



**Stiftungsprofessur für Kriminalprävention  
und Risikomanagement**

# **THE EUROPEAN SYSTEM OF PREVENTION OF TORTURE**

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# ARTICLE 3

## PROHIBITION OF TORTURE

**No one shall be subjected to torture or to inhuman or degrading treatment or punishment**



# PREVENTING ILL-TREATMENT OF PERSONS DEPRIVED OF THEIR LIBERTY IN EUROPE

- The CPT organises visits to **places of detention**, in order to assess how persons deprived of their liberty are treated
- **Places of detention** include prisons, juvenile detention centres, police stations, holding centres for immigration detainees, psychiatric hospitals, social care homes



PSYCHIATRY



# PREVENTING ILL-TREATMENT OF PERSONS DEPRIVED OF THEIR LIBERTY IN EUROPE

- CPT delegations have **unlimited access** to places of detention, and the right to move inside such places without restriction.
- They interview persons deprived of their liberty **in private**, and communicate freely with anyone who can provide information.



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# PREVENTING ILL-TREATMENT OF PERSONS DEPRIVED OF THEIR LIBERTY IN EUROPE

- After each visit, the CPT sends a detailed **report** to the State concerned
- This report includes the CPT's **findings**, and its *recommendations*, *comments* and *requests for information*
- The CPT also requests a **detailed response** to the issues raised in its report

# A SYSTEM OF VISITS

- Visits are carried out by delegations, usually made up of several CPT members, accompanied by staff members of the Committee's Secretariat and, if necessary, by additional experts and interpreters.
- CPT delegations carry out **periodic visits** (usually once every four years), but additional ***ad hoc*** visits are carried out when necessary.
- The Committee must notify the State concerned that it intends to carry out a visit. After notification, the CPT delegation may go to any place where persons may be deprived of their liberty at any time and without notice.

# CO-OPERATION AND CONFIDENTIALITY

## Co-operation:

- The aim is to protect persons deprived of their liberty rather than to condemn States for abuses.

## Confidentiality:

- The Committee's findings, its reports and the governments' responses are, in principle, confidential.
- Nevertheless, a great deal of information about the CPT's work is in the public domain.

# PUBLICATIONS

- The State itself may **request publication** of the CPT's report, together with its own response. So far, most States have chosen to publish these documents.
- If a State fails to co-operate or refuses to improve the situation in the light of the CPT's recommendations, the Committee may decide to make a **public statement**.
- In addition, the CPT draws up a **general Report** on its activities, which is published once a year.

# News 2025

## The Council of Europe anti-torture Committee (CPT) calls for action to combat prison overcrowding and informal hierarchies in prisons

Français

The President of the Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), Alan Mitchell, has presented the general report on the CPT's activities covering the year 2024, together with a new standard on informal hierarchies in prison, to the Ministers' Deputies of the Council of Europe. The Committee reiterates its call to European states to remedy the chronic issue of prison overcrowding and put an end to informal hierarchies.

# Azerbaijan

- **July 03, 2024** – CPT issued a public statement on Azerbaijan
- The reason to make a public statement was the refusal of the Azerbaijani authorities to cooperate with the CPT
- Given the seriousness of the issues at stake, relating to ill-treatment and even torture by law enforcement officials of detained persons, the CPT has also decided to publish the report on the 2022 ad hoc visit to Azerbaijan as an annex to the public statement



# RUSSIA

- The Convention is **an open convention**
- Russia has continued to be bound by its provisions even after its expulsion from the Council of Europe in March 2022, following the invasion of Ukraine
- **No information** was provided in response to all CPT requests, nor was any action taken to enable the Committee to carry out monitoring visits in the Russia
- **November 18, 2024** – the CPT issued **a public statement** regarding Russia

- ▶  Germany
- ▶  Greece
- ▶  Hungary
- ▶  Iceland
- ▶  Ireland
- ▶  Italy
- ▶  Latvia
- >  Russian Federation

# STRUCTURE

- The CPT's members are **independent and impartial experts** from a variety of backgrounds, including lawyers, medical doctors and specialists in prison or police matters
- One member is elected by the Council of Europe's Committee of Ministers in respect of each State Party
- The members serve in their **individual capacity**
- They do **not** represent the State in respect of which they have been elected



