

Recommendation 1517 (2001)¹

European Committee for the Prevention of Torture (CPT): working methods of the Committee

Parliamentary Assembly

1. The Assembly deems it necessary to assess the machinery set up by the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, ETS No. 126, which has now been in operation for more than ten years.
2. This non-judicial, preventive machinery is based on unexpected visits by members of the European Committee for the Prevention of Torture (CPT) to all places where people are deprived of their liberty following a decision by a public authority. While it has proved effective, it is facing a considerable increase in work with the growth of the Organisation during the last ten years from twenty-five to forty-three member states.
3. This situation will be exacerbated still further by the entry into force of Protocol No. 1 to the convention, which opens it to non-member states of the Council of Europe.
4. The smooth operation of the entire machinery is threatened by this situation, which is causing visits to decline in frequency for want of adequate human and financial resources. Therefore, ongoing dialogue with member states is indispensable to the system's effectiveness.
5. The CPT has sought to adapt itself by reducing the size of delegations and conducting shorter, more targeted visits, particularly in cases of urgency. It has also set up a working group to look into its working methods, which should make an interim report in July 2001.
6. The CPT also suffers from the confidentiality rule imposed upon it by the convention. While observance of this rule is necessary for effective co-operation with member states, it is an obstacle to publicity about the CPT's work and hinders co-operation with NGOs. In addition, the fact that the CPT does not publish information about very serious situations means that it risks being seen as an accomplice of governments.
7. The Assembly strongly urges the CPT to increase its co-operation with NGOs known for their activity in combating torture and inhuman or degrading treatment or punishment.
8. Although they are made public, its annual reports are not distributed widely enough and thus have no adequate effect on national governments.
9. The Assembly therefore decides to hold periodic debates in future on the work of the CPT, drawing the attention of national delegations to its annual reports.
10. Accordingly, the Assembly recommends that the Committee of Ministers:
 - 10.1. increase the CPT's human and budgetary resources so that it may adequately perform the duties required of it;
 - 10.2. encourage the CPT to review its working methods, in particular by conducting a greater number of shorter, more targeted visits and reducing the size of delegations;

1. Text adopted by the Standing Committee, acting on behalf of the Assembly, on 23 May 2001 (see [Doc. 9073](#), report of the Committee on Legal Affairs and Human Rights, rapporteur: Mr Jaskiernia). Text adopted by the Standing Committee, acting on behalf of the Assembly, on 23 May 2001



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10.3. invite the states parties to the convention to allow the CPT more openness and less strict confidentiality in relation to its work.