

CONDITIONS OF DETENTION



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CONDITIONS OF DETENTION

These summaries are made under the sole responsibility of the Department for the Execution of Judgments of the European Court and in no way bind the Committee of Ministers.

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Article 3 of the European Convention on Human Rights enjoins States to ensure that detainees be held in conditions which are compatible with respect for their human dignity, that the manner and method of the execution of the measure do not subject them to distress or hardship of an intensity exceeding the unavoidable level of suffering inherent in detention and that, given the practical demands of imprisonment, detainees' health and well-being are adequately secured.

Also, according to the basic principles of the European Prison Rules, persons deprived of their liberty retain all rights that are not lawfully taken away by the decision sentencing them or remanding in custody. Moreover, prison conditions that infringe prisoners' human rights are not justified by lack of resources, while all detention should be managed so as to facilitate the reintegration into free society of persons deprived of their liberty.¹

The present factsheet sets out examples of measures adopted and reported by States in the context of the execution of the European Court's judgments with a view to preventing and eradicating torture and other forms of ill-treatment of detainees in accordance with Article 3 of the European Convention. It focuses on the following issues: material conditions of detention; detainees' physical and mental healthcare, psycho-social support and preparation for social reintegration; detention on remand and in police detention facilities; protection and prevention of detainees' ill-treatment by prison staff and inmates; national inspection, monitoring and complaint systems – effective remedies.

¹ See [Recommendation Rec\(2006\)2-rev](#) of the Committee of Ministers to member States on the European Prison Rules, revised and amended on 1 July 2020.

1. MATERIAL CONDITIONS OF DETENTION

1.1. Detainees' accommodation – elimination of overcrowding

Since the legislative reform of January 2017, national law requires 4m² of living space per detainee. Also, the law provides for wider use of open prison hostels to combat overcrowding in closed prison facilities.

*BGR / Kehayov
(41035/98)*

[Judgment final on
18/04/2005](#)

[Action Plan](#)

[Status of execution: pending](#)

A number of prison facilities were renovated, including heating systems, access to natural light and sanitary facilities.

*CRO / Cenbauer
(73786/01)*

[Judgment final on
13/09/2006](#)

[Final Resolution
CM/ResDH\(2020\)225](#)

Furthermore, the Probation Act of 2009 put in place a probation system and alternative measures such as community work. Moreover, in the context of the EU project "Support of the Prison System of the Republic of Croatia", the organisation of purposeful activities as well as sport activities for prisoners was initiated.

In 2013, the Minister of Justice Regulation on Internal Prison Rules was amended granting a floor space of at least 3m² (instead of former 2.5m²) per prisoner in a cell. In newly constructed prisons (Tartu Prison and Viru Prison) a minimum 4m² is guaranteed.

*EST / Tunis
(429/12)*

[Judgment final on
13/03/2014](#)

[Final Resolution
CM/ResDH\(2016\)22](#)

An amendment to the Imprisonment Act in 2015 provided that the number of prisoners shall not exceed the maximum number determined by the Minister of Justice for each prison. Case-law examples confirm the fact that domestic courts do effectively award compensation for poor detention conditions in prisons and arrest houses.

In 2015, two laws were adopted to implement measures for the decongestion of detention facilities. As a result, detention of criminal law convicts in police stations for a period of more than one month was put to an end. Detention of persons remanded or detained pending trial or expulsion in various police stations cannot exceed four days.

*GRC / Siasios and Others
(30303/07)*

[Judgment final on
04/09/2009](#)

[Final Resolution
CM/ResDH\(2018\)224](#)

In 2019, the Criminal Code and the Code of Criminal Procedure were amended to include the abolition of petty offences, suspension of execution of sentences for some minor crimes, introduction of community service and plea bargaining. Particular attention was paid to putting in place alternatives to detention.

Moreover, to address poor conditions of detention in overcrowded prisons, including in disciplinary cells, between 2005 and 2017, new detention facilities (Nigrita, Drama, Crete, Aspropyrgos, Ioannina and Halkida) were planned or constructed. Furthermore, refurbishing/renovation works were regularly being carried out in all penitentiary institutions. A renewed Strategic Plan was elaborated for the years 2021-2023.

*GRC / Nisiotis
(34704/08)*

[Judgment final on
20/06/2011](#)

[Action Plan](#)

[Status of execution: pending](#)

The issue of overcrowding was addressed by three lines of action:

- Legislative measures aimed at increasing the use of alternatives to imprisonment by removing mandatory imprisonment for a number of minor offences, thus limiting the use of detention on remand for minor offences; and increasing possibilities for prisoners to benefit from early release under supervision in certain cases;
- Organisational measures aimed at improving living conditions by increasing freedom of movement of prisoners outside their cells;
- Renovation of prisons

ITA / Torregiani and Others
(43517/09)

[Pilot judgment final on](#)
[27/05/2013](#)

[Final Resolution](#)
[CM/ResDH\(2016\)28](#)

In particular, in 2013, a law-decree increased the number of early-release decisions, the use of electronic tagging as well as house arrest, and introduced more lenient penalties for minor drug-related offences.

In 2015, amendments to the Law on Execution of Sentences were adopted, providing that the living space for a prisoner shall not be less than 4m² in a multiple occupancy cell and 9m² in a single occupancy cell.

LVA / Abele
(60429/12)

[Judgment final on](#)
[29/01/2018](#)

[Final Resolution](#)
[CM/ResDH\(2018\)433](#)

In 2005, the Law on custody of Apprehended Persons provided for a minimum living space of between 4m² (in solitary confinement cells) and 15m² (in 5-person cells), detainees' access to natural and artificial light, and introduced minimum standards concerning furniture, ventilation and heating. The law also regulated out-of-cell activities.

LVA / Kadikis No. 2
(62393/00)

[Judgment final on](#)
[04/08/2006](#)

[Final Resolution](#)
[CM/ResDH\(2016\)122](#)

In 2006, the Government adopted a regulation on the "Material Norms of Nutriment, Detergents and Items of Personal Hygiene for Persons placed Short-term Detention Facilities".

Following a Constitutional Court judgment of 2011, the law was amended to ensure the partition of toilet facilities in such a way as to guarantee detainees' privacy. As of 2012, inadequate short-term detention facilities underwent renovation.