**Dr. Mykola  
Gnatovskyy**



**Dr. Alan  
Mitchell**



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**Alan MITCHELL (United Kingdom)**  
President



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**Marie KMECOVÁ (Czechia)**  
1st Vice-President



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**Gunda WÖSSNER (Germany)**  
2nd Vice-President

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# BACKGROUND

- The CPT was set up under the Council of Europe's "European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment", which came into force in 1989
- It builds on Article 3 of the European Convention on Human Rights which provides that: **"No one shall be subjected to torture or to inhuman or degrading treatment or punishment"**
- The CPT is not an investigative body, but provides **a non-judicial preventive mechanism** to protect persons deprived of their liberty against torture and other forms of ill-treatment.
- The CPT thus complements the judicial work of the ECtHR

Unlike the Court, the CPT is **not** a judicial body empowered to settle legal disputes concerning alleged violations of treaty obligations (i.e. to determine claims *ex post facto*).

The CPT is first and foremost a mechanism designed **to prevent ill-treatment from occurring**, although it may also in special cases intervene after the event.

Consequently, whereas the Court's activities aim at **"conflict solution"** on the legal level, the CPT's activities aim at **"conflict avoidance"** on the practical level.

Report on the visit to Cyprus carried out from 2 to 9 November 1992. *Preface*.

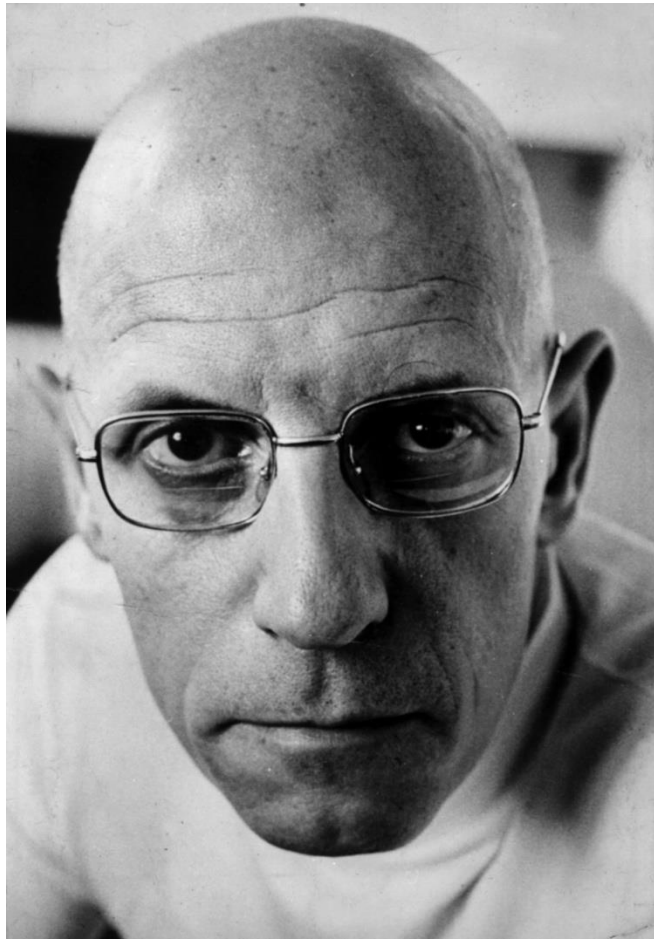
# WHAT IS TORTURE?

- The CPT's full title is the “European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment”
- It not only covers **“torture”**, but also a whole range of situations which could amount to **“inhuman or degrading treatment or punishment”**









Among so many changes, I shall consider one: the disappearance of torture as a public spectacle. Today we are rather inclined to ignore it perhaps, in its time, it gave rise to too much inflated rhetoric; perhaps it has been attributed too readily and too emphatically to a process of **'humanization'**, thus dispensing with the need for further analysis.



Punishment of a less immediately physical kind, a certain discretion in the art of inflicting pain, a combination of more subtle, more subdued sufferings, deprived of their visible display, should not all this be treated as a special case, an incidental effect of deeper changes.



And yet the fact remains that a few decades saw the disappearance of the tortured, dismembered, amputated body, symbolically branded on face or shoulder, exposed alive or dead to public view.

