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Council of Europe anti-torture Committee publishes report on Kosovo¹

Strasbourg, 20.01.2009 - The Council of Europe's Committee for the Prevention of Torture (CPT) has published today the [report on its first visit to Kosovo](#) in March 2007, together with the response of the United Nations Interim Administration in Kosovo (UNMIK). Both documents have been made public at the request of UNMIK.

In the course of the visit, the CPT received a number of allegations of physical ill-treatment of persons held by officers of the Kosovo Police Service (KPS) in police stations throughout Kosovo. The CPT has recommended that a formal statement be delivered from the highest level to all KPS officers, reminding them that they should be respectful of the rights of detained persons and that the ill-treatment of such persons will be the subject of severe sanctions. The Committee has also made specific recommendations concerning the implementation in practice of the fundamental safeguards against ill-treatment (in particular, as regards the right of detained persons to have access to a lawyer).

Material conditions of detention were poor in almost all the police stations visited. Many cells were too small for the number of persons being held there, lacked natural light and/or artificial lighting, and were in a poor state of cleanliness.

The CPT visited Dubrava Prison, Lipjan/Lipljan Correctional Centre (the only penitentiary establishment in Kosovo for women and juveniles) and four pre-trial detention centres throughout Kosovo. At Dubrava Prison, the Committee received a number of allegations of physical ill-treatment and/or excessive use of force by members of the establishment's Intervention Unit (so-called "Delta Bravo"). Many prisoners also complained about brutal and provocative behaviour by members of that unit in the context of cell searches. In addition, some allegations of physical ill-treatment by custodial staff were received at Dubrava Prison and Lipjan/Lipljan Correctional Centre; no such allegations were heard in any of the detention centres visited.

Material conditions of detention were generally satisfactory at Lipjan/Lipljan Correctional Centre and the detention centres in Gjilan/Gnjilane and Mitrovica/Mitrovicë; however, they were very poor in some parts of Dubrava Prison and in the entire Pejë/Peć Detention Centre (advanced level of dilapidation, poor standards of hygiene, overcrowding, etc.).

The CPT has welcomed the initial efforts made by the prison administration to develop a programme of activities for prisoners (in particular, as regards female and juvenile prisoners). The Committee gained a generally favourable impression of the detention regime in the high-security block of Dubrava Prison. However, it is a matter of concern that many sentenced prisoners and almost all remand prisoners in the penitentiary

¹ All reference to Kosovo, whether to the territory, institutions or population, in this text shall be understood in full compliance with United Nations Security Council Resolution 1244 and without prejudice to the status of Kosovo.

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A political organisation set up in 1949, the Council of Europe works to promote democracy and human rights continent-wide. It also develops common responses to social, cultural and legal challenges in its 47 member states.

establishments visited did not benefit from any regular out-of-cell activities other than outdoor exercise. Further, the Committee has expressed its concern about the frequent allegations of favouritism and corruption at Dubrava Prison.

As regards psychiatric/social welfare establishments, no allegations of ill-treatment by staff were received from patients at the Psychiatric Clinic in Prishtinë/Priština and the Regional Hospital in Mitrovica/Mitrovicë, but some allegations of physical ill-treatment (such as slaps) by orderlies were received at the Shtime/Štimlje "Special Institute". In addition, a number of patients/residents, mostly women, met at Shtime/Štimlje claimed that they had been subjected to violence and/or intimidation by other patients/residents. No such allegations were received in the other psychiatric establishments visited.

Living conditions of patients were very good in the emergency/intensive care unit at the Psychiatric Clinic in Prishtinë/Priština and generally satisfactory at the Regional Hospital in Mitrovica/Mitrovicë. However, the CPT has expressed its serious concern about the fact that patients in the forensic psychiatric unit in Prishtinë/Priština were being kept, often for months on end, in a state of total idleness: they did not have any possibility to go into the open air, nor were they provided with reading material or a radio or TV, and they had no possibility to make telephone calls.

At the Shtime/Štimlje "Special Institute", the CPT gained a favourable impression of the living conditions in the new institution for persons with mental disabilities, both in terms of material conditions and socio-rehabilitative and recreational activities offered to residents. In contrast, conditions for patients in the Integration Centre for Mental Health were very poor. Many rooms were dilapidated and in a poor state of hygiene. In addition, the Centre lacked the necessary funds to ensure even the basic needs of patients (such as adequate clothing and shoes).

In its substantial response addressing all the issues raised by the CPT, UNMIK provides detailed information on the concrete measures taken by the relevant authorities to improve the situation in the light of the recommendations made by the Committee. For instance, to combat ill-treatment by the police, a directive has been issued to police officers and draft legislation has been prepared to aggravate sanctions against police officers who use force unnecessarily and/or in a disproportionate manner. In addition, steps have been taken to intensify the training of police officers and to strengthen the legal safeguards for persons detained by the police.

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

A "CPT Video-kit" is available for the audiovisual press. For more details please access our page "[For the press](#)".