To reduce the prison population, in 2016, the Government adopted a systematic approach which included, *inter alia*, the overall assessment of the prison accommodation capacity as a first step. A working group was set up to examine issues related to detention on remand, in particular the ways to reduce its use. The Strategy for the Development of the Prison System for 2016-2020 was approved by the Government. This Strategy included a SWOT analysis of the prison system, identifying the issues to be remedied and the measures to be taken in this sense.

MDA / Ciorap
(12066/02)

[Judgment final on](#)
[19/09/2007](#)

[Final Resolution](#)
[CM/ResDH\(2018\)107](#)

In 2015, measures were taken to bring the state of repair and the conditions of detention in the Remand Prison in Podgorica into compliance with CPT standards.

MON / Bulatovic
(67320/10)

[Judgment final on](#)
[22/10/2014](#)

[Final Resolution](#)
[CM/ResDH\(2017\)35](#)

Moreover, in 2015, the Code of Criminal Procedure was amended introducing a possibility to apply alternative sanctions for minor offences (bail bonds, undertaking to report regularly to a state authority, removal of travel documents etc.) This resulted in a reduced application of detention on remand. In 2017, there were 61 prisoners in the Remand Prison in Podgorica, while its capacity stood at 350 prisoners.

To address the issue of overcrowding, in the period 2006-2010, 15,249 new accommodation units were created in prison facilities.

In 2009, following a Constitutional Court judgment, the Code of Execution of Criminal Sentences was amended to limit the placing of detainees in a cell with a personal space below the statutory 3m² to only exceptional circumstances and for a specified period of time. Inmates in overcrowded prisons and remand centres have the right to longer or additional walks and may participate in additional or longer cultural, educational and sporting activities.

In 2009, the Law on electronic surveillance of persons serving a sentence outside penitentiaries provided for the possibility of serving short-term sentences outside of the prison facilities; in 2015, its provisions were introduced in the Criminal Code and the Code of Execution of Criminal Sentences. Only 10% of permits to serve sentences in this system have been revoked by the court due to convicts' non-compliance with the conditions of serving their sentences.

In 2015, amendments to the Criminal Code improved the accessibility of an earlier conditional release, reduced detention pending sentencing and partially de-penalised some offences (e.g., drunk driving of non-motor vehicles).

*POL / Orchowski
(17885/04)*

[Judgment final on
22/10/2010](#)

[Final Resolution
CM/ResDH\(2016\)254](#)

Following an in-depth reform of the prosecution and penal policy in 2014, the prison occupancy rate decreased from 164% in January 2015 to 113% in December 2019 as a result of, inter alia:

- the individualization of the application of sanctions by revising the system of aggravating and mitigating circumstances as well as suspension, postponement or waiving of sentences,
- a wider use of community sanctions
- the application of compensatory measures, consisting of reductions of sentence, introduced in 2017,
- alternatives to pre-trial detention.

As regards infrastructure, in 2016, 672 additional accommodation places were created in the penitentiary system by transforming existing space. In 2017, 170 new accommodation places were created, and another 200 places were modernized (Bacău Penitentiary). In 2018, after the approval of the governmental Calendar of Measures 2018-2024, 70 new places of detention were created (Giurgiu - 30 places and Deva - 40 places) and 282 places have been modernized (Deva Penitentiary).

*ROM / Bragadireanu
(22088/04)*

[Judgment final on
06/03/2008](#)

and

*ROM / Rezmives and Others
(61467/12)*

[Pilot judgment final on
25/07/2017](#)

[Action Plan](#)

[Status of execution: pending](#)

To address inadequate detention conditions in the Ljubljana prison, a comprehensive and multidimensional approach was taken, which included a capacity increase to provide 4,5m² living space per inmate, more time spent out of cell and a diversification of the activities offered. Moreover, the Probation Act of 2017 set up a dedicated body to facilitate the use of non-custodial sentences and conditional releases. Furthermore, a special procedure for the automatic triggering of transfers to other prisons when the maximum capacity has been reached was put in place.

*SVN / Jovic and Mandic
(5774/10+)*

[Judgment final on
20/01/2012](#)

[Final Resolutions
CM/ResDH\(2018\)101
CM/ResDH\(2020\)102](#)

In 2018, 135 prison buildings were renovated, 183 pre-trial facilities refurbished, three post-conviction correctional centres (for compulsory labour), as well as 27 sites functioning as correctional centres built, generating some 1,700 places.

*RUS / Kalashnikov
(47095/99)*

[Judgment final on
15/10/2002](#)

To reduce recourse to custodial sentences, community work as a new form of criminal and

punishment was introduced into the Criminal Code in 2017. In 2018, a law introduced new special rules calculating the time spent in detention on remand equal to one-and-a-half days in a correctional colony under the general regime. This law was applicable retrospectively and led to the reduction of sentences in some 81,000 cases, and to release in about 10,000 cases. Overall, in 2018 the number of prisoners serving a sentence decreased by 7% compared to 2017, and by 17.2% compared to 2013

RUS / Ananyev and others
(42525/07)

[Pilot judgment final on](#)
[10/04/2012](#)

[Action Plan](#)

[Status of execution: pending](#)

1.2. Other basic material conditions, including hygiene

To set up a framework ensuring continuity in the prison wardens' tasks during staff strikes, the 2019 law on "the organisation of penitentiary services" determined the minimum basic services to be guaranteed to detainees during staff strikes and provided for the possibility to requisition staff. Each prison was required to adopt a respective action plan – following guidelines of a Ministerial Circular of 2020 and instructions of the Minister of Justice. Finally, a royal decree of 2019 provides for a social consultation period of 30 days before being able to launch a strike notice.

BEL / Clasens
(26564/16)

[Judgment final on](#)
[28/08/2019](#)

[Action Report](#)

[Status of execution: pending](#)

As from 2010, reparation works, including the partitioning of the toilet facilities, were carried out in nine prisons and one prison hospital. Furthermore, prison facilities were better equipped for educational, physical and other social activities.

LVA / Bazjaks
(71572/01)

[Judgment final on](#)
[19/01/2011](#)

and

LVA / Melnitis
(30779/05)

[Judgment final on](#)
[09/07/2012](#)

[Final Resolution](#)
[CM/ResDH\(2016\)122](#)

In 2006, according to the Cabinet of Ministers' Internal Rules for Places of Deprivation of Liberty, the prison administrations are obliged to ensure to convicts a bath or a shower as well as the change of bed linen and underwear at least once a week.