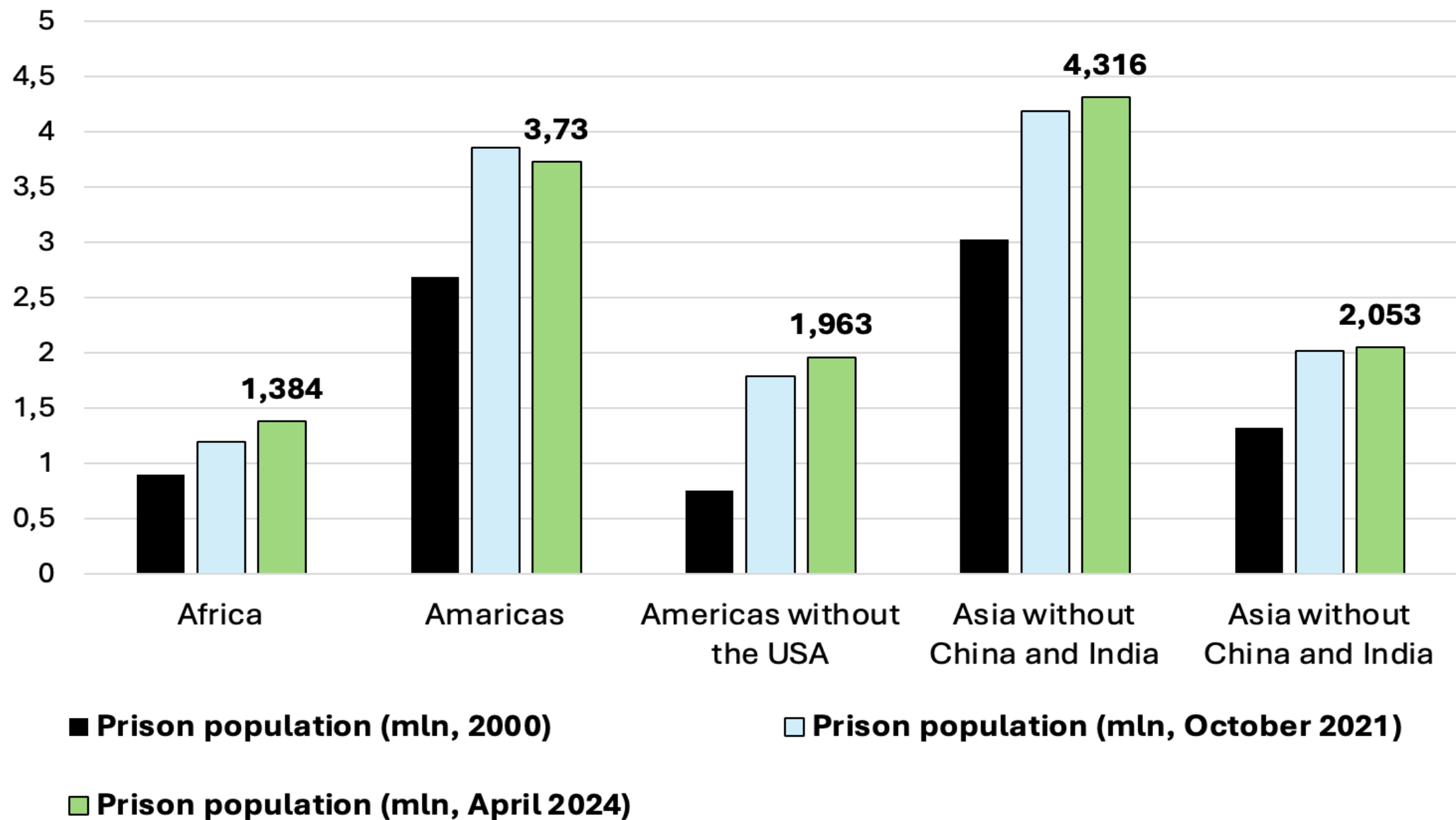
**The body as the major target of penal repression disappeared**

