular occurrence in all prison systems; they involve a wide range of phenomena, from subtle forms of harassment to unconcealed intimidation and serious physical attacks.

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10 CPT/Inf (92) 3, paragraphs 44-57

Tackling the phenomenon of inter-prisoner violence requires that prison staff be placed in a position, including in terms of staffing levels, to exercise their authority and their supervisory tasks in an appropriate manner. Prison staff must be alert to signs of trouble and be both resolved and properly trained to intervene when necessary. The existence of positive relations between staff and prisoners, based on the notions of secure custody and care, is a decisive factor in this context; this will depend in large measure on staff possessing appropriate interpersonal communication skills. Further, management must be prepared fully to support staff in the exercise of their authority. Specific security measures adapted to the particular characteristics of the situation encountered (including effective search procedures) may well be required; however, such measures can never be more than an adjunct to the above-mentioned basic imperatives. In addition, the prison system needs to address the issue of the appropriate classification and distribution of prisoners.

Prisoners suspected or convicted of sexual offences are at a particularly high risk of being assaulted by other prisoners. Preventing such acts will always pose a difficult challenge. The solution that is often adopted is to separate such prisoners from the rest of the prison population. However, the prisoners concerned may pay a heavy price for their – relative – security, in terms of much more limited activities programmes than those available under the normal prison regime. Another approach is to disperse prisoners suspected or convicted of sexual offences throughout the prison concerned. If such an approach is to succeed, the necessary environment for the proper integration of such prisoners into ordinary cell blocks must be guaranteed; in particular, the prison staff must be sincerely committed to dealing firmly with any signs of hostility or persecution. A third approach can consist of transferring prisoners to another establishment, accompanied by measures aimed at concealing the nature of their offence. Each of these policies has its advantages and disadvantages, and the CPT does not seek to promote a given approach as opposed to another. Indeed, the decision on which policy to apply will mainly depend on the particular circumstances of each case.

## Prison overcrowding

28. The phenomenon of prison overcrowding continues to blight penitentiary systems across Europe and seriously undermines attempts to improve conditions of detention. The negative effects of prison overcrowding have already been highlighted in previous General Reports.<sup>11</sup> As the CPT's field of operations has extended throughout the European continent, the Committee has encountered huge incarceration rates and resultant severe prison overcrowding. The fact that a State locks up so many of its citizens cannot be convincingly explained away by a high crime rate; the general outlook of members of the law enforcement agencies and the judiciary must, in part, be responsible.

In such circumstances, throwing increasing amounts of money at the prison estate will not offer a solution. Instead, current law and practice in relation to custody pending trial and sentencing as well as the range of non-custodial sentences available need to be reviewed. This is precisely the approach advocated in Committee of Ministers Recommendation N° R (99) 22 on prison overcrowding and prison population inflation. The CPT very much hopes that the principles set out in that important text will indeed be applied by member States; the implementation of this Recommendation deserves to be closely monitored by the Council of Europe.

## Large capacity dormitories

29. In a number of countries visited by the CPT, particularly in central and eastern Europe, inmate accommodation often consists of large capacity dormitories which contain all or most of the facilities used by prisoners on a daily basis, such as sleeping and living areas as well as sanitary facilities. The CPT has objections to the very principle of such accommodation arrangements in closed prisons and those objections are reinforced when, as is frequently the case, the dormitories in question are found to hold prisoners under extremely cramped and insalubrious conditions. No doubt, various factors - including those of a cultural nature - can make it preferable in certain countries to provide multi-occupancy accommodation for prisoners rather than individual cells. However, there is little to be said in favour of - and a lot to be said against - arrangements under which tens of prisoners live and sleep together in the same dormitory.

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11 2nd General Report - CPT/Inf (92) 3, paragraph 4, and 7th General Report - CPT/Inf (97) 10, paragraphs 12-15.

Large-capacity dormitories inevitably imply a lack of privacy for prisoners in their everyday lives. Moreover, the risk of intimidation and violence is high. Such accommodation arrangements are prone to foster the development of offender subcultures and to facilitate the maintenance of the cohesion of criminal organisations. They can also render proper staff control extremely difficult, if not impossible; more specifically, in case of prison disturbances, outside interventions involving the use of considerable force are difficult to avoid. With such accommodation, the appropriate allocation of individual prisoners, based on a case by case risk and needs assessment, also becomes an almost impossible exercise. All these problems are exacerbated when the numbers held go beyond a reasonable occupancy level; further, in such a situation the excessive burden on communal facilities such as washbasins or lavatories and the insufficient ventilation for so many persons will often lead to deplorable conditions.

The CPT must nevertheless stress that moves away from large-capacity dormitories towards smaller living units have to be accompanied by measures to ensure that prisoners spend a reasonable part of the day engaged in purposeful activities of a varied nature outside their living unit.

## Access to natural light and fresh air

30. The CPT frequently encounters devices, such as metal shutters, slats, or plates fitted to cell windows, which deprive prisoners of access to natural light and prevent fresh air from entering the accommodation. They are a particularly common feature of establishments holding pre-trial prisoners. The CPT fully accepts that specific security measures designed to prevent the risk of collusion and/or criminal activities may well be required in respect of certain prisoners. However, the imposition of measures of this kind should be the exception rather than the rule. This implies that the relevant authorities must examine the case of each prisoner in order to ascertain whether specific security measures are really justified in his/her case. Further, even when such measures are required, they should never involve depriving the prisoners concerned of natural light and fresh air. The latter are basic elements of life which every prisoner is entitled to enjoy; moreover, the absence of these elements generates conditions favourable to the spread of diseases and in particular tuberculosis.

The CPT recognises that the delivery of decent living conditions in penitentiary establishments can be very costly and improvements are hampered in many countries by lack of funds. However, removing devices blocking the windows of prisoner accommodation (and fitting, in those exceptional cases where this is necessary, alternative security devices of an appropriate design) should not involve considerable investment and, at the same time, would be of great benefit for all concerned.

## Transmissible diseases

31. The spread of transmissible diseases and, in particular, of tuberculosis, hepatitis and HIV/AIDS has become a major public health concern in a number of European countries. Although affecting the population at large, these diseases have emerged as a dramatic problem in certain prison systems. In this connection the CPT has, on a number of occasions, been obliged to express serious concerns about the inadequacy of the measures taken to tackle this problem. Further, material conditions under which prisoners are held have often been found to be such that they can only favour the spread of these diseases.

