

30th Council of Europe Conference of Ministers of justice
“prisons in today’s Europe”
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SPEECH

Mr Jan JAŘAB, Regional Representative for Europe
UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS

Your Excellencies, Ladies and Gentlemen,

It is a great pleasure as well as an honour to be able to address you on behalf of Navi Pillay, United Nations High Commissioner for Human Rights, and to congratulate you for having chosen as one of the themes of your conference such an important topic as that of prison conditions.

Our office recognizes the pioneering role played by the Council of Europe in this area – indeed, we see the Council of Europe as a source of inspiration for other regions of the world. Above all, I would like to salute the important work of the Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), which has actually become a model for similar developments on the international level. Conversely, the European Prison Rules make explicit reference to the UN standard minimum rules for prisoners.

These levels are inter-related: We believe that although the broader Europe has good reason to be proud of its achievements, based on Council of Europe standards, the continued relevance of international standards should also not be forgotten. In this context, I would like to particularly highlight the relevance of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) and the International Covenant on Civil and Political Rights (ICCPR) and the concluding observations addressed to States by the relevant Treaty Monitoring Bodies, namely the Committee against Torture, the Subcommittee for the Prevention of Torture, and the Human Rights Committee. Also the excellent work of various UN Special Procedure mandate holders can provide guidance in this regard – as do the recommendations emanating from the inter-governmental process known as the Universal Period Review (UPR).

Indeed, notwithstanding the aforementioned achievements, a number of human rights challenges remain in the area of prison conditions on the territory of various Council of Europe Member States. There are continuing problems of unsatisfactory and sometimes degrading prison conditions, which are often linked to overcrowding, which also generates health risks. Problematic conditions for juvenile offenders and issues concerning prisoners with mental health problems are also among persistent challenges.

In this context, I would also like to mention that we share the CPT’s perspective that human rights scrutiny should extend from prisons as such to other places where persons are detained de facto, such as residential institutions for persons with disabilities (including mental health problems) or for children, where conditions are often similarly problematic, and with fewer guidelines.

Finally, I would like to mention that the Office of the High Commissioner for Human Rights (OHCHR) has recently established a Regional Office for Europe in Brussels. Our geographical scope is not as broad as that of the Council of Europe; we cover EU Member States and candidate countries as well as a few other European countries where OHCHR does not yet have a field presence. Our task is above all to promote international standards, including those which are relevant to the situation of prisoners. And we stand ready to promote also the recommendations of Treaty Monitoring Bodies, Special Procedures Mandate Holders and

those which have been addressed to individual States through the UPR process, with the aim of making them better known and more available to all States within our geographical coverage but also to civil society.

Thank you for your attention.