Unofficial translation

Conference on prison overcrowding and best practice in the implementation of European Court of Human Rights judgments

Closing remarks
Samuel Vuelta Simon, Secretary of State for Justice, Monaco

(Conference co-organised by the 'Services de privation de liberté' and the European Court of Human Rights' Judgment Enforcement Service (SERVEX))

Ladies and gentlemen, representatives of the Council of Europe,

Ladies and gentlemen, representatives of the High Authorities,

Ambassadors,

Members of the Committees,

Ladies and gentlemen,

Allow me, first and foremost, to express **my warmest thanks** to the 'Deprivation of Liberty' Services and to the Service responsible for the enforcement of judgments of the European Court of Human Rights for this invitation.

I would also like to thank you all for taking part in this event dedicated to the issue of **prison overcrowding**.

For several years now, the situation has remained the same: the **number of prisoners is rising** and living conditions in prison are, in fact, becoming more difficult.

Back in **2021**, the Committee of Ministers had already called for the adoption of a **coherent and sustainable strategy** to **reduce** prison overcrowding.

In 2022, faced with the worsening situation, it expressed its deep **concern.**

Four years on, this concern still preoccupies us…

You are familiar with the Council of Europe's **latest prison statistics**, published in May 2026, which provide an overview of the situation as at January 2025.

I shall mention just a few figures:

At that time, there were more **than 1.1 million people in prison across** Europe (1,107,921 to be precise).

Of **the 51** prison services covered, **13 had seen a** significant **increase** in their occupancy rates.

Today, in many countries, prisons are operating **close to their maximum capacity**. In others, this maximum capacity has been **exceeded.**

This situation is **alarming**; there is **unanimous** agreement on this point.

And it is all the more so as **new issues** are emerging in relation to the profile of prisoners, which now includes:

- More **women**,
- More **elderly** people,
- More **foreign** nationals**,** in the country where they are imprisoned
- More people with **mental health conditions**

All of these situations are likely to require **tailored care**.

Solutions must be found as a matter of urgency:

- To prevent the situation from **deteriorating** further,
- To ensure that conditions of detention respect **human dignity**,
- and to ensure the **safety not** only **of those** deprived of their liberty, but also of those **working** in prisons.

It is urgent that we find these solutions, because the conditions in which a person is detained also have an **impact on the work** that can be carried out in terms **of rehabilitation and the prevention of reoffending.**

But, of course, prison overcrowding is **not just about numbers!**

Behind those figures are men, women and minors, **a quarter of whom** have **not yet been tried** and are awaiting the court's decision on their fate.

Justice must be done, but it must be done whilst **respecting the** fundamental **rights** of those in prison.

This is **the challenge** we must tackle **collectively**.

Because the way in which a society **treats** those it deprives of their liberty reflects the **values** it seeks to uphold.

And a person's dignity should not depend **on the country** in which they are detained.

Our aim must be to ensure **satisfactory conditions of detention** for all detainees in Europe.

To achieve this, we can **draw on the judgments** of the European Court of Human Rights and **the evaluations** carried out by the European Committee for the **Prevention of Torture.**

Through its **case law**, the Court offers us **collective lessons** drawn from **individual cases**. It urges us to go beyond merely noting a violation to investigate its causes and **prevent** its recurrence.

It leads us to **change our practices**, adapt our legislation and develop our public policies.

Similarly, through its visits, reports and **recommendations**, the **European Committee for the Prevention of Torture** has established **standards** which now serve as **concrete benchmarks** for states.

The same applies to the **recommendations** and standards **of the Committee of Ministers of the Council of Europe**, which guide our actions and constantly remind us of their recommendations.

Whilst every State can draw on this European foundation, it must also reflect **on** and take an informed, and at times critical, look at **its own system**: at its strengths, its weaknesses, its practices, but also at the progress it **still needs to make**.

I would like, at this point, **to recall the words** of President GUYOMAR, whom we had the honour of welcoming to the Principality on the occasion of a symposium dedicated to Monaco and the European Court of Human Rights.

I quote him:

"What matters for the effective protection of human rights is the commitment of States and their national authorities."

These words remind us of our **responsibility.**

The European institutions provide us with a **framework and guidelines.** They alert us…

But it **is up to** us to **take action** to turn principles into reality, recommendations into **action**, judgments into **reforms** and, above all, findings into progress.

The implementation of **European standards** is a responsibility shared by all Member States.

To be effective, a policy to tackle prison overcrowding cannot be developed without a **comprehensive analysis** and a constructive dialogue between states on its causes and on the entire **criminal justice system**.

And **that is exactly what you have done today** at this conference.

By exchanging views amongst **professionals** and practitioners – discussing **your respective experiences**, the practical **difficulties** you face and your best practices – you have succeeded in identifying solutions to tackle the issue of prison overcrowding, **not merely by increasing the number of** prison **places**, but also, and above all:

- By addressing the **length of legal proceedings**,
- By **limiting** the use of pre-trial detention as far as possible,
- By expanding the use of **probation,**
- By introducing more **alternatives** to short prison sentences,
- By preparing **for release** at an earlier stage,
- By securing the necessary **human and material resources** to support individuals **outside** the walls of detention centres
- Etc.

Thanks to your expertise, your commitment and the value of our discussions, we have a **solid foundation on which to move forward with confidence.**

It is on this foundation that **the success** of our future actions **will rest** – for those deprived of their liberty, for professionals working in prisons, but also to ensure that Europe is **safer,** more **dignified** and **respectful** of everyone.

I would therefore like to reiterate **my sincere thanks** to you **all** for your **considerable contribution** to our joint **deliberations**!

Thank you for your attention.

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