In 2014, an Ordinance of the Minister of Justice laid down the living conditions of inmates in prisons and remand centres and defined standards with respect to the quantities of clothes, underwear, hygiene products and products used to keep cells clean, maintenance products and tableware to which the detainee is entitled, as well as standards applicable to housing equipment in cells and other facilities intended for handling detainees, ensuring adequate living conditions, as well as the conditions of stay in hospitals, infirmaries and doctors' surgeries in prisons and remand centres.

POL / Orchowski
(17885/04)

[Judgment final on](#)
[22/10/2010](#)

[Final Resolution](#)
[CM/ResDH\(2016\)254](#)

In order to modify the regime concerning detainees on "death row", imposing prolonged confinement in a very restricted living space without natural light and the virtual impossibility of any activity or human contact, the 1998 "Internal Instruction on conditions of detention of persons sentenced to capital punishment" led to the removal of the coverings on the prison cell windows, introduction of outdoor walks and enhancement of the inmates' right to receive visits and to correspond. New rules of 1999 significantly extended the scope of the prison inmates' rights, including the right to receive correspondence and visits from relatives, as well as the right to pray, read religious literature and receive visits from a priest.

UKR / Aliev
(41220/98)

[Judgment final on](#)
[29/07/2003](#)

[Final Resolution](#)
[CM/ResDH\(2017\)198](#)

1.3. Special high security, safety and disciplinary measures

Following a legislative reform of January 2017, the special regime is imposed initially by the court in respect of each person sentenced to life imprisonment, but the appropriateness of maintaining the special regime is re-examined by the prison director after a year and at one-year intervals (at least) thereafter. The prison director must give reasons for his or her decision, which will be open to judicial review. Moreover, since January 2017, the law provides for the possibility to file a complaint to administrative courts about prolonged isolation, regardless of the applicable prison regime.

*BGR / Kehayov
(41035/98)*

[Judgment final on
18/04/2005](#)

[Action Plan](#)

[Status of execution: pending](#)

The Prison Regulations were amended in 2018 with regard to solitary confinement as a disciplinary punishment and for purposes other than formal disciplinary punishment: the Prisons Board has the power to reduce or annul any disciplinary punishment if it considers that the punishment imposed is excessive vis-à-vis the offence committed. Also, prisoners in solitary confinement retain the right to send and receive letters in the same manner as all prisoners and have by law minimum visitation and telephone communication rights.

*CYP / Onoufriou
(24407/04)*

[Judgment final on
07/04/2010](#)

[Final Resolution
CM/ResDH\(2019\)86](#)

Administrative isolation measures are decided on the basis of the 2009 Law. Their criteria were detailed in a Ministry of Justice decree of 2010. With regard to the prisoner's well-being, the Code of Criminal Procedure, amended in 2010, requires that detainees subject to such measures must be seen by a doctor at least twice a week and as often as the latter deems necessary.

*FRA / Khider
(39364/05)*

[Judgment final on
09/10/2009](#)

[Final Resolution
CM/ResDH\(2012\)82](#)

The legal framework concerning body searches was also amended in the Penitentiary Law. Body searches must now comply with the principles of necessity and proportionality as reflected in a 2010 decree which amended the Code of Criminal Procedure and in a circular of 2011 to prison staff. The administrative courts' case-law extended the possibility to use the complaint for "excessive use of power", in particular with regard to the prisoner's protection against ill-treatment.

Concerning the repeated transfers of dangerous detainees from one prison to another, a balance is to be struck between the security needs and the well-being of the prisoner. Decisions on transfers and body searches can be appealed before administrative courts.

*FRA / Frérot
(70204/01)*

[Judgment final on
12/09/2007](#)

[Final Resolution
CM/ResDH\(2012\)81](#)

In 2012, amendments of the Law on Enforcement of Sentences abolished the possibility of detaining life-sentenced prisoners in a solitary cell for up to six months, providing that life-sentenced prisoners shall be detained in a specially designated prison block under enhanced supervision. Prison authorities are to provide re-socialisation programmes and activities for life-sentenced prisoners.

*LVA / Savics
(17892/03)*

[Judgment final on
27/02/2013](#)

[Final Resolution
CM/ResDH\(2016\)122](#)

Furthermore, the Law on Enforcement of Sentences as well as the Prison Administration's Regulation 283 of 2012 regulate the performance of body searches. Full body searches are conducted only if an inmate's behaviour raises reasonable suspicion that he/she possesses objects that are either prohibited or are meant to assist an escape or committing of an offence. Concerning the use of special means of restraint (e.g. handcuffs and footcuffs) on life-sentenced prisoners, the 2015 Cabinet of Ministers' Regulation on Special Measures taken

by Officials in Places of Detention provides that, in order to prevent an offence, disturbances, or an attempt to escape, such measures are exceptionally allowed to be used after an individual risk assessment.

In 2003, the Prison Rules were modified to abolish the practice of weekly strip-searches in the maximum-security prison (EBI). Whether a detainee is strip-searched now depends on the length of his/her stay in the EBI, the effects of such searches on the detainee and, in particular, on the aim of these searches. The necessity of such searches is assessed on a case-by-case basis. Detainees have the opportunity to bring a civil action against the State in order to obtain compensation for non-pecuniary damages sustained as a result of the now-abolished practice of routine strip-searches.

NLD / Lorse and Others
(52750/99)

[Judgment Final on](#)
[04/05/2003](#)

[Final Resolution](#)
[CM/ResDH\(2009\)133](#)

Following the 2015 amendments to the Code of Execution of Criminal Sentences the “dangerous detainee” status may be applied only on an exceptional basis. Supervisory bodies of the Prison Service regularly control the appropriateness of such qualification decided by penitentiary commissions and the prisoners concerned have the possibility to request judicial review of such decisions. Measures were also taken to improve the treatment of detainees subject to the “dangerous detainee” regime: Directors of Regional Prison Services were reminded that “dangerous detainees” should have access to cultural, educational and sport activities. According to an Instruction of the Director General of Prison Services of 2010, activities for “dangerous detainees” to counterbalance negative consequences of their limited social interaction should be intensified. Issues concerning “dangerous detainee” status were specifically included in training curricula of prison staff.

POL / Horych
(13621/08)

[Judgment final on](#)
[17/07/2012](#)

[Final Resolution](#)
[CM/ResDH\(2016\)128](#)

In order to enhance the legal framework concerning body searches, a Regulation on the security of penitentiaries was adopted by the Ministry of Justice in 2010. The body search regime depended on the category of prisoners the detainee was assigned to. In 2013, in the context of a wide prison reform, the Law on the Execution of Sanctions by Deprivation of Liberty and detailed Regulations by the National Prison Administration were adopted providing for a uniform regime for body searches for all prisoners. According to a 2018 Regulation, the detainees’ cells may be searched once a month and a summary body search (in clothes) undertaken. Integral body searches may only be undertaken on the basis of concrete indications of possession of prohibited objects or substances.

