



**Convention against Torture
and Other Cruel, Inhuman
or Degrading Treatment
or Punishment**

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**Committee against Torture
Forty-eighth session**

Summary record (partial)* of the 1062nd meeting

Held at the Palais Wilson, Geneva, on Wednesday, 9 May 2012, at 10 a.m.

Chairperson: Mr. Grossman

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* No summary record was prepared for the rest of the meeting.

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The meeting was called to order at 10.05 a.m.

Consideration of reports submitted by States parties under article 19 of the Convention *(continued)*

Combined fifth and sixth periodic reports of Greece (CAT/C/GRC/5-6; CAT/C/GRC/Q/5)

1. *At the invitation of the Chairperson, the delegation of Greece took places at the Committee table.*
2. **Mr. Ioannides** (Greece) said that the Greek Government accorded high priority to the prevention and elimination of torture and other cruel, inhuman or degrading treatment or punishment. His country would spare no effort to prevent and punish instances of abuse or misconduct leading to a violation of the rights guaranteed by the Convention and to improve the living conditions of all persons under detention.
3. However, a number of objective external factors, such as the rapid increase in migration flows and the financial crisis, posed serious challenges and contributed to the overcrowding and the inadequate maintenance of detention facilities. Notwithstanding those adverse conditions, Greece had taken major steps to improve living conditions in detention facilities and to enhance transparency in the administration of such facilities through targeted interventions.
4. His country had adopted legislative measures regarding the strategic planning of prisons and prison overcrowding. In 2001 it had established by law a Special Framework of Spatial Planning (SFSP) that provided for the construction of several new prisons throughout the country. One of them had already been built and two others were in the final stages of construction. A special facility for detoxification had also been constructed.
5. Targeted legislative initiatives had been adopted to streamline and rationalize criminal law and the applicable sentencing system. Shortcomings in the legislation in force that had contributed to an increase in the prison population had been eliminated. Act No. 3811/2009 restricted the conditions under which pretrial detention could be ordered and amended the minimum serving time for conditional release of detainees convicted of drug offences. A total of 1,235 detained persons had so far been released under that act.
6. Act No. 3900/2010 was aimed at further accelerating the administration of justice in Greece, reducing the high proportion of pretrial detainees (more than 30 per cent of the prison population) and ensuring the segregation of pretrial and convicted detainees.
7. Act No. 3904/2010 promoted alternative measures to imprisonment and sought to ensure that prison sentences were imposed only for serious offences and reoffending criminals. The act provided for the conversion of prison sentences into fines, increased the number of participating community service institutions to 285, facilitated the early release of detainees, further extended the suspension of the execution of sentences, and permitted detainees over the age of 75 years to serve the imposed sentence under confinement at home. Each day spent in prison was calculated as two days for members of vulnerable groups of detainees, especially persons in poor health. About 1,134 detained persons had been released to date under the provisions of that act.
8. Act No. 3860/2010 provided for fairer penalties for juvenile offenders, since most minors were currently serving sentences only for felonies and not for misdemeanours. Sentences of more than 10 years could be imposed only for particularly serious crimes. The maximum penalty in such cases had been reduced from 20 to 15 years. Minors under 15 years of age, compared with 13 years of age previously, were subject only to reformatory or therapeutic measures. Minors aged 15 years or more could be confined in special prisons.

9. Recently enacted Act No. 4043/2012 also promoted alternative measures to imprisonment, offering detainees whose sentences did not exceed 5 years the possibility of conditional release. Within the first two weeks of its enforcement, 360 prisoners had been released.

10. Articles 74 and 99 of the Criminal Code had been amended by Act No. 4055/2012 in order to improve the process of imposition and execution of judicial expulsion. Until recently, foreigners whose expulsion was impossible had been held in long-term detention. The new act restricted the duration of such detention, and compliance with its provisions would be monitored by a judicial body.

11. Since June 2011 every prison had been keeping a record of injuries to detainees, which would allow prosecutors to verify every allegation of ill-treatment and violence against detainees. Since the same date women's prisons had been keeping a record of body searches, which would allow the competent authorities to effectively check whether such searches were made in accordance with the law. A permanent hotline had been put in place in the Special Secretariat for Correctional Policy so that prisoners could easily contact the Central Administration of Prisons. As a result, many issues raised by prisoners had been successfully addressed.

