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The European Prisons Charter

Motion for a recommendation

tabled by Ms Deborah BERGAMINI and other members of the Assembly

This motion has not been discussed in the Assembly and commits only those who have signed it

In 2004, both the European Parliament and the Parliamentary Assembly, acting independently, and for the first time, adopted texts proposing the adoption of “The European Prisons Charter”: the European Union, with its Recommendation on the rights of prisoners in the European Union (Rec 2003/2188 (INI)), and the Assembly with its [Recommendation 1656 \(2004\)](#) “Situation of European prisons and pre-trial detention centres”.

The Committee of Ministers did not follow up on the idea of a binding charter but, in its Recommendation (2006)2-rev on European Prison Rules, last amended in July 2020, it called on the governments of the member States to build on those rules when developing their legislation, policies and practices. In particular, while reaffirming the fundamental principle of the need to respect the human rights of persons deprived of their liberty, the document states that any restrictions should be reduced to what is strictly necessary and proportionate to the gravity of the offence.

Unfortunately, 20 years later, the prisons in a number of European countries are often still in a critical state. Inadequate prison policy in many member States, with inadequate facilities, and the lack of any effective harmonisation of penal and prison policies, justify the need to finally adopt a solid, effective and ambitious instrument for the promotion of a European prison policy. A convention could make it possible to establish truly binding standards and common criteria for the member States to harmonise detention conditions and monitor their enforcement, helping to more effectively guarantee respect for the rights and dignity of persons deprived of their liberty.

The Assembly should therefore once again ask the Committee of Ministers and member States to work towards the adoption of a Prisons Charter, incorporating the work done in this field by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT).

Signed (see overleaf)



*Signed*¹:

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