ROM / Ciupercescu No. 1
(35555/03)

[Judgment final on](#)
[15/09/2010](#)

[Final Resolution](#)
[CM/ResDH\(2020\)328](#)

As concerns poor transport conditions for detainees and the lack of an effective remedy in this respect, the Supreme Court’s Plenum adopted a ruling in 2018 which comprised transportation conditions under the general term of “conditions of detention in penitentiary facilities” and gave guidance to the domestic courts on how to consider complaints about that conditions in the light of international standards and ECHR case-law. According to the Supreme Court’s Judicial Department, in the first half of 2020, 261 decisions on compensation claims for damage or harm caused to health during transportation of detainees were taken.

RUS / Tomov and Others
(18255/10)

[Pilot judgment final on](#)
[07/09/2019](#)

[Action Plan](#)

[Status of execution: pending](#)

A Ministry of the Interior’s Order of 2019 introduced new regulations on the reduction of the numbers and duration of prisoner transfers. As regards new prison vans and special railway carriages used for long distance transportation, budgetary allocations were provided in 2020, allowing to replace, before 2022, the fleet of transfer vehicles, which do not satisfy the respective technical requirements fixed by the Ministry of the Interior in 2019. Furthermore, the Ministry of Justice, in 2020, had also issued orders on the practical implementation of detained persons’ transfers to start or continue to serve their sentences. In October 2020, sanitary and epidemiological standards for different transportation modalities of convicts and persons in custody were determined in a Resolution of the State Sanitary Physician.

RUS / Guliyev
(24650/02)

[Judgment final on](#)
[19/09/2008](#)

[Action Plan](#)

[Status of execution: pending](#)

2. DETAINEES' PHYSICAL AND MENTAL HEALTHCARE, PSYCHO-SOCIAL SUPPORT AND PREPARATION FOR SOCIAL REINTEGRATION

2.1 Detainees' physical and mental healthcare

The 2014 Law "on the Rights and Treatment of Prisoners and Detainees" covered many aspects of detained persons' medical treatment, including medical diagnosis, services, supply of medicines and equipment. It included prisoners in the compulsory health insurance scheme, guaranteeing free access to medical services for all. Administrative procedures for the provision of medical care were improved.

Treatment of prisoners with mental health disorders is based on the Mental Health Law of 2012, which sets out modalities for the organisation of services offered, in particular, in special institutions. It also provides for new standards on "the physical restrictions of persons suffering from mental disorders". In 2014-2015, the General Directorate of Prisons opened special care wings for detainees with mental health disorders in five different penitentiary institutions providing treatment and therapy in accordance with their specific needs. Their capacities are, according to the authorities, sufficient to accommodate all prisoners with mental health problems.

In 2013, the complaint procedure was reinforced in a Protocol of the Director General of Prisons: complaints about inadequate medical care are to be addressed to the director of the institution and must be examined within fifteen days.

*ALB / Dybeku and Gori
(41153/06+)*

[Judgment final on
02/06/2008](#)

[Final Resolution
CM/ResDH\(2016\)273](#)

In 2007, a wide-ranging reform was initiated aimed at improving detainees' therapeutic care and maximising their social reintegration. The reform revolved around the "care pathway philosophy": care provision must be able to evolve and respond rapidly to the needs of the internee, who can be placed and transferred from one type of care facility to another (closed, open or day-care facilities), depending on the evolution of his or her mental state.

*BEL / L.B.
(22831/08)*

[Judgment final on
02/01/2013](#)

In 2016, in order to remedy the long-standing problem of prolonged detention of internees in prison psychiatric wings without appropriate therapeutic treatment, a law on internment entered into force and a third masterplan was adopted: a person can be interned only for the most serious reasons provided for by the law and on condition that a forensic psychiatric assessment has been carried out.

*BEL / W.D.
(73548/13)*

[Pilot judgment final
06/12/2016](#)

[Action Plan](#)

[Status of execution: pending](#)

In 2014 and 2017, new forensic psychiatric centres were established in Antwerp and Ghent; three more are planned to be created by 2022. Even though the reform is still in progress, an initial analysis of its impact reveals a reduction in the number of internees and modified profiles in psychiatric wings. Furthermore, the awareness of the importance of "care pathways"-coordination improved decision-making to ensure detainees' return to social reintegration.

The Law on Compulsory Medical Insurance of 2013 provided for compulsory medical insurance for all prisoners. Access to and standards of healthcare provided to prisoners is equal to that provided to the general population. In 2014, the Ministry of Health in cooperation with the Ministry of Justice issued a new Rulebook on minimum conditions with respect to space, staffing, medical and technical equipment establishing specific norms concerning medical conditions in prisons. The Rulebook stipulated in detail the required state of repair and basic equipment needed in prison infirmaries. Prisons were connected to the public IT health system in 2019. Additional medical staff for prisons was also recruited.

*CRO / Cenbauer
(73786/01)*

[Judgment final on
13/09/2006](#)

[Final Resolution
CM/ResDH\(2020\)225](#)

In 2010 and 2016 respectively, two directives on adapting access conditions for detainees with disabilities in penitentiary facilities undergoing construction or renovation, including access to sanitary facilities, were adopted. Furthermore, contracts with domestic assistance services were concluded to intervene also in prisons.

*FRA / Helhal
(10401/12)*

[Judgment final on
19/09/2017](#)

[Final Resolution
CM/ResDH\(2017\)260](#)

In 2014, the law on the individualization of sentences and strengthening the effectiveness of criminal sanctions created two new measures: medical release and parole for medical reasons. In 2015, a project on the identification and management of detainees' loss of autonomy linked to advanced age or a disability was initiated to facilitate the reduction of sentences and release for medical reasons and to improve the conditions of detention for such persons. In 2017, a methodological guide for public health and justice officials relating to the issues of the reduction of sentences and release for medical reasons was developed jointly by the Ministry of Justice and the Ministry of Solidarity and Health.