The CPT is aware that in periods of economic difficulties - such as those encountered today in many countries visited by the CPT - sacrifices have to be made, including in penitentiary establishments. However, regardless of the difficulties faced at any given time, the act of depriving a person of his liberty always entails a duty of care which calls for effective methods of prevention, screening, and treatment. Compliance with this duty by public authorities is all the more important when it is a question of care required to treat life-threatening diseases.

The use of up-to date methods for screening, the regular supply of medication and related materials, the availability of staff ensuring that prisoners take the prescribed medicines in the right doses and at the right intervals, and the provision when appropriate of special diets, constitute essential elements of an effective strategy to combat the above-mentioned diseases and to provide appropriate care to the prisoners concerned. Similarly, material conditions in accommodation for prisoners with transmissible diseases must be conducive to the improvement of their health; in addition to natural light and good ventilation, there must be satisfactory hygiene as well as an absence of overcrowding.



Further, the prisoners concerned should not be segregated from the rest of the prison population unless this is strictly necessary on medical or other grounds. In this connection, the CPT wishes to stress in particular that there is no medical justification for the segregation of prisoners solely on the grounds that they are HIV-positive.

In order to dispel misconceptions on these matters, it is incumbent on national authorities to ensure that there is a full educational programme about transmissible diseases for both prisoners and prison staff. Such a programme should address methods of transmission and means of protection as well as the application of adequate preventive measures. More particularly, the risks of HIV or hepatitis B/C infection through sexual contacts and intravenous drug use should be highlighted and the role of body fluids as the carriers of HIV and hepatitis viruses explained.

It must also be stressed that appropriate information and counselling should be provided before and - in the case of a positive result - after any screening test. Further, it is axiomatic that patient-related information should be protected by medical confidentiality. As a matter of principle, any interventions in this area should be based on the informed consent of the persons concerned.

Moreover, for control of the above-mentioned diseases to be effective, all the ministries and agencies working in this field in a given country must ensure that they co-ordinate their efforts in the best possible way. In this respect the CPT wishes to stress that the continuation of treatment after release from prison must be guaranteed.

## High security units

32. In every country there will be a certain number of prisoners considered to present a particularly high security risk and hence to require special conditions of detention. The perceived high security risk of such prisoners may result from the nature of the offences they have committed, the manner in which they react to the constraints of life in prison, or their psychological/psychiatric profile. This group of prisoners will (or at least should, if the classification system is operating satisfactorily) represent a very small proportion of the overall prison population. However, it is a group that is of particular concern to the CPT, as the need to take exceptional measures vis-à-vis such prisoners brings with it a greater risk of inhuman treatment.

Prisoners who present a particularly high security risk should, within the confines of their detention units, enjoy a relatively relaxed regime by way of compensation for their severe custodial situation. In particular, they should be able to meet their fellow prisoners in the unit and be granted a good deal of choice about activities. Special efforts should be made to develop a good internal atmosphere within high-security units. The aim should be to build positive relations between staff and prisoners. This is in the interests not only of the humane treatment of the unit's occupants but also of the maintenance of effective control and security and of staff safety.

The existence of a satisfactory programme of activities is just as important - if not more so - in a high security unit than on normal location. It can do much to counter the deleterious effects upon a prisoner's personality of living in the bubble-like atmosphere of such a unit. The activities provided should be as diverse as possible (education, sport, work of vocational value, etc.). As regards, in particular, work activities, it is clear that security considerations may preclude many types of work which are found on normal prison location. Nevertheless, this should not mean that only work of a tedious nature is provided for prisoners.

It is axiomatic that prisoners should not be subject to a special security regime any longer than the risk they present makes necessary. This calls for regular reviews of placement decisions. Such reviews should always be based on the continuous assessment of the individual prisoner by staff specially trained to carry out such assessment. Moreover, prisoners should as far as possible be kept fully informed of the reasons for their placement and, if necessary, its renewal; this will inter alia enable them to make effective use of avenues for challenging that measure.

## Life-sentenced and other long-term prisoners

33. In many European countries the number of life-sentenced and other long-term prisoners is on the increase. During some of its visits, the CPT has found that the situation of such prisoners left much to be desired in terms of material conditions, activities and possibilities for human contact. Further, many such prisoners were subject to special restrictions likely to exacerbate the deleterious effects inherent in long-term imprisonment; examples of such restrictions are permanent separation from the rest of the prison population, handcuffing whenever the prisoner is taken out of his cell, prohibition of communication with other prisoners, and limited visit entitlements. The CPT can see no justification for indiscriminately applying restrictions to all prisoners subject to a specific type of sentence, without giving due consideration to the individual risk they may (or may not) present.

Long-term imprisonment can have a number of desocialising effects upon inmates. In addition to becoming institutionalised, long-term prisoners may experience a range of psychological problems (including loss of self-esteem and impairment of social skills) and have a tendency to become increasingly detached from society; to which almost all of them will eventually return. In the view of the CPT, the regimes which are offered to prisoners serving long sentences should seek to compensate for these effects in a positive and proactive way.

The prisoners concerned should have access to a wide range of purposeful activities of a varied nature (work, preferably with vocational value; education; sport; recreation/association). Moreover, they should be able to exercise a degree of choice over the manner in which their time is spent, thus fostering a sense of autonomy and personal responsibility. Additional steps should be taken to lend meaning to their period of imprisonment; in particular, the provision of individualised custody plans and appropriate psycho-social support are important elements in assisting such prisoners to come to terms with their period of incarceration and, when the time comes, to prepare for release. Further, the negative effects of institutionalisation upon prisoners serving long sentences will be less pronounced, and they will be better equipped for release, if they are able effectively to maintain contact with the outside world.

