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The publication of CPT's reports

Reply to Written question[1]: Written question No. 579 (Doc. 12118)
Committee of Ministers

1. The Committee of Ministers stresses the high value it attaches to the work of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) and to its visits to places of detention in member states. It notes that the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (ETS No. 126) provides for a non-judicial procedure to prevent human rights violations. The CPT's underlying goal is to assist the state authorities and offer constructive advice based on factual and technical findings.

2. The Committee of Ministers considers that the publication of CPT reports is not only compatible with the object and purpose of the establishment of the CPT, but also promotes the prevention of human rights abuses by highlighting particular areas of concern. It is for this reason that on 6 February 2002, the Committee of Ministers "encouraged all Parties to the Convention to authorise publication, at the earliest opportunity, of all CPT visit reports and of their responses". The Committee of Ministers fully agrees with the following remarks made by the CPT on this subject in its 19th general report (paragraph 47) – "Publication of visit reports can only increase the impact of the CPT's work. It allows other relevant organisations to contribute to the process of taking forward the implementation of recommendations contained in a report and enables the Committee itself to participate directly in public debate on the issues involved. Consequently, authorising publication of visit reports can be seen as one of the most important means of co-operating with the CPT".

3. However, Article 11 of the Convention provides that CPT reports can only be published with the consent of the Party concerned. To date, 237 of the 275 visit reports so far drawn up have been published at the request of the Party concerned. In its reply to Parliamentary Assembly Recommendation 1733 (2006) on "Human rights violations in the Chechen Republic: the Committee of Ministers' responsibility vis-à-vis the Assembly's concerns", the Committee of Ministers expressed the hope that the Russian authorities would follow the standard practice of lifting the veil of confidentiality and authorising the publication of CPT visit reports as well as the responses of the Russian Government. The Committee considers that the publication of these documents would be to the benefit of all levels of Russian administration, non-governmental groups and the Russian society more generally in terms of promoting human rights protection.

4. In this respect, the Committee of Ministers welcomes the reform work undertaken in the Russian Federation to improve the criminal justice system and detention conditions.

1. adopted at the 1091st meeting of the Ministers' Deputies (16 September 2010)