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25 years of the CPT: achievements and areas for improvement

Reply to Recommendation¹: Recommendation 2100 (2017)
Committee of Ministers

1. The Committee of Ministers has carefully considered Parliamentary Assembly [Recommendation 2100 \(2017\)](#) on “25 years of the CPT: achievements and areas for improvement”, which it has communicated to the Steering Committee for Human Rights (CDDH) and to the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) for information and possible comments. The Committee of Ministers takes this opportunity once again to underline the importance which it attaches to the work of the CPT.

2. In [Recommendation 2100 \(2017\)](#), the Assembly refers to its earlier [Recommendation 1968 \(2011\)](#), where it invited the Committee of Ministers to place on its agenda and discuss as a matter of urgency any public statement adopted by the CPT under Article 10 of the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (the Convention). In this connection, the Committee of Ministers refers to its reply to [Recommendation 1968 \(2011\)](#), adopted on 15 February 2012, in which it agreed that when a public statement is made under Article 10, the exceptional character of this measure should merit its being placed on the agenda and discussed as a matter of urgency, but in which it also noted that a public statement should above all be thoroughly examined by the national authorities concerned.

3. Since [Recommendation 1968 \(2011\)](#) and the Committee of Ministers' reply, the CPT has issued two public statements under Article 10 of the Convention. In the first, published on 26 March 2015, the CPT drew attention to the failure of the Bulgarian authorities to address fundamental shortcomings in the treatment and conditions of detention of persons deprived of their liberty in Bulgaria. This public statement was discussed at the 1253rd meeting of the Ministers' Deputies on 13 April 2016, during the annual exchange of views with the President of the CPT. As was acknowledged by the President of the CPT on that occasion, the Bulgarian authorities had responded rapidly and positively to the statement. Several issues raised by it are, moreover, under the supervision of the Committee of Ministers in the context of the execution of a related pilot judgment of the European Court of Human Rights, and this case was included in the agendas of the Committee's Human Rights (DH) meetings in September 2015, March 2016 and March 2017.

4. The second public statement made by the CPT since [Recommendation 1968 \(2011\)](#) was on 13 July 2017 and concerned the ongoing failure of the Belgian authorities to put in place a minimum level of service to guarantee the rights of inmates during periods of industrial action by prison staff. The Committee of Ministers notes with satisfaction that the Belgian authorities have welcomed the CPT's public statement and are preparing measures to address the problem. The CPT in its public statement drew particular attention to the vulnerable position of persons under a psychiatric detention measure in prison. The position of this category of inmates is under the supervision of the Committee of Ministers in the context of the execution of the *L.B.* group of cases against Belgium, and was last examined at the DH meeting in March 2017.

5. In conclusion, the two public statements will be taken into account by the Committee of Ministers in the context of its examination of the progress of execution in the groups of cases concerned, which are both under enhanced supervision. As appropriate, discussions on the follow-up to the public statements may also

1. Adopted at the 1301st meeting of the Ministers' Deputies (29 November 2017).



be held by it in other settings. More generally, in March 2018 it intends to hold a thematic discussion on the issue of conditions of detention as it relates to the execution of a number of judgments under its supervision. In these circumstances, the Committee of Ministers considers that appropriate action has been taken, and continues to be taken, with regard to the important matters raised by the CPT. In this context, the Committee of Ministers also encourages States which have not done so to request in advance the automatic publication of future CPT visit reports and related government responses.

6. The Committee of Ministers recalls that the Secretariat of the CPT has for a number of years been among the priority services which have received increased budgetary resources. It takes note of the concerns expressed by both the Parliamentary Assembly and the CPT concerning the need for sufficient stability amongst staff members in the CPT Secretariat. The Secretary General keeps the contractual policy under close review in order to evaluate its effects in terms of the balance between stable and flexible resources, and recruitment and retention of the best quality staff. In particular, stability of fixed-term contracts is sought in areas of activities where this is appropriate. The Committee of Ministers will keep the Parliamentary Assembly informed on this matter.