## APPENDIX 1

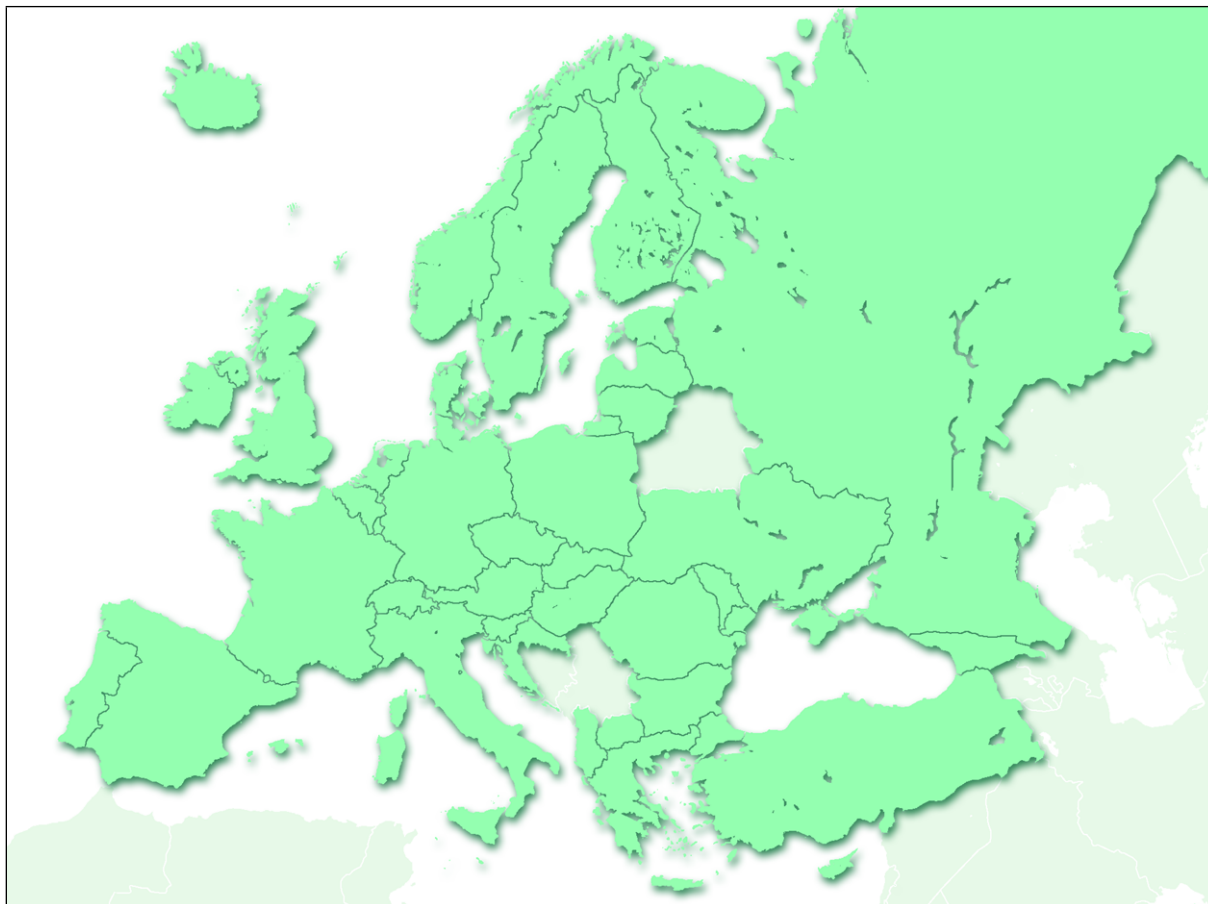
**A. Signatures and ratifications of the  
European Convention for the Prevention of Torture  
and Inhuman or Degrading Treatment or Punishment  
(as at 1 September 2001) \***

Member States	Date of signature	Date of ratification	Date of entry into force
Albania	02.10.96	02.10.96	01.02.97
Andorra	10.09.96	06.01.97	01.05.97
Armenia	11.05.01		
Austria	26.11.87	06.01.89	01.05.89
Azerbaijan			
Belgium	26.11.87	23.07.91	01.11.91
Bulgaria	30.09.93	03.05.94	01.09.94
Croatia	06.11.96	11.10.97	01.02.98
Cyprus	26.11.87	03.04.89	01.08.89
Czech Republic	23.12.92	07.09.95	01.01.96
Denmark	26.11.87	02.05.89	01.09.89
Estonia	28.06.96	06.11.96	01.03.97
Finland	16.11.89	20.12.90	01.04.91
France	26.11.87	09.01.89	01.05.89
Georgia	16.02.00	20.06.00	01.10.00
Germany	26.11.87	21.02.90	01.06.90
Greece	26.11.87	02.08.91	01.12.91
Hungary	09.02.93	04.11.93	01.03.94
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
Latvia	11.09.97	10.02.98	01.06.98
Liechtenstein	26.11.87	12.09.91	01.01.92
Lithuania	14.09.95	26.11.98	01.03.99
Luxembourg	26.11.87	06.09.88	01.02.89
Malta	26.11.87	07.03.88	01.02.89
Moldova	02.05.96	02.10.97	01.02.98
Netherlands	26.11.87	12.10.88	01.02.89
Norway	26.11.87	21.04.89	01.08.89
Poland	11.07.94	10.10.94	01.02.95
Portugal	26.11.87	29.03.90	01.07.90
Romania	04.11.93	04.10.94	01.02.95
Russian Federation	28.02.96	05.05.98	01.09.98
San Marino	16.11.89	31.01.90	01.05.90
Slovakia	23.12.92	11.05.94	01.09.94
Slovenia	04.11.93	02.02.94	01.06.94
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
"the former Yugoslav Republic of Macedonia"	14.06.96	06.06.97	01.10.97
Turkey	11.01.88	26.02.88	01.02.89
Ukraine	02.05.96	05.05.97	01.09.97
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.

## B. The CPT's field of operations

Situation as at 1 September 2001



Note: This is an unofficial representation of States bound by the Convention.  
For technical reasons it has not been possible to show the entire territory of certain of the States concerned.

States bound by the Convention		Prison population *
<b>41 States</b>		<b>1 856 449 prisoners</b>
<ul style="list-style-type: none"> <li>- Albania</li> <li>- Andorra</li> <li>- Austria</li> <li>- Belgium</li> <li>- Bulgaria</li> <li>- Croatia</li> <li>- Cyprus</li> <li>- Czech Republic</li> <li>- Denmark</li> <li>- Estonia</li> <li>- Finland</li> <li>- France</li> <li>- Georgia</li> <li>- Germany</li> <li>- Greece</li> <li>- Hungary</li> <li>- Iceland</li> <li>- Ireland</li> <li>- Italy</li> <li>- Latvia</li> <li>- Liechtenstein</li> </ul>	<ul style="list-style-type: none"> <li>- Lithuania</li> <li>- Luxembourg</li> <li>- Malta</li> <li>- Moldova</li> <li>- Netherlands</li> <li>- Norway</li> <li>- Poland</li> <li>- Portugal</li> <li>- Romania</li> <li>- Russian Federation</li> <li>- San Marino</li> <li>- Slovakia</li> <li>- Slovenia</li> <li>- Spain</li> <li>- Sweden</li> <li>- Switzerland</li> <li>- "the former Yugoslav Republic of Macedonia"</li> <li>- Turkey</li> <li>- Ukraine</li> <li>- United Kingdom</li> </ul>	<p>(Main source: Council of Europe Annual Penal Statistics (SPACE 1999.1); data for most States as at 1 September 1999.)</p> <p>* It should be noted that the CPT's mandate covers also all other categories of places where persons are deprived of their liberty by a public authority:</p> <ul style="list-style-type: none"> <li>- police establishments,</li> <li>- detention centres for juveniles,</li> <li>- military detention facilities,</li> <li>- holding centres for aliens,</li> <li>- psychiatric hospitals</li> <li>- homes for the elderly</li> </ul> <p>etc.</p>