12. A systematic policy of allowing NGOs and other bodies such as bar associations and political parties to have access to prisons had led to increased transparency. The ratification by Greece of the Optional Protocol to the Convention would also greatly enhance transparency. A bill submitted to Parliament designated the Greek Ombudsman as the national preventive mechanism. The Ombudsman would be tasked with conducting visits to places of deprivation of liberty, especially prisons, police stations and detention centres, in order to guarantee the prevention and control of any offences against human dignity and the improvement of conditions of detention.

13. In spite of the adverse financial situation, a series of measures aimed at improving health-care facilities for prisoners had been taken. More than 4,000 prisoners had been examined for various diseases. Many had been vaccinated against hepatitis, diphtheria and tetanus or screened for AIDS and tuberculosis. Under a new bill on drugs that had been submitted to Parliament, every prisoner would be entitled to drug addiction treatment.

14. It had generally been acknowledged, including by the competent United Nations human rights procedures, that Greece faced particularly heavy migratory pressure due to its geographic location on the external border of the European Union, its extensive land and sea borders, and its proximity to the main countries of origin and transit of irregular migration. Since 2008 more than 125,000 persons had been detected each year illegally entering or residing in Greece. Cooperation with the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (Frontex) and the strengthening of local police directorates had led to an improvement in the situation at the maritime borders and around the islands. The number of irregular migrants apprehended at the land borders had quadrupled in 2010. In the Evros area, more than 200 persons crossed the border illegally every day. Such a massive influx of foreign nationals was bound to lead to the overcrowding of relevant facilities. Furthermore, Greece accounted for 90 per cent of all detected illegal border crossings in the European Union and received the highest number of asylum applications, despite its relatively small population. The Dublin II Regulation, which determined the European Union member State responsible for examining an application for asylum lodged in a member State by a third-country national, placed an extremely heavy burden on Greece, which was one of the main gateways to the Union.

15. While Greece was currently facing serious financial constraints, the authorities remained fully aware of their obligation to respect international human rights law. The

measures announced by Greece concerning the treatment of migrants under detention and asylum-seekers had been approved by the European Union. They included the creation of reception centres, the modernization of existing migrant detention centres and the creation of new ones. The reception and accommodation conditions for migrants in respect of whom the implementation of an order of administrative or judicial expulsion was pending would therefore comply with international standards. The national asylum system was being reformed and new return procedures based on a modern, integrated and decentralized policy would ensure the rational and efficient management of migration flows.

16. First reception and asylum services with independent administrative organizational facilities and qualified civilian personnel had been established within the Ministry of Citizen Protection. The first such centre was expected to be fully operational by September 2012. The General Regulation for the Operation of Regional First Reception Services was already in force. The aim was to provide sanitary accommodation and protection for the persons held, especially in places where large numbers of irregular migrants were accommodated. A Memorandum of Understanding had been signed between Greece and the European Economic Area in order to address pressing needs for the accommodation of migrants. The activities being implemented by the Ministry of Citizen Protection were not confined to the region of Attica, which faced acute challenges of irregular migration, but covered the entire country. The basic aim was to protect the dignity and human rights of the persons who were being held. It was encouraging that the European Union had launched initiatives aimed at supporting the Hellenic Action Plan for the Management of Migratory Flows.

17. The Ministry of Citizen Protection and the Headquarters of the Hellenic Police attached great importance to the protection of human rights and the outlawing of all forms of racist behaviour. An office responsible for addressing allegations of arbitrary action by law enforcement personnel had recently been established at the Ministry. It would collect, record, assess and investigate allegations of abuse by members of the uniformed personnel of the Hellenic Police, the Hellenic Coast Guard and the Fire Brigade in the performance of their duties. It would also investigate cases in which the European Court of Human Rights had found a violation of the European Convention on Human Rights.

18. Legislation and policies against trafficking in human beings had been further strengthened. There was now a comprehensive legal and operational framework, comprising preventive activities, criminalization of the relevant offences and assistance to victims. Greece had recently ratified the United Nations Convention against Transnational Organized Crime and the protocols thereto. An informal, interministerial working group attached to the Ministry of Foreign Affairs had been operating since July 2008. It functioned as a national coordination mechanism and represented Greece in all international bodies.

19. Violence against women was regarded not only as a criminal offence but also as one of the gravest forms of gender-based discrimination. While the adoption of Act No. 3500/2006 had been a decisive step forward, more needed to be done. A 24-hour SOS hotline operated by psychologists and social workers and covering all forms of gender-based violence had been launched in March 2011. The creation and operation of a comprehensive structure, including counselling centres and shelters, for the prevention and combating of gender-based violence and the provision of support to victims throughout the country had been included in the National Action Plan on Violence against Women (2009–2013), which had been incorporated in the National Programme for Substantive Gender Equality (2010–2013).