In 2008, to ensure adequate access to sanitary facilities to severely disabled prisoners, the prison administration adapted 118 cells to motor-disabled detainees, predominantly situated in short-stay prisons. In 2012, 20 cells were re-designed for persons with disabilities in the Liancourt detention centre. Further provision of cells for persons with disabilities was planned for the Fleury-Merogis, Marseille and Nantes prisons by 2014. Moreover, a construction programme of 13,200 places adjusting prisons to the needs of persons with disabilities has been underway since 2015.

*FRA / Vincent
(6253/03)*

[Judgment final on
26/03/2007](#)

[Final Resolution
CM/ResDH\(2009\)79](#)

To ensure timely and adequate care for prisoners with mental health problems, all penitentiary institutions were staffed with a sufficient number of doctor-psychiatrists/psychiatric-consultants in order to ensure adequate prevention and treatment of mental health issues and to grant the detainees' concerned access to specialized psychiatric services. In addition, the Ministry of Corrections and Legal Assistance developed a Strategy of Development of the Penitentiary Health Care System (2014-2017), to ensure access to services of primary health care and specialised services to all prisoners.

*GEO / Jashi
(10799/06)*

[Judgment final on
08/01/2013](#)

[Final Resolution
CM/ResDH\(2014\)162](#)

To address the structural inadequacy of medical care in prison, extensive reforms took place between 2010-2013. The Penitentiary Code of 2011 introduced the detainees' right to health and granted respective procedural rights of complaint. The penitentiary health system was aligned with European Prison Rules and CPT-Recommendations by a series of measures including budgetary increase, modernization of prison hospitals, hepatitis C, HIV and tuberculosis programmes, and registration of injuries resulting from alleged torture and ill-treatment. In 2019, the Strategy and Action Plan on the Development of the Penitentiary and Crime Prevention Systems were adopted by the Ministry of Justice with the aim to further improve the inmates' health and medical care, identify drug and alcohol misuse and develop an approach to reduce detainees' self-inflicted harm through both medical and rehabilitation services.

*GEO / Ghavtadze
(23204/07)*

[Judgment final on
27/10/2010](#)

[Final Resolution
CM/ResDH\(2014\)209](#)

In 2016, adequate treatment of HIV-positive prisoners in Korydallos prison was made available due to the integration of the prison hospital into the national healthcare system in the framework of the overall project on “Strengthening prison healthcare”. As a result, the overpopulation in the psychiatric wing was also reduced.

GRC / Martzaklis and Others
(20378/13)

[Judgment final on](#)
[09/10/2015](#)

[Final Resolution](#)
[CM/ResDH\(2019\)237](#)

In the context of an in-depth reform between 2013-2018, to ensure appropriate medical care and treatment during confinement, the competence for penitentiary healthcare was transferred from the Ministry of Justice to the National Health Service. Equivalent levels of healthcare are now available to detainees and other citizens.

ITA / Cirillo
(36276/10)

[Judgment final on](#)
[29/04/2013](#)

Moreover, the Court of Cassation’s practice in cases where the prisoner’s health condition is allegedly not compatible with their continuing detention, has firmly incorporated the Convention requirements, as laid down in the European Court’s case-law. In this context, by way of example, the possibility to postpone the execution of the sentence due to a serious medical condition was extended on the basis of the right to health and the principle of humanity guaranteed by the Constitution, balancing the convict’s interest in appropriate care with the security needs of the community.

and

ITA / Scoppola
(50550/06)

[Judgment final on](#)
[26/01/2009](#)

[Final Resolution](#)
[CM/ResDH\(2019\)327](#)

The 2019 Rules on Health Care Services for Persons in Prison provided that remand and convicted prisoners are allowed to continue the use and acquisition of all medical products recommended by their doctors, which had already been purchased or used prior to their imprisonment. In addition, the domestic courts’ case-law underlined the need for adequate medical treatment or healthcare services provided to remand prisoners.

LIT / Urbonavicius
(549/17)

[Judgment final on](#)
[21/05/2019](#)

[Final Resolution](#)
[CM/ResDH\(2020\)109](#)

By 2014, several detention facilities were repaired and renovated to ensure adequate conditions for inmates with disabilities. In Valmiera prison, all wheelchair-bound inmates were held in a specially equipped unit allowing them to move within its premises without assistance.

LVA / Holodenko
(17215/07)

[Judgment final on](#)
[04/11/2013](#)

[Final Resolution](#)
[CM/ResDH\(2018\)382](#)

In 2011, the Cēsis Juvenile Correctional Institution was equipped with wheelchair ramps, lift and toilet facilities designated for inmates with disabilities.

The Prison Hospital located in Olaine prison was opened in 2007, where a specialized elevator and cells for inmates with disabilities are available.

In 2019, all the penitentiary institutions except for two, received the sanitary authorisations necessary for further medical accreditation and the National Administration of Penitentiary (NAP) concluded contracts with public health institutions to provide medical services to prisoners. Nine penitentiary institutions were supplied with new medical equipment. When required, independent doctors and mobile emergency teams can be requested to intervene.

MDA / I.D.
(47203/06)

[Judgment final on](#)
[11/04/2011](#)

[Action Report](#)

[Status of execution: pending](#)

Between 2013 and 2015, measures were taken to improve the living conditions for detainees with mobility-related special needs and to eliminate architectural barriers which they encountered in the institutions. In 2015, training activities were conducted in cooperation

POL / Orchowski
(17885/04)

[Judgment final on](#)
[20/09/2016](#)

with the “Poland without Barriers” Foundation to make prison officers more sensitive to the needs of detainees with disabilities, and to show ways to counter undesirable behaviour towards people with disabilities.

[Final Resolution
CM/ResDH\(2016\)254](#)

Following the refusal to provide a dental prosthesis to an inmate due to a deficient social security and medical assistance frameworks for inmates, the Law on the Execution of Sentences ordered by Judicial Bodies of 2013 provided for free medical assistance, treatment and care to detainees without discrimination. The costs are covered by the budget of the Fund of Social Health Insurance in conformity with the conditions determined in a National Framework Contract. Contracts were also concluded with the National Health Insurance Fund CASAOPSNAJ.

*ROM / V.D.
(7078/02)*

[Judgment final on
28/06/2010](#)

[Final Resolution
CM/ResDH\(2017\)349](#)

A 2012, a common order of the Minister of Justice and the Minister of Health on the health care of detainees in custody of the National Prison Administration provided that dental healthcare is to be provided in dental cabinets in prison or in prison hospitals. In the period 2014-2016, 11 prisoners received a dental prosthesis. In 2016, nine full-time dentists were recruited by the National Prison Administration.