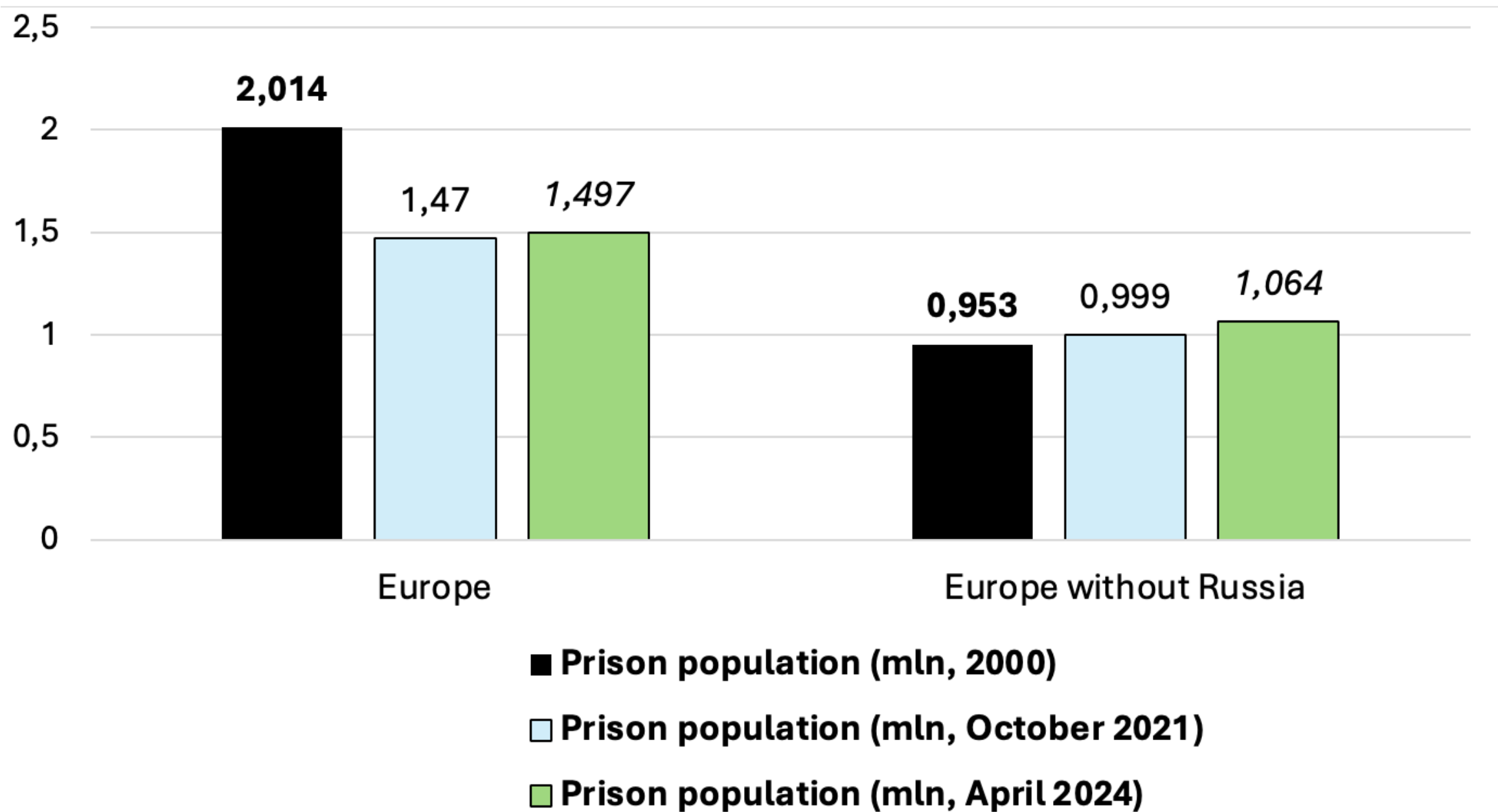


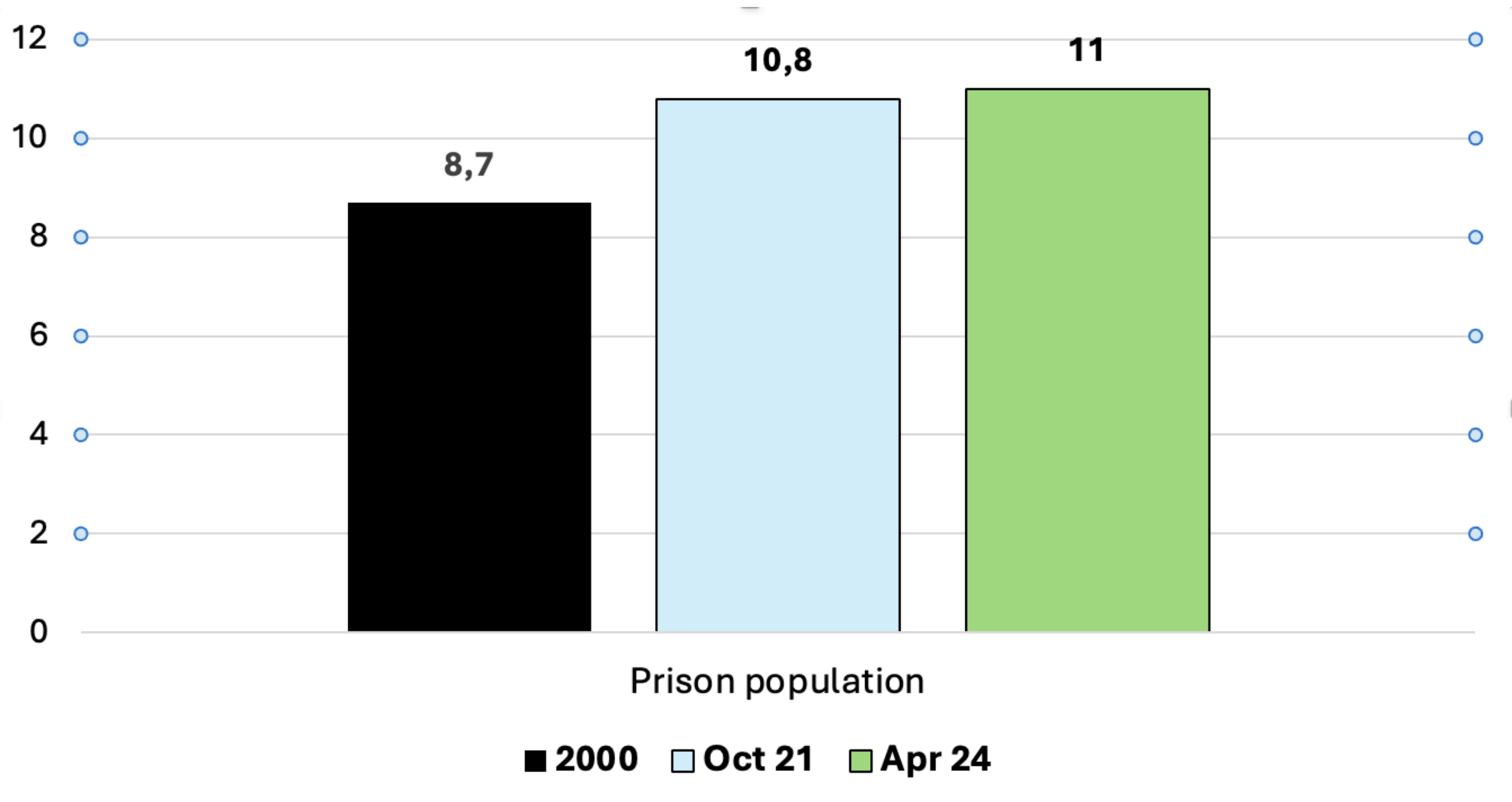


Further, the delegation found the presence of an unlabelled and out-of-use motorcycle helmet placed on top of shelves at the reception area of the Nicosia Central Police Station. Such an object is a potential source of danger to detained persons. In order to dispel speculations about improper conduct on the part of police officers and to remove potential sources of danger, the CPT recommends that any non-standard issue objects be immediately removed from all police premises where persons may be held or questioned.

*Report to the Government of Cyprus on the visit to Cyprus carried out by the CPT from 9 to 17 May 2023, Para 122.*













**CECOT**

CENTRO DE CONFINAMIENTO  
DEL TERRORISMO.













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## European Committee for the Prevention of Torture

[www.coe.int/ru/web/cpt](http://www.coe.int/ru/web/cpt)

## Prevention of Torture: Standards: Case Law. Approaches. Opinions.

[www.echr-cpt.com](http://www.echr-cpt.com)

## Gangs and Prison Hierarchies: Facts. News. Case law. Research

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