

Press Release

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Council of Europe Anti-Torture Committee publishes report on Italy

Strasbourg, 27.04.2006 - The Council of Europe's Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) has published today the report on its visit to Italy in 2004, as well as the response of the Italian authorities. These documents have been made public at the request of the Italian authorities.

In its report, the CPT observes that the majority of persons deprived of their liberty met by the CPT delegation did not make any allegation of ill-treatment against law enforcement officers. However, the Committee continues to follow closely the progress of the judicial and disciplinary proceedings following the incidents in Naples (March 2001) and Genoa (July 2001). In addition, it has requested information on the measures taken to avoid such incidents in future.

With regard to holding centres for foreign nationals, the CPT welcomes the closure of the Agrigento Centre, which had serious shortcomings in terms of infrastructure and security. Living conditions at the Lampedusa Centre were generally satisfactory at the time of the visit. This, however, would not be the case if its official capacity were to be exceeded or if foreign nationals were to remain there for a prolonged period.

The CPT also focused its attention on the removal of foreign nationals to Libya which took place at the end of 2004. Numerous failures were brought to light in administrative and judicial procedures provided for by immigration legislation and the Committee requested detailed comments on each of them. The Committee particularly stressed that each individual case should be properly verified to ensure that the persons to be removed would not run a real risk of being submitted to torture or ill-treatment.

Concerning prisons, the CPT examined in detail several special detention regimes ("Article 41-bis" and "Article 72") and formulated a certain number of recommendations in this field. It stressed once again that it would be a highly questionable practice to use the "41-bis" regime as a means of exerting psychological pressure on prisoners to co-operate. Alarming shortcomings were also observed in the provision of health-care in prisons; in particular, there seems to be a significant disparity between the level of health-care offered to prisoners and that offered to the general public.

Finally, the CPT examined the situation of patients subjected to an involuntary placement measure ("TSO") at the San Giovanni di Dio Hospital at Agrigento and recommended that certain aspects of the administrative and judicial procedures applicable in this field be improved (in particular with regard to the guardianship judge).

The CPT's visit report and the response of the Italian authorities are available on the Committee's website: <http://www.cpt.coe.int>

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