*ROM / Dragan
(65158/09)*

[Judgment final on
02/05/2016](#)

[Action Plan](#)

[Status of execution: pending](#)

2.2 Psycho-social support and preparation for social reintegration

As from 2014, prison facilities, in particular the Daugavgrīva prison, were equipped to allow for educational, physical and other social activities by setting up an educational centre consisting of classrooms and a vocational school; a library and two indoor gyms; an outdoor exercise yard, accessible to prisoners on an almost daily basis; and a Social Rehabilitation Section.

*LVA / Kadikis No. 2
(62393/00)*

[Judgment final on
04/08/2006](#)

[Final Resolution
CM/ResDH\(2016\)122](#)

A psycho-diagnostic examination of every newly arrived detainee is undertaken in each detention facility run by the Federal Penitentiary Service FSIN. The results are taken into account for further psychological assistance.

*RUS / Kalashnikov
(47095/99)*

[Judgment final on
15/10/2002](#)

[Action Plan](#)

[Status of execution: pending](#)

Suicide prevention includes work with detainees, but also with staff who are taught to detect psychologically problematic behaviour. As a result, in 2018 the number of suicides decreased by 10% compared to the previous year.

As concerns prisoners' social rehabilitation, around 1,700 open house events took place in 2018, attended by prisoners' family members, as well as representatives of civil society and other invitees. Other socialising events have been organised, such as concerts, quizzes, etc.

Regarding education, between 2017-2018 around 17,200 prisoners graduated from 276 educational institutions and their 503 branches operating in detention facilities. At the beginning of the 2018-2019 academic year, 62,000 convicts were continuing their education. As to the blue-collar professions, around 143,000 convicts acquired diplomas in the 2017-2018 academic year. In 2018, 40.3% of convicted prisoners held jobs. Their average monthly salary had increased by 30.4%.

In 2005, a law was adopted to ensure that minor detainees benefit from educational and vocational as well as social reintegration training. An “Individualised Treatment System” BISIS was established in 2010, aiming to enable the prison administration to increase the chances of rehabilitation of juvenile detainees and to evaluate their level of psychosocial risk (including suicide).

*TUR / Güvec
(70337/01)*

[Judgment final on
20/04/2009](#)

[Action Report](#)

[Status of execution: pending](#)

3. DETENTION ON REMAND AND IN POLICE DETENTION FACILITIES

In 2009, the authorities initiated measures to bring the dilapidated police custody cells in Nouméa up to standards. Renovation work was completed in 2011. The former cells of custody were demolished and replaced.

FRA / Fakailo dit Safoka and Others
(2871/11)

[Judgment final on 02/01/2013](#)

[Final Resolution CM/ResDH\(2018\)83](#)

In a case of degrading treatment due to inadequate conditions of detention in Alexandras Avenue (Athens) Police Headquarters and the Drapetsona (Piraeus) police detention centre, seven new detention centres opened between 2006-2007 in various police headquarters, four of which are on the frontier islands of Chios, Samos, Lesbos and Corfu. Furthermore, special reception centres with appropriate medical staff were also established to accommodate adults, minors and families.

GRC / Dougoz
(40907/98)

[Judgment final on 06/06/2001](#)

[Final Resolution CM/ResDH\(2009\)128](#)

In 2009, the Programme for Optimisation of Police Detention Facilities 2009-2015 was adopted, aimed to ensure the protection of the rights of persons held in police detention facilities and create a safe and healthy environment. 21 police detention facilities with poor conditions were closed. In addition, police detention facility detainees' access to hygienic sanitary facilities and to out-of-cell activities was improved.

LIT / Kasperovicus
(54872/08)

[Judgment final on 20/03/2013](#)

[Final Resolution CM/ResDH\(2017\)34](#)

In 2006, new guidance on the safer detention and handling of persons with disabilities in police custody was issued. Under this guidance, the 1995 and 2005 Acts, and then the Equality Act 2010 (which replaced those two Acts with effect from 1 October 2010), the police are required to make reasonable adjustments at police stations to allow for the needs of persons with disabilities held in police custody. The Commission for Equality and Human Rights has power to investigate contraventions of the Equality Act, and to provide assistance to individuals in legal proceedings to establish whether rights under the Act have been contravened.

UK / Price
(33394/96)

[Judgment final on 10/10/2001](#)

[Final Resolution CM/ResDH\(2011\)286](#)

4. PROTECTION AND PREVENTION OF DETAINEES' ILL-TREATMENT BY STAFF OR INMATES

To ensure the protection of prisoners convicted for war crimes from ethnically motivated persecution by fellow prisoners and to introduce an effective remedy in this regard, a new Instruction on the allocation of convicts in the correctional institutions in Zenica was adopted in 2010. Additional prison officers as well as inspectors for the Federal Ministry of Justice's Department for execution of criminal sanctions were recruited. Inspections of the penitentiary institutions are carried out on a regular basis. Also, to avoid overcrowding in the current premises, it was decided in 2011 to construct both a closed-type and a semi-open type correctional institution in Mostar.

BIH / Rodic and Others
(22893/05)

[Judgment final on](#)
[01/12/2008](#)

[Final Resolution](#)
[CM/ResDH\(2011\)93](#)

To prevent ill-treatment by cell mates, the Law on the Execution of Criminal Sanctions of 2014 was adopted – on the basis of a 2013 National Strategy for the Development of the System of Execution of Criminal Sanctions – including the Prison Administration's obligation to monitor the risks of violence in detention. In 2015, the Rulebook on Supervision of the Work of the Penal institutions laid down the procedural details for this supervision. Employment of prison staff can be terminated, *inter alia*, due to the failure to report violations of the institution's house rules (including incidents on inter-prisoner violence). Moreover, the medical personnel must keep special records of injuries sustained by detainees and notify the institution's warden of any signs that violence has been inflicted. Public authorities are obliged to report alleged criminal offences to public prosecution, including inter-prisoner violence, and allegations of ill-treatment must be investigated and prosecuted *ex officio*. Extensive training and awareness-raising measures were organised for prison and medical staff.

