

## **Summary of Case Report AJB-679\_2017 OPCAT visit to the Sátoraljaújhely Prison (July 19-21, 2016)**

On July 19-21, 2016, the OPCAT National Preventive Mechanism (hereinafter the "NPM") made an unannounced visit to the Sátoraljaújhely Prison.

The inspection also focused on following up the conclusions of the reports by the European Committee on the Prevention of Torture and Inhuman Treatment or Punishment prepared upon their country visits to Hungary.

The Institution provides the conditions, within the framework of a long-term special unit, for the enforcement of imprisonment for life. At the time of the visit, among the prisoners held in the institution there were eight prisoners spending their life sentences without the possibility of conditional release, and another eight prisoners spending similar sentences with the hope of conditional release in the future. Another 41 of the prisoners were spending imprisonments of 20, 19, 18, 16, 15, 14, 12, 11 or 10 years.

The Institution did not comply with the statutory requirements regarding the minimal size of the holding cells and the per capita living space in the regular cell block. The NPM is aware of the fact that penitentiary institutions are over-crowded due to the high number of prisoners, as well as of the measures taken to remedy the situation. However, with regard to prevention, the NPM has to highlight the impropriety related to the prohibition of inhuman treatment, stipulated in Article III of the Fundamental Law.

The low salaries after allowing for deductions create an extremely tense atmosphere within the institution. Based on the recommendation of the NPM, it would be reasonable if the period prisoners spend working in the penitentiary institution was included in their service time with respect to pension entitlement.

It causes an impropriety in connection with the right to communication, stipulated in Article VI of the Fundamental Law, that the fee of phone calls is so high that it cannot be covered from the income of the prisoners but for a very short timeframe.

The NPM did not observe any circumstances causing an impropriety in connection with free time activities; however, he has called the Institution's attention to the fact that, with a view to the great number of the long-time prisoners, a wide range of possible activities shall be continuously maintained and, as much as possible, widened.

The NPM has also brought to the Institution's notice that communication between prisoners and their legal representatives may not be restricted, and that the judgement of the prisoners' complaints shall result in resolutions complying with the requirement of legal certainty and providing individual reasoning.