**C. Signatures and ratifications of Protocols Nos. 1 and 2  
to the European Convention for the Prevention of Torture  
and Inhuman or Degrading Treatment or Punishment  
(as at 1 September 2001)**

Member States	Protocol No. 1			Protocol No. 2		
	Date of signature	Date of ratification	Date of entry into force	Date of signature	Date of ratification	Date of entry into force
Albania	02.10.96	02.10.96		02.10.96	02.10.96	
Andorra	04.11.99	13.07.00		04.11.99	13.07.00	
Armenia						
Austria	04.11.93	30.04.96		04.11.93	30.04.96	
Azerbaijan						
Belgium	04.11.93	12.09.96		04.11.93	12.09.96	
Bulgaria	04.03.97	27.10.97		04.03.97	27.10.97	
Croatia	10.05.00	04.11.00		10.05.00	04.11.00	
Cyprus	02.02.94	10.09.97		02.02.94	10.09.97	
Czech Republic	28.04.95	07.09.95		28.04.95	07.09.95	
Denmark	04.11.93	26.04.94		04.11.93	26.04.94	
Estonia	28.06.96	06.11.96		28.06.96	06.11.96	
Finland	04.11.93 *	04.11.93 *		04.11.93 *	04.11.93 *	
France	04.11.93	19.08.98		04.11.93	14.08.96	
Georgia	16.02.00	20.06.00		16.02.00	20.06.00	
Germany	04.11.93	13.12.96		04.11.93	13.12.96	
Greece	04.11.93	29.06.94		04.11.93	29.06.94	
Hungary	04.11.93 *	04.11.93 *		04.11.93 *	04.11.93 *	
Iceland	08.09.94	29.06.95		08.09.94	29.06.95	
Ireland	10.04.96 *	10.04.96 *		10.04.96 *	10.04.96 *	
Italy	30.10.96	08.03.99		30.10.96	08.03.99	
Latvia	11.09.97	10.02.98		11.09.97	10.02.98	
Liechtenstein	04.11.93	05.05.95		04.11.93	05.05.95	
Lithuania	14.09.95	26.11.98		14.09.95	26.11.98	
Luxembourg	04.11.93	20.07.95		04.11.93	20.07.95	
Malta	04.11.93 *	04.11.93 *		04.11.93 *	04.11.93 *	
Moldova	02.10.97	02.10.97		02.10.97	02.10.97	
Netherlands	05.05.94	23.02.95		05.05.94	23.02.95	
Norway	04.11.93 *	04.11.93 *		04.11.93 *	04.11.93 *	
Poland	11.01.95	24.03.95		11.01.95	24.03.95	
Portugal	03.06.94	20.03.98		03.06.94	03.02.00	
Romania	04.11.93	04.10.94		04.11.93	04.10.94	
Russian Federation	28.02.96	05.05.98		28.02.96	05.05.98	
San Marino	04.11.93	05.12.96		04.11.93	05.12.96	
Slovakia	07.03.94	11.05.94		07.03.94	11.05.94	
Slovenia	31.03.94	16.02.95		31.03.94	16.02.95	
Spain	21.02.95	08.06.95		21.02.95	08.06.95	
Sweden	07.03.94 *	07.03.94 *		07.03.94 *	07.03.94 *	
Switzerland	09.03.94 *	09.03.94 *		09.03.94 *	09.03.94 *	
"the former Yugoslav Republic of Macedonia"	14.06.96	06.06.97		14.06.96	06.06.97	
Turkey	10.05.95	17.09.97		10.05.95	17.09.97	
Ukraine	26.01.98	**		26.01.98	**	
United Kingdom	09.12.93	11.04.96		09.12.93	11.04.96	

\* Signature without reservation as to ratification.

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

## APPENDIX 2

**State-by-State table showing the number of visits by the CPT,  
visit reports sent to Governments and reports published  
(as at 1 September 2001)**

Member States	Number of visits	Number of reports submitted	Number of reports published
Albania	3	3	0
Andorra	1	1	1
Austria	3	3	3
Belgium	2	2	2
Bulgaria	2	2	1
Croatia	1	1	1
Cyprus	3	3	2
Czech Republic	1	1	1
Denmark	2	2	2
Estonia	2	2	0
Finland	2	2	2
France	5	5	5
Georgia	1	0	0
Germany	4	4	3
Greece	4	4	1 <sup>(c)</sup>
Hungary	2	2	2
Iceland	2	2	2
Ireland	2	2	2
Italy	4	4	2
Latvia	1	1	0
Liechtenstein	2	2	1
Lithuania	1	1	0
Luxembourg	2	2	2
Malta	3	2	2
Moldova	3	2	1
Netherlands	5	5	5
Norway	3	3	3
Poland	2	2	1
Portugal	4	4	4
Romania	2	2	1
Russian Federation	6	4 <sup>(a)</sup>	0
San Marino	2	2	1
Slovakia	2	2	1
Slovenia	1	1	1
Spain	7	6	6
Sweden	3	3	3
Switzerland	3	3	2
"the former Yugoslav Republic of Macedonia"	1	1	0 <sup>(d)</sup>
Turkey	11	10 <sup>(b)</sup>	3 <sup>(e)</sup>
Ukraine	3	3	0
United Kingdom	6	6	5

(a) covering five visits

(b) covering the eleven visits

(c) The Greek authorities have authorised the publication of all the visit reports which are not yet in the public domain, together with their responses. These documents will be published shortly.

(d) The authorities of "the former Yugoslav Republic of Macedonia" have authorised the publication of the visit report and of their response. The report will be published shortly.

(e) The Turkish authorities have authorised the publication of all the visit reports which are not yet in the public domain, together with their responses. These documents will be published shortly.