20. Lastly, he noted that the Committee's new optional reporting procedure had proved to be an extremely useful tool for the efficient preparation of the review of State party policies under the Convention.

21. **Ms. Sveaass** (Country Rapporteur) welcomed the opportunity to engage in a dialogue with the Greek delegation, since the dialogue scheduled for 2011 had been postponed at the request of the State party on account of the financial crisis and the resignation of the Government. The report was based on the new optional procedure involving replies to the list of issues raised by the Committee. The list had been sent to the State party in February 2009 and the report was dated 30 June 2010. However, the delegation had already provided useful information on recent developments.

22. The Committee was aware of the public statement issued in March 2011 by the European Committee for the Prevention of Torture concerning the Greek authorities' failure to take effective action to redress a number of serious situations on which that Committee had made strong recommendations. The issues involved related primarily to the conditions of irregular migrants and the situation in prisons. While recognizing the severe economic and political challenges faced by the State party, as well as the continuing sizable influx of migrants, she sincerely hoped that the current dialogue would provide Greece with an opportunity to demonstrate the constructive role that treaty bodies and other supervisory or monitoring bodies could play in ensuring respect for basic human rights. In particular, the Committee encouraged the State party to take more resolute action against discriminatory and hate-based behaviour towards national minorities and foreign nationals. It was fully aware of the problems stemming from the location of Greece on the border of the European Union and the fact that it accounted for more than 90 per cent of illegal border crossings by migrants and asylum-seekers. However, some of the groups which had entered the Greek political scene during the recent elections espoused extremist positions with regard to migrants and foreigners. The European Union Commissioner for Enlargement and European Neighbourhood Policy had expressed the hope that no party that advocated xenophobia or extreme nationalism would join the Greek executive.

23. Turning to article 1 of the Convention, she stressed the importance of ensuring that the definition of torture in Greek criminal law contained all the elements set forth in the Convention. Torture was prohibited under article 7 of the Greek Constitution, which stated that "torture, any bodily maltreatment, impairment of health or the use of psychological violence, as well as any other offence against human dignity" were punishable under the relevant legislation. The offence of torture was also defined in article 137A of the Greek Criminal Code. Although the latter definition was based on article 1 of the Convention, there were a number of discrepancies. The reference in paragraph 1 of the article to "any public servant or military officer" did not include persons "acting in an official capacity" and the definition omitted acts of torture carried out with the consent or acquiescence of a public official. The inclusion of the word "systematic" in the definition of torture in subparagraphs 2 (a), (b) and (c) was also inconsistent with the Convention. She drew attention to the absence of the word "suffering" from subparagraph 2 (a). Furthermore, the requirement in subparagraph 2 (c) that mental suffering should "lead to severe psychological damage" was somewhat problematic.

24. The Committee urged all States parties to ensure that their definition of torture incorporated all the elements contained in article 1 of the Convention. As the Committee had pointed out in its general comment No. 2 on the implementation of article 2 of the Convention, serious discrepancies between the definition in the Convention and that incorporated into domestic legislation created actual or potential loopholes for impunity. She drew attention to the fact that the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment had recommended that the State party should amend article 137A of the Criminal Code on torture in order to explicitly include rape and other forms of sexual violence as torture, rather than categorize them as serious breaches of sexual dignity. She would welcome the delegation's comments in that regard. Moreover, reports indicated that it was difficult for women to report rape, that there was little follow-up in such cases and that there were only limited campaigns to raise awareness

of the seriousness of rape. She requested information on recent steps to ensure that perpetrators were punished for such crimes and that victims were provided with legal, social and medical assistance and redress.

25. The State party's report indicated that there were no data available on persons who had been tried and convicted for the crime of torture, attempted torture or complicity or participation in torture. She requested an explanation for that lack of data, particularly in the light of the criticisms and recommendations that other international organizations had made in that regard and the number of rulings in the European Court of Human Rights against the State party in cases of torture or ill-treatment.

26. The data provided in paragraph 180 of the periodic report indicated that few cases of complaints against police officers for ill-treatment were actually examined in criminal proceedings, and fewer still resulted in conviction. She cited the case of five Greek coastguards who had been convicted in the first instance for violating article 137A of the Criminal Code and had been handed suspended sentences of 12 to