



Resolution 868 (1986)¹

Human rights violations in prisons in the German Democratic Republic

Parliamentary Assembly

The Assembly,

1. Considering that prisoners continue to possess the dignity inherent in any human person, and that the human rights which have their basis in this dignity must therefore be guaranteed ;
2. Referring to Articles 5 and 6 of the European Convention on Human Rights, which guarantee humane treatment and adequate protection to any person arrested or imprisoned ;
3. Noting that Articles 9, 10 and 14 of the International Covenant on Civil and Political Rights, adopted by the United Nations on 16 December 1966 and ratified by the German Democratic Republic on 8 November 1973, also stipulate that prisoners must be treated in a manner consistent with human dignity ;
4. Noting furthermore that Article 2 of the International Covenant on Civil and Political Rights obliges all the Contracting Parties to respect the rights recognised in the covenant, and to guarantee these rights to all persons within their territory and subject to their jurisdiction ;
5. Concerned at the fact that prisoners - and particularly political prisoners - in the German Democratic Republic are treated in a manner incompatible with the rights recognised in the International Covenant on Civil and Political Rights ;
6. Noting that the details reported by many persons who have been imprisoned in the German Democratic Republic bear witness to the extent of the human rights violations committed against prisoners by the state security services and prison authorities in the German Democratic Republic, including :
 - a. conditions of imprisonment which are tantamount to physical or mental torture, such as deprivation of sleep or the threat of reprisals against families ;
 - b. hard labour which is both unreasonable and detrimental to health ;
 - c. medical treatment which is wholly insufficient and which often results in permanent damage to health ;
 - d. insufficient diet ;
 - e. refusal to allow a proper legal defence, and failure to communicate legal texts and the charges in due form until shortly before the trial ;
 - f. the separation of mothers from infants born in prison, as well as the separation of parents from their children for political reasons ;
 - g. inhuman overcrowding of prisoners in cells which are too small,

1. *Assembly debate* on 24 and 25 September 1986 (19th and 20th Sittings) (see [Doc. 5540](#), report of the Committee on Relations with European Non-Member Countries). *Text adopted by the Assembly* on 25 September 1986 (20th Sitting).



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7. Calls on the Government of the German Democratic Republic to inquire about all violations of the rights guaranteed by the International Covenant on Civil and Political Rights, and particularly Articles 9, 10 and 14, in prisons in the German Democratic Republic, to put an end to them immediately and to guarantee humane treatment for all prisoners ;

8. Urges the governments of the Council of Europe's member states to support these requests in their contacts with the Government of the German Democratic Republic and within the Helsinki process, and particularly at the CSCE Conference in Vienna in November 1986.