SER / Gjini
(1128/16)

[Judgment final on](#)
[15/04/2019](#)

[Final Resolution](#)
[CM/ResDH\(2020\)79](#)

In order to ensure that handcuffing of pre-trial detainees or prisoners (both generally and whilst in hospitals or other medical institutions) is only used exceptionally and when fully justified by security reasons, the Internal Rules governing both Pre-trial Detention Centres and Prisons as well as the Law on Pre-trial Detention were amended in 2018/2019 and the related practice of prison officers improved. Prison officers are entitled to use force and special equipment, including handcuffs, truncheons, etc., with a view to putting an end to physical resistance, violence, outrage and opposition to the lawful directions of the authorities of the detention facility, only when other means of achieving a legitimate objective prove ineffective. It is prohibited to handcuff prisoners/convicts to any items, e.g. furniture, etc.

UKR / Okhrimenko
(53896/07)

[Judgment final on](#)
[15/01/2010](#)

[Final Resolution](#)
[CM/ResDH\(2020\)236](#)

5. NATIONAL INSPECTION, MONITORING AND COMPLAINT SYSTEMS - EFFECTIVE REMEDIES

5.1 National inspection, monitoring and complaint systems

In 2013, the prisoners' complaint procedure was reinforced by a Protocol of the Director General of Prisons: complaints about inadequate medical care are to be addressed to the director of the institution and must be examined within fifteen days. All complaints and requests are subject to registration, which includes identification of urgent complaints related to health issues.

Detainees can also file confidential complaints to public bodies, including the Ombudsman and foreign or domestic NGOs. In order to facilitate such communication, postal boxes and phone devices (free of charge) have been installed in all penitentiary institutions. The Ombudsman and the NGOs have access to information, may carry out further investigations and inspections on the premises of prisons or detention facilities. Their representatives are granted the right to hold meetings with detainees, in private, without the presence of the police officers.

*ALB / Dybeku and Grori
(41153/06+)*

[Judgment final on
02/06/2008](#)

[Final Resolution
CM/ResDH\(2016\)273](#)

In 2019, the Constitutional Court decided that, until the adoption of new legislation, the Administrative Court is entitled to examine appeals against the prison administration. The Prosecutor's Office supervises the penitentiary institutions and oversees the compliance to the domestic regulations via visits without prior notice or permission. Complaints may also be lodged with the Human Rights Defender's Office.

*ARM / Mushegh
Saghatemyan
(23086/08)*

[Judgment final on
20/12/2018](#)

[Action Plan](#)

[Status of execution: pending](#)

In 2016, the 2005 Law of Principles on Prison Administration and the Legal Status of Prisoners was amended and a Central Prison Supervisory Council (CPSC) was created, which reports to Federal Parliament (House of Representatives) and has the task of "exercising independent control over prisons, on the treatment of prisoners and on compliance with the rules concerning them". A local supervisory board exists at each penitentiary institution and a complaints commission is set up out of its members, to examine the inmates' complaints about any decisions made by or on behalf of the Prison Director. An appeal against the Complaints Commission's decision is possible before the Appeal Board of the Central Prison Supervisory Council, which also examines decisions with respect to placements and transfers as well as inmates' requests to be treated by a doctor of his or her choice. Following a 2019 amendment of the Law of Principles on Prison Administration and the Legal Status of Prisoners (in force as from October 2020), the prisoners have the right to appeal before the *Conseil central de surveillance pénitentiaire* all administrative decisions made in their regard.

*BEL / Bamouhammad
(47687/13)*

[Judgment final on
17/02/2016](#)

[Action Report](#)

[Status of execution: pending](#)

and

*BEL / Vasilescu
(64682/12)*

[Judgment final on
20/04/2015](#)

[Action Plan](#)

[Status of execution: pending](#)

In 2018, the Prisons Law was amended whereby the Prisons Board became entirely independent from prison authorities, its members being persons without institutional, administrative, professional or other relation with prison authorities. The Prisons Board hears and investigates any application or complaint lodged by prisoners and notifies the Director of Prisons of its suggestions. It also examines prisoners' conditions of detention and work, material conditions, whether the educational programs available in prison are adequate, as well as whether prison authorities have exceeded their powers in relation to the treatment of prisoners. It cooperates with the Director of Prisons in matters related to the prisoner well-being.

*CYP / Onoufriou
(24407/04)*

[Judgment final on
07/04/2010
Final Resolution
CM/ResDH\(2019\)86](#)

and

*CYP / Danilczuk
(21318/12)*

[Judgment final on
03/07/2018](#)

[Action Plan](#)

[Status of execution: pending](#)

The Prosecutor General's Office and its territorial units have been actively monitoring conditions of detention in prisons and remand centres, including inspection visits with the participation of regional human rights commissioners and public monitoring commissions. In 2018, the state prosecutors conducted more than 51,100 inspections and made 27,100 requests for the elimination of irregularities and brought 6,400 protests against unlawful legal acts.

*RUS / Kalashnikov
(47095/99)*

[Judgment final on
15/10/2002](#)

[Action Plan](#)

[Status of execution: pending](#)

The Federal Penitentiary Service appointed and trained 24 assistants on observance of human rights in the penitentiary system in 2017 and 2018. In 2018, it carried out 32 complex checks in all detention facilities, over 1,100 sanitary-epidemiological checks in remand centres, and 48 targeted visits of the higher management to places of detention.

In 2018, human rights commissioners at the federal and regional levels, carried out over 1,200 visits to prisons and remand centres, while regional human rights commissioners carried out 817 visits to police custody cells. Also, in 2018, members of the public monitoring commissions (ONK) carried out over 3,800 visits to prisons and remand centres as well as about 1,000 visits to police custody cells. Over 1,100 persons currently work for these commissions in 83 constituent entities of the Russian Federation.

The Department of Penitentiary Inspections of the Ministry of Justice is responsible for monitoring prisons and, in 2020, continued its investigations into allegations against prison staff where needed. In 2020, an interdepartmental working group, with the participation of representatives of the Ministry of Justice, Ministry of Internal Affairs, the Public Prosecutor's Office, the Ministry of Defense, the Ministry of Social Policy, the Ministry of Health and the Ombudsperson, commenced drafting common guidelines for inspection in penitentiaries and pre-trial detention centres.

*UKR / Yakovenko
(15825/06)*

[Judgment final on
25/01/2008](#)

[Action Plan](#)

[Status of execution: pending](#)

5.2 Effective (preventive and compensatory) remedies

In 2017, an important reform of the penitentiary system introduced various measures to address problems due to overcrowding, poor sanitary and material conditions, limited possibilities for out-of-cell activities, inadequate medical care and prolonged application of a

*BGR / Kehayov
(41035/98)*

[Judgment final on](#)

restrictive penitentiary regime. The law also introduced a specific compensatory as well as a preventive remedy to complain about conditions of detention, both remedies being considered effective by the European Court.

