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Improving follow-up to CPT recommendations: enhanced role of the Parliamentary Assembly and of national parliaments

Reply to Recommendation¹: Recommendation 2146 (2019)
Committee of Ministers

1. The Committee of Ministers informs the Parliamentary Assembly that the following reply was adopted by a majority as provided by Article 20 (d) of the Statute.
2. The Committee of Ministers has carefully considered Parliamentary Assembly [Recommendation 2146 \(2019\)](#) on “Improving follow-up to CPT recommendations: enhanced role of the Parliamentary Assembly and of national parliaments”, which it has transmitted to the CPT for information and possible comments.
3. Like the Assembly which, in its [Resolution 2264 \(2019\)](#), hails the outstanding work of the CPT, the Committee of Ministers takes the present opportunity to reaffirm once more that the CPT is a vital part of the Council of Europe’s panoply of human rights protection mechanisms, at the centre of the Organisation’s work to combat and eradicate the most pressing of human rights violations.
4. The expertise of the CPT in its domain is beyond question. The standards that it has elaborated and its assessments of the situations it encounters in the course of its activities are generally regarded as authoritative, in particular by the European Court of Human Rights as well as the Committee of Ministers for the purposes of its functions under Article 46 of the European Convention on Human Rights. It has long been a trusted and respected interlocutor for Council of Europe member States.
5. The Committee of Ministers follows the work of the CPT with close attention and maintains a continuing dialogue with it by means of regular exchanges of views with its President. The proposal to adopt a similar practice within the Parliamentary Assembly, raised in [Resolution 2264 \(2019\)](#), is thus noted with interest. The suggestions made in the resolution of ways in which national parliaments could contribute to the work of the CPT are likewise noted with interest.
6. Regarding public statements issued by the CPT, the Committee of Ministers refers to and reaffirms the replies it has previously given to the Parliamentary Assembly.² As the CPT itself has noted in this respect, the effect of the Committee of Ministers placing a public statement on its agenda should be that the State examines the statement and formulates its response to it at the highest level. Given the gravity of the situations that lead the CPT to take the exceptional step of issuing a public statement, a response at that high level is indeed likely to be required. The CPT has further suggested that the inclusion of a public statement on the agenda of a meeting of the Committee of Ministers, and the participation of its representative in the discussion of the matter, could be useful for the Committee’s supervision of the execution of judgments.
7. The example may be given of the public statement issued in July 2017 about the need to ensure a guaranteed minimum service in Belgian prisons. Subsequently, at the thematic debate held by the Committee of Ministers in March 2018 about conditions of detention, during which the Belgian Minister of Justice

1. Adopted at the 1351st meeting of the Ministers’ Deputies (3 July 2019).

2. Committee of Ministers’ reply to Parliamentary Assembly [Recommendation 1968 \(2011\)](#), CM/AS(2012)Rec1968-final, adopted 17 February 2012; Committee of Ministers’ reply to Parliamentary Assembly [Recommendation 2100 \(2017\)](#), CM/AS(2017)Rec2100-final, adopted 29 November 2017.



presented the ongoing reforms of the prison system in his country, the CPT President observed that the public statement had clearly been received by the national authorities as an incentive to move forward and move faster.³ Furthermore, the Committee of Ministers included the subject-matter of that public statement in its most recent assessment of the measures taken by Belgium to cases which concern conditions of detention.⁴

8. The Parliamentary Assembly will be aware of the CPT's public statement of 11 March 2019 on the Russian Federation. It is the intention of the Committee of Ministers, in keeping with its previously stated position, to include this item on the agenda of one of its regular meetings.

3. Text of interventions at the 2018 thematic debate available at: https://search.coe.int/cm/pages/result_details.aspx?objectId=09000016807b924a#_Toc511655963

4. See paragraph 5 of the decisions adopted in relation to the group of cases L.B. v. Belgium at the Committee's 1324th meeting, 18-20 September 2018: https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016808d5951