

**30th Council of Europe Conference of Ministers of justice**  
**"prisons in today's Europe"**  
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**SPEECH**

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Excellencies, Distinguished delegates, Dear Colleagues

I would like, once again, to express my deep gratitude and thanks to authorities of Turkey, and to the senior executives of the Council of Europe for successfully hosting this 30th Conference of Ministers of Justice.

We are very satisfied with the **three main themes** selected for discussion, and particularly interested to follow the debate on European detention conditions and policies, an issue which is at the **core of the Italian government agenda** and of the Italian Minister of Justice, M. Angelino ALFANO, whose portfolio includes jail administration and detention policies.

The Italian Government firmly believes that Prison and Detention policies are deeply connected to the **challenge of modernizing the justice system**. Moreover, prison conditions and treatment of detainees are important indicators of the level of protection of human rights and fundamental freedoms in a country: deprivation of personal liberty has to be carried out while fully respecting personal dignity and integrity.

**Prison overcrowding** is a complex problem, which represents a major challenge both to the prison administration and to the criminal justice system. Besides being an evil in itself - since it reduces the vital personal space for the prisoner - overcrowding brings about **two major damages**:

- from one hand, it complicates the maintenance of order and discipline;
- from the other hand, it limits the efficient implementation of the different educational, social, work-related prison-based programs as well as the provision of health care to those in need.

In Italy the number of foreign prisoners amounts approximately to **37%**. The number is quite high and has pushed the Government to design and implement a vast **infrastructure building program** and to push for **strengthened detention cooperation at the European Union level**.

In this spirit, we have asked to insert a reference to Prison and Detention Policy in the **multiannual E.U. Justice Stockholm Program**, which was quoted in previous discussions by various speakers, including the Belgian Minister of Justice, holding the current chairmanship of the EU. We also share the views expressed in the debate by UK on the need to review the provisions concerning the necessary, compulsory consent of the detainee as a pre-requisite of any transfer. For the future, we are glad to notice the EU and the Council of Europe will work hand in hand in such a critical area.

Our **paramount guiding principle** is that the treatment of foreign prisoners should not be different from the treatment of national prisoners. This is why a special effort is made in Italy so that foreign detainees are always provided with access to interpretation facilities. Besides, special arrangements have been made to meet the needs of female foreign

prisoners and enable them to keep in close touch with their children in line with the European Prison Rules.

Just a few days ago, the Italian Senate approved a new Decree Law on the **execution of custodial sentences**, such as house arrest. These new rules aim at reducing the prison overcrowding problem. As prescribed by the Council of Europe Recommendation 99/22, deprivation of liberty should be regarded as a last resort and should be applied only where any other response is deemed inadequate. In Italy, contemporary criminal policy is exploring a number of alternative sanctions to imprisonment, in order to avoid custodial sanctions and to make possible the rehabilitation of criminals outside prisons at their domicile.

Finally, let me say once again that Italy fully supports for the well balanced, inspiring and clearly drafted **Resolution No.2 on Prison Policy in today's Europe.**