[18/04/2005](#)

[Action Plan](#)

[Status of execution: pending](#)

Detainees may initiate civil proceedings for compensation due to poor conditions of detention. Also, the judge responsible for execution of sentences may receive and decide on an urgent complaint submitted by a prisoner concerning their detention conditions. The Constitutional Court has further developed its case-law in accordance with the European Court's judgments.

CRO / Cenbauer
(73786/01)

[Judgment final on](#)
[13/09/2006](#)

[Final Resolution](#)
[CM/ResDH\(2020\)225](#)

Under the State Liability Act of 2002, a detainee may request that appropriate conditions be ensured, including requests for increased personal space and/or relocation. The Supreme Court gave relevant guidance in a ruling of 2010. Domestic administrative courts also award compensation for poor detention conditions in prisons and arrest houses.

EST / Nikitin and Others
(23226/16)

[Judgment final on](#)
[24/06/2019](#)

[Final Resolution](#)
[CM/ResDH\(2020\)20](#)

Concerning the right to an effective remedy, detainees may submit a complaint (*référé*) to the Administrative Court and obtain a judicial decision very quickly. Under the 2010 Code of Administrative Justice, any concerned person may request that the judge of the Administrative Tribunal order suspension of the execution of an administrative decision or of some of its effects, when justified by an emergency and in case of serious doubt as to the legality of the decision. The judge will rule within 48 hours. Detainees subject to a disciplinary sanction may, in parallel with their (non-suspensive) application for annulment, request the *juge des référés* to order a suspension of the sanction. This remedy's effectiveness with regard to disciplinary sanctions in prison matters is reflected in changes of the case-law of the Conseil d'État.

FRA / Payet
(19606/08)

[Judgment final on](#)
[20/04/2011](#)

[Final Resolution](#)
[CM/ResDH\(2013\)21](#)

In 2013, a preventive remedy allowing inmates to complain about any violation of their rights to a supervisory judge was introduced by decree-law. This remedy can also provide redress for detention in overcrowded conditions, conferring on the judge the power to order the complainant's relocation. A further law-decree of 2014 established a compensatory remedy, whereby an inmate may apply to a supervisory judge for a reduction of the remaining sentence: one day of reduction, for each 10 days spent in over-crowded detention conditions. Persons already released can apply to civil courts for pecuniary compensation of eight euros per day for time spent in overcrowded detention conditions. The pecuniary compensation remedy applies also to persons who spent less than 15 days in such conditions or if a sentence remaining to be served is shorter than a period which could be deducted.

ITA / Torregiani and Others
(43517/09)

[Pilot judgment final on](#)
[27/05/2013](#)

[Final Resolution](#)
[CM/ResDH\(2016\)28](#)

The Administrative Procedure Law of 2004 provided for an additional remedy to regulate detained persons' complaints before administrative courts concerning conditions of detention and to award compensation.

LVA / Savics
(17892/03)

[Judgment final on](#)
[27/02/2013](#)

[Final Resolution](#)
[CM/ResDH\(2016\)122](#)

In particular, administrative courts may decide on a prisoner's request and adopt interim measures within a month, if the related application is *prima facie* well-founded and if the

LVA / Abele
(60429/12)

complainant would suffer significant pecuniary or non-pecuniary damage. Domestic case-law examples concerned notably: lack of personal space, request to receive appropriate hepatitis C treatment, visiting rights with relatives, and protection against inmate violence.

[Judgment final on 29/01/2018](#)

[Final Resolution CM/ResDH\(2018\)433](#)

Following Supreme Court judgments of 2007 and 2010, prisoners were able to bring compensation claims for periods of detention in overcrowded conditions under the relevant provisions of the Civil Code. In 2012, the Supreme Court held that an infringement of the statutory standard governing floor space allowance per convict could result in a violation of the convict's personal rights. Also, complaints about general conditions of detention can be filed to the higher level of the penitentiary administration or to the penitentiary judge acting under the authority of the Ministry of Justice. Penitentiary judges have the power to quash an unlawful decision issued by the prison administration concerning a person deprived of liberty. Prisoners can appeal to the penitentiary court against the decision of a penitentiary judge. A penitentiary judge can also order the release of a prisoner if the deprivation of liberty is not in accordance with the law. Finally, the 2015 amendment of the Code of Execution of Criminal Sentences rendered possible complaints before a penitentiary court against a Prison Administration's decision regarding cell space or placement in an allegedly overcrowded cell.

POL / Orchowski (17885/04)

[Judgment final on 22/10/2010](#)

[Final Resolution CM/ResDH\(2016\)254](#)

The 2017 amendments to the Rules on the enforcement of detention provided that both prisoners on remand and convicted prisoners are entitled to file complaints on inadequate conditions of detention with the President of the District Court or the Director General of the Prison Administration. The decision taken by the President of the District Court is binding upon the prison administration.

SVN / Jovic and Mandic (5774/10+)

[Judgment final on 20/01/2012](#)

[Final Resolutions CM/ResDH\(2018\)101 CM/ResDH\(2020\)102](#)

A compensatory remedy for inadequate conditions of detention is available to prisoners on remand and convicted prisoners as well as released prisoners under civil law and the provisions of the Obligations Code in respect of sustained non-pecuniary damage. In 2018, the government adopted criteria for the settlement of such claims and settlement proposals were made by the State Attorney's Office in all pending cases before the domestic courts.

A preventive remedy was introduced in the 2015 Code of Administrative Procedure (CAP). The Plenum of the Supreme Court adopted, in 2018, a ruling clarifying the use of the remedy for the lower courts, taking into account the international standards and the European Court's case-law related to poor conditions of detention.

RUS / Kalashnikov (47095/99)

[Judgment final on 15/10/2002](#)

and

RUS / Ananyev and others (42525/07)

[Pilot judgment final on 10/04/2012](#)

In addition, courts may grant compensation for poor conditions of detention on the basis of the CAP procedure (provided such claims are lodged within three months of the end of the detention period concerned). In 2018, domestic courts examined 4,000 claims for compensation for pecuniary and non-pecuniary damage incurred by poor conditions of detention, of which 2,800 (approximately 70%) were granted.

Access to the judicial remedies is ensured as the amount of court fees is determined by the plaintiff's financial situation and can be paid in installments, with a delay, or can be waived by a court decision.

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[Status of execution: pending](#)

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