## APPENDIX 3

**A. Members of the CPT**  
(listed in order of precedence - as at 1 September 2001) \*

Name		Term of office expires
Ms Silvia CASALE, President	British	18.12.2001
Ms Ingrid LYCKE ELLINGSEN, 1st Vice-President	Norwegian	20.09.2001
Mr Volodymyr YEVINTOV, 2nd Vice-President	Ukrainian	08.09.2002
Mr Safa REISOĞLU	Turkish	20.09.2001
Mr Ivan ZAKINE	French	20.09.2001
Ms Gisela PERREN-KLINGLER	Swiss	20.09.2001
Mr John OLDEN	Irish	21.03.2003
Mr Florin STĂNESCU	Romanian	21.03.2003
Mr Mario BENEDETTINI	San Marinese	21.03.2003
Ms Jagoda POLONCOVÁ	Slovakian	21.06.2003
Mr Adam ŁAPTAŚ	Polish	30.11.2003
Mr Zdeněk HÁJEK	Czech	12.09.2004
Ms Emilia DRUMEVA	Bulgarian	07.06.2005
Mr Pieter Reinhard STOFFELEN	Dutch	20.09.2001
Mr Ole Vedel RASMUSSEN	Danish	20.09.2001
Ms Renate KICKER	Austrian	20.09.2001
Mr Pierre SCHMIT	Luxemburger	20.09.2005
Mr Andres LEHTMETS	Estonian	18.12.2001
Mr Davor STRINOVIĆ	Croatian	04.06.2002
Mr Aurel KISTRUGA	Moldovan	04.06.2002
Mr Rudolf SCHMUCK	German	08.09.2002
Mr Aleš BUTALA	Slovenian	09.11.2002
Mr Yuri KUDRYAVTSEV	Russian	12.01.2003
Ms Veronica PIMENOFF	Finnish	28.07.2003
Ms Maria Teresa BELEZA	Portuguese	28.07.2003
Mr Fatmir BRAKA	Albanian	28.07.2003
Mr Nikola MATOVSKI	citizen of "the former Yugoslav Republic of Macedonia"	16.11.2003
Mr Petros MICHAELIDES	Cypriot	30.11.2003
Mr Marc NÈVE	Belgian	08.01.2004
Mr Eugenijus GEFENAS	Lithuanian	16.02.2004
Mr Antoni ALEIX CAMP	Andorran	30.03.2004
Mr Mario FELICE	Maltese	25.04.2004
Mr Pétur HAUSSON	Icelandic	18.07.2004
Ms Ioanna BABASSIKA	Greek	12.09.2004
Mr Mauro PALMA	Italian	19.12.2004
Ms Anhelita KAMENSKA	Latvian	19.12.2004
Mr Erik SVANIDZE	Georgian	17.07.2005

\* At this date, the seats in respect of Hungary, Liechtenstein, Spain and Sweden were vacant.

## B. Secretariat of the CPT (as at 1 September 2001)

Mr Trevor STEVENS	Executive Secretary
Ms Geneviève MAYER	Deputy Executive Secretary
Secretariat:	Ms Janey MASLEN
	Ms Antonella NASTASIE

<b>Central section</b>	
Ms Florence CALLOT	Administrative, budgetary and staff questions
Mr Michael KELLETT	Advisor on police matters
Mr Patrick MÜLLER	Head of the documentation and information centre
Ms Mireille MONTI	Archives and publications

### Units responsible for visits

<b>Unit 1</b>	
Ms Geneviève MAYER, Head of Unit	
Mr Jan MALINOWSKI	
Ms Hanne JUNCHER	
Mr Cyrille ORIZET	
Ms Linda McQUE-MICHAEL	
Secretariat:	Ms Antonella NASTASIE

• Andorra	• Norway
• Cyprus	• Portugal
• Denmark	• Romania
• France	• Spain
• Greece	• Sweden
• Ireland	• Turkey
• Moldova	• Ukraine
	• United Kingdom

<b>Unit 2</b>	
Mr Fabrice KELLENS, Head of Unit	
Mr Edo KORLJAN	
Ms Bojana URUMOVA	
Mr Michael NEURAUTER	
Secretariat:	Ms Nadine SCHAEFFER

• Albania	• Malta
• Belgium	• Netherlands
• Croatia	• San Marino
• Czech Republic	• Slovak Republic
• Estonia	• Switzerland
• Italy	• "the former Yugoslav Republic of Macedonia"
• Latvia	
• Lithuania	
• Luxembourg	

<b>Unit 3</b>	
Mr Wolfgang RAU, Head of Unit	
Ms Petya NESTOROVA	
Mr Borys WÓDZ	
Secretariat:	Ms Maia MAMULASHVILI

• Austria	• Iceland
• Bulgaria	• Liechtenstein
• Finland	• Poland
• Georgia	• Russian Federation
• Germany	• Slovenia
• Hungary	



## APPENDIX 4

## Places of detention visited by CPT delegations in 2000

## I. Periodic visits

## A. Albania (4 to 14 December)

Police establishments

- Shkodër Police Directorate
- Vlorë Police Directorate
- Police Station and Border Police Post, Rinas Airport
- Police Station N° 1, Tirana

Prisons

- Burrel Prison
- Tirana Prison Hospital

Psychiatric establishments

- Shkodër Psychiatric Hospital
- Vlorë Psychiatric Hospital

Other establishments

- Berat Development Centre, Ministry of Labour and Social Affairs
- Customs' Post, Rinas Airport, Ministry of Finance
- Military Police Post (Unit 1100), Shkodër, Ministry of Defence.

## B. Cyprus (22 to 30 May)

Police establishments*Nicosia Division*

- Police Prison (Block 9 of the Central Prisons)
- Lakatameia-Orini Regional Police Station
- Ayios Dhometios Police Station
- Lykavitos Police Station
- Omophitas Police Station
- Pera Chorio Police Station

*Larnaca Division*

- Town Police Station
- Oroklini Police Station
- Holding facilities for aliens at Larnaca International Airport

*Limassol Division*

- Central Police Station
- Ayios Ioannis Police Station
- Yermasoyeia Police Station

*Famagusta Division*

- Ayia Napa Police Station
- Dherynia Police Station
- Paralimni Police Station

*Paphos Division*

- Central Police Station
- Police Station at Paphos International Airport

Prisons

- Nicosia Central Prisons

Psychiatric institutions

- Athalassa Psychiatric Hospital

## C. France (14 to 26 May)

Police establishments*Bobigny*

- Departmental Service of the Seine-Saint-Denis Criminal Police (SDPJ 93) and Police Station (including the Administrative Detention Centre), Paul Vaillant Couturier Avenue

*Lyon*

- Police Headquarters, Departmental Directorate of Public Security, Marius Berliet Street, 8th administrative district
- Police Station, Georges Dimitrov Avenue, Vaulx-en-Velin

*Marseille*

- Marseille-Arenc Administrative Detention Centre

*Moulins*

- Police Headquarters, Bourgogne Street

*Pantin*

- Police Station, Eugène et Marie-Louise Cornet Street

*Paris*

- "Dépôt" of the Paris Police Prefecture (including the Administrative Detention Centre), quai de l'Horloge, 1st administrative district
- National Anti-Terrorist Division
- Detention facility of the General Inspectorate of the National Police, Cambacères Street, 8th administrative district

- Reuilly Police Headquarters, Hénard Street, 12th administrative district

#### *Roissy*

- Holding areas and Border Police detention facilities, Roissy-Charles de Gaulle Airport
- Holding area, Hôtel Ibis

#### *Strasbourg*

- Police Headquarters, Departmental Directorate of Public Security, Nuée Bleue Street
- Detention facilities of the Border Police, Strasbourg, Pont de l'Europe

#### Gendarmerie establishments

- Territorial Brigade at Lannemezan
- Administrative Detention Centre, Strasbourg-Geispolsheim

#### Prisons

- Public Establishment of National Health, Fresnes
- Fresnes Remand Prison (isolation and disciplinary units)
- Lannemezan Prison
- Lyon Remand Prison ("Saint-Paul")
- Paris Remand Prison ("La Santé")

#### Psychiatric establishments

- Yzeure Hospital, Moulins-Yzeure Hospital Centre
- Unit for Difficult Patients at Sarreguemines Special Hospital Centre

#### Other establishments

- "Petit Dépôt", New Palais de Justice, Lyon
- Strasbourg Surveillance and Intervention Brigade, Pont de l'Europe

### **D. Germany (3 to 15 December)**

#### Police establishments

##### *Bavaria*

- Police Headquarters, Ettstrasse 2, Munich

##### *Berlin*

- Regional Criminal Police Detention Centre, Tempelhofer Damm 12
- Police Detention Centre, Directorate 1, Pankstrasse 29

##### *Brandenburg*

- Police Headquarters, Bonnaskenplatz 2-3, Cottbus
- Federal Border Police Station, Guben

##### *Hessen*

- Police Headquarters, Friedrich-Ebert-Anlage 11, Frankfurt am Main
- Police Detention Centre, Klapperfeldgasse, Frankfurt am Main
- Police Station 4, Central Railway Station, Frankfurt am Main
- Federal Border Police Station, Central Railway Station, Frankfurt am Main

##### *Saxony Anhalt*

- Police Station Halle-Neustadt, Neustädter Passage 15a, Halle

#### Prisons

##### *Saxony Anhalt*

- Juvenile Prison, Halle

#### Psychiatric establishments

##### *Baden Württemberg*

- Forensic Psychiatric Department and General Department (Unit 33), Nordbaden Psychiatric Centre, Wiesloch

##### *Bavaria*

- Forensic Psychiatric Clinic, District Hospital, Straubing

#### Holding centres for aliens

##### *Brandenburg*

- Detention Centre for Foreigners, Eisenhüttenstadt

##### *Hessen*

- Holding facilities at Frankfurt am Main Airport

##### *Nordrhine Westphalia*

- Detention Centre for Foreigners, Büren

#### Homes for elderly persons

##### *Berlin*

- German Red Cross Home for Elderly Persons, Gerichtsstrasse 79-83

##### *Brandenburg*

- Home for Elderly Persons, Wichernhaus, Cottbus

**E. Italy (13 to 25 February)**Police establishments

- Railway Police Station, Florence
- Border Police Station, Rome-Fiumicino International Airport
- Police Headquarters in Bari, Bologna, Florence and Rome

Carabinieri establishments

- Carabinieri Station, Acquaviva delle Fonti
- Carabinieri Headquarters, Bologna

Prisons

- Bari Reception Centre and Penal Institution for Minors
- Bologna Remand Prison
- Montelupo Fiorentino Judicial Psychiatric Hospital
- Nisida Penal Institution for Minors, Naples
- Poggioreale Remand Prison, Naples
- Spoleto Prison

Holding centres for aliens

- Temporary Holding Centres for Aliens at Francavilla Fontana, Ponte Galeria (Rome) and San Foca

**F. Lithuania (14 to 23 February)**Police establishments

- Eišiškės Police Station
- Kaišiadoriai Police Detention Centre
- Kaunas Police Detention Centre
- Santaka Police Station, Kaunas
- Ukmergė Street Police Station, Kaunas
- Šalčininkai Police Detention Centre
- Švenčionys Police Detention Centre
- Vilnius Police Detention Centres at Kosciuškos 1 and 8
- Sixth District Police Station, Šeškinės, Vilnius
- Šeškinės Police Station, Vilnius

Prisons

- Pravieniškės Strengthened Regime Colony No. 2
- Prison Hospital, Vilnius
- Vilnius Prison

Holding centres for aliens

- Foreigners Registration Centre, Pabradė

**G. Poland (8 to 19 May)**Police establishments

- District Police Command, Gdańsk, ul. Nowe Ogrody 27
- District Police Command, Gdynia, ul. Starowiejska 50
- District Police Command, Łódź – Bałuty, ul. Ciesielska 27
- District Police Command, Łódź – Śródmieście, ul. Sienkiewicza 28
- District Police Command, Przemyśl, ul. Bohaterów Getta 1
- District Police Command, Rzeszów, ul. Jagiellońska 13
- Metropolitan Police Command, Warsaw, ul. Nowolipie 2
- District Police Command, Warsaw – Praga Północ, ul. Cyryla i Metodego 4
- 1st Police Station, Warsaw – Ursynów District, ul. Janowskiego 7
- 4th District Police Command, Warsaw, ul. Żytnia 36
- 7th District Police Command, Warsaw, ul. Grenadierów 73/75
- Police Station at Warsaw Central Railway Station
- Police establishment for children, Gdańsk
- Police establishment for children, Rzeszów
- Detention facility for foreigners awaiting deportation, Gdynia
- Guarded Centre for Foreigners, Lesznowola

Border Guard establishments

- Morski Border Guard District Command, Gdańsk
- Border Guard Unit at the Korczowa Border Crossing
- Border Guard Unit at the Medyka Road Border Crossing
- Border Guard Unit at the Medyka Railway Border Crossing, Przemyśl Railway Station
- Bieszczadzki Border Guard District Command, Przemyśl
- Border Guard detention facilities at Warsaw International Airport

Prisons

- Łódź Prison No. 2
- Przemyśl Prison
- Rzeszów Prison
- Warszawa – Białołęka Remand Prison

Psychiatric establishments

- Starogard Gdański Neuro-Psychiatric Hospital

Other establishments

- Emergency Care Centre, Warsaw, ul. Bonifacego 81
- Sobering-up centres in Gdańsk, Łódź and Rzeszów

## H. Russian Federation (25 September to 9 October)

### Police establishments

#### *Irkutsk Region*

- Temporary holding facility (IVS), Irkutsk
- Sverdlovskiy District Command of Internal Affairs, Irkutsk
- East-Siberian Regional Directorate for Combating Organised Crime (RUBOP), Irkutsk

#### *Krasnoyarsk Territory*

- Temporary holding facility (IVS), Kansk
- Temporary holding centre for juvenile offenders, Kansk
- Temporary holding facility (IVS) at the Main Directorate of Internal Affairs of Krasnoyarsk Territory, Krasnoyarsk
- Temporary holding facility (IVS) at the Central District Command of Internal Affairs, Krasnoyarsk
- Temporary holding facility (IVS) at the Zheleznodorozhnyi District Command of Internal Affairs, Krasnoyarsk
- Reception and distribution centre for administrative detainees, Krasnoyarsk

#### *Novosibirsk Region*

- Temporary holding facility (IVS) No 2, Novosibirsk
- Kirovskiy District Command of Internal Affairs, Novosibirsk

### Prisons

#### *Moscow City*

- Pre-trial establishment (SIZO) No 2 ("Butyrka")

#### *Irkutsk Region*

- Strict regime colony No 3, Irkutsk
- Colony No 11 for women, Bozoy settlement

#### *Krasnoyarsk Territory*

- Educational colony for juveniles, Kansk

#### *Novosibirsk Region*

- Strict regime colony No 8, Novosibirsk

### Psychiatric establishments

#### *Irkutsk Region*

- Regional psychiatric hospital No 1, Irkutsk

#### *Krasnoyarsk Territory*

- Territorial psychiatric hospital No 2, Ovsianka (near Divnogorsk)
- Inter-regional secure ward for psychiatric forensic assessment, Krasnoyarsk

### Military detention facilities

#### *Novosibirsk Region*

- Disciplinary battalion No 40, Novosibirsk
- Garrison "Gauptvachta" (disciplinary unit), Novosibirsk.

## I. Slovak Republic (9 to 18 October)

### Police establishments

#### *Bratislava*

- Police Headquarters
- Petržalka-Stred Police Station
- Staré Mesto-Východ Police Station

#### *Košice*

- Police Headquarters
- Dragovskych hrdinov Police Station

#### *Medved'ov*

- Detention Centre for Foreigners

#### *Michalovce*

- Police Headquarters
- Police Station No.1

### Prisons

- Bratislava Prison
- Košice Prison

### Other establishments

- Okoč home for disabled children and adults
- Velký Biel home for disabled women

## J. Ukraine (10 to 26 September)

### Police establishments

#### *Donetsk*

- Militia Central Holding Facility (ITT)
- Kviybskyi and Leninskyi District Police Stations

#### *Kyiv*

- Militia Central Holding Facility (ITT)
- Zaliznichnyi District Police Station

#### *Vynnytsia*

- Militia Central Holding Facility (ITT) in Lytne
- Starimskyi District Police Station, Vynnytsia
- Reception and distribution centre for minors, Vynnytsia

*Autonomous Republic of Crimea**. Bakchisaray*

- Militia Central Holding Facility (ITT)

*. Inkermann*

- Municipal Police Station

*. Sebastopol*

- Militia Central Holding Facility (ITT)
- Gagarinskyi and Leninskyi District Police Stations

*. Simferopol*

- Militia Central Holding Facility (ITT)
- Kyivskyi District Police Station

Prisons

- Colony No. 85, Boutcha
- Pre-trial prison (SIZO No. 5) (units for prisoners sentenced to life imprisonment), Donetsk
- Colony No. 52, Yenakiyevai, Donetsk region
- Pre-trial prison (SIZO No. 15), Simferopol
- Prison No. 176, Vinnytsia

Psychiatric establishments

- Vinnytsia Psychiatric Hospital No. 2
- Autonomous Republic of Crimea Psychiatric Hospital No. 1 (Wards 6 and 16), Simferopol

Military detention facilities

- Military Command of the Sebastopol garrison
- Garrison and guard house of Simferopol

## II. Ad hoc visits

### A. Moldova (Transnistrian region) (27 to 30 November)

#### Police establishments

- Police Headquarters and temporary holding facility (IVS), Tiraspol

#### Prisons

- Prison N° 1, Glinoe
- Colony N° 2, Tiraspol
- Colony N° 3, Tiraspol

### B. Russian Federation (North Caucasus) (26 February to 3 March)

#### Chechen Republic

- IVS, Chervlyonnaya Station
- IVS, Naurskiy District Department of Internal Affairs
- IVS, Shali District Department of Internal Affairs
- IVS, Temporary Internal Affairs Department of Grozny Selsky District (Tolstoy Yurt)
- Former holding facility, Goryacheistochenskoye (Tolstoy Yurt).
- SIZO No 1, Grozny
- SIZO No 2, Chernokozovo

#### Republic of North Ossetia

- IVS, Mozdok District Department of Internal Affairs.
- SIZO No 1, Vladikavkaz

#### Stavropol Territory

- SIZO N°2, Pyatigorsk

### C. Russian Federation (North Caucasus) (20 to 27 April)

#### Chechen Republic

- Oktyabrskiy District Temporary Department of Internal Affairs, Grozny
- Zavodskiy District Temporary Department of Internal Affairs, Grozny
- Temporary Department of Internal Affairs, Gudermes

- Unit of the Federal Security Service, Khankala Base of the Allied Group of Armed Forces
- Unit of the Ministry of Internal Affairs, Khankala Base of the Allied Group of Armed Forces
- Temporary Department of Internal Affairs, Shelkovskaya
- Temporary Department of Internal Affairs, Urus-Martan
- Regional Department of Internal Affairs, Urus-Martan
- Department of the Federal Security Service, Urus-Martan
- SIZO No 2, Chernokozovo

#### Republic of North Ossetia-Alania

- SIZO of the Federal Security Service in North Ossetia-Alania, Vladikavkaz

#### Stavropol Territory

- Territory Hospital at Colony No 3, Georgievsk
- SIZO No 2, Pyatigorsk

### D. Turkey (16 to 24 juillet)

#### Police establishments

- Ankara Police Headquarters (Anti-Terror Department ; Narcotics and Organised Crime Sections)
- Istanbul Police Headquarters (Anti-Terror Department ; Narcotics and Organised Crime Sections)
- Ümraniye District Police Headquarters, Istanbul
- Law and Order Office, Kadıköy District Police Headquarters, Istanbul

#### Prisons

- Bursa E – type Prison
- Kartal Special Type Prison
- Sincan F – type Prison

### E. Turkey (10 to 15 December)

- Istanbul Prison and Detention House (Bayrampaşa)



## APPENDIX 5

**Exchange of letters between the International  
Criminal Tribunal for the former Yugoslavia and the CPT  
concerning the monitoring of the conditions of imprisonment  
and treatment of certain persons convicted by the Tribunal**





United Nations  
Nations Unies



International  
Criminal Tribunal  
for the former  
Yugoslavia

Tribunal Pénal  
International pour  
l'ex-Yougoslavie

**Ms Silvia CASALE**  
**President of the CPT**  
**Council of Europe**  
**F-67075 Strasbourg Cedex**

7 November 2000

Madam,

I have the pleasure to refer to discussions held between the United Nations, acting through the International Criminal Tribunal for the former Yugoslavia (“International Tribunal”) and the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (“CPT”) concerning the monitoring of the conditions of imprisonment and treatment of certain persons convicted by the International Tribunal (“Convicted Persons”).

On behalf of the International Tribunal, I confirm the following understandings:

The CPT agrees, subject to the terms of this letter and your reply (“Exchange of Letters”), to assist the International Tribunal in the monitoring of the conditions of imprisonment and treatment of certain Convicted Persons serving their sentences in the territories of the Parties (“Convention Parties”) to the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (“Convention”). It is understood that such monitoring will be performed on the basis of Article 2 of the Convention, according to which the Convention Parties permit visits to any place within their territories where persons are deprived of their liberty by a public authority.

**(a) Purpose and Scope of the Exchange of Letters**

This Exchange of Letters shall regulate matters relating to or arising out of the CPT’s monitoring of the conditions of imprisonment and treatment of certain Convicted Persons who are serving their sentences in the territories of the Convention Parties.

**(b) Procedure**

- (1) The United Nations, acting through the International Tribunal, expects to become a party to agreements with States on the enforcement of sentences of the International Tribunal (“Enforcement Agreements”). Under certain of these Enforcement Agreements, the CPT will be, following its written approval, designated or appointed to monitor the conditions of detention and treatment of Convicted Persons. In such cases, the CPT shall monitor the conditions of detention and treatment of the Convicted Persons.
- (2) For each Convicted Person, as referred to in Paragraph (b)(1), the International Tribunal shall provide the CPT with the following:
  - (a) a copy of the relevant Judgment;
  - (b) the address and the contact details of the prison where the sentence will be served;
  - (c) the date of the transfer of the Convicted Person to the prison;
  - (d) when appropriate, other relevant information.

**(c) Monitoring of Conditions of Detention and Treatment**

- (1) The monitoring of the conditions of detention and treatment of the Convicted Persons shall be performed by the CPT by means of visits as provided for in Article 7 of the Convention.
- (2) The timing and the frequency of the visits shall be determined by the CPT. The CPT shall in principle perform at least one visit per prison holding Convicted Persons per year.
- (3) The monitoring of the conditions of detention and treatment of a Convicted Person shall continue until the CPT has been informed by the International Tribunal that the prison sentence has been completed or terminated, or until this Exchange of Letters has been terminated pursuant to Paragraph (g).

**(d) Reports**

- (1) The CPT will produce a report on the findings of each visit (“Report”), as provided for in Article 10 of the Convention. In this regard, it is understood that the International Tribunal is particularly interested in the conditions of detention and treatment of the Convicted Persons.
- (2) It is understood by the CPT that each Report, as referred to in Paragraph (d)(1), will be provided to the International Tribunal by the Convention Party, in accordance with the applicable Enforcement Agreement.

**(e) Confidentiality**

The CPT shall treat all information that it receives from the International Tribunal pertaining to the enforcement of a prison sentence with the utmost confidentiality.

**(f) Costs**

The International Tribunal shall bear all reasonable costs and expenses incurred in sending delegations to carry out visits, as provided for in this Exchange of Letters. The size of the delegations and the length of the visits shall be in accordance with the usual practice of the CPT.

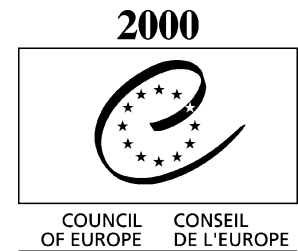
**(g) Termination of the Exchange of Letters**

This Exchange of Letters shall remain in force unless revoked in writing on 3 months notice by either the International Tribunal or the CPT, provided that, in the event that the CPT has undertaken monitoring of Convicted Persons pursuant to this Exchange of Letters, such revocation shall take effect, with respect to those Convicted Persons, on the first day of the month following the expiration of a period of 12 months after the date on which the revocation was notified in writing.

I would be grateful if you would confirm by return letter that the above is also the understanding of the CPT.

Yours sincerely,

Dorothee de Sampayo Garrido-Nijgh  
Registrar



Strasbourg, 24 November 2000

Dear Mrs de Sampayo Garrido-Nijgh,

We thank you for your letter of 7 November 2000 and are pleased to confirm that, subject to the terms of that letter, the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) is prepared to assist the International Criminal Tribunal for the Former Yugoslavia (International Tribunal) in monitoring the conditions in prisons where persons convicted by the International Tribunal are serving their sentences.

The CPT looks forward to continuing its close cooperation with the International Tribunal in the implementation of this Exchange of Letters.

Yours sincerely,

Silvia CASALE  
President of the CPT

Walter SCHWIMMER  
Secretary General of the  
Council of Europe

**Mrs Dorothee DE SAMPAYO GARRIDO-NIJGH**  
**Registrar**  
**International Criminal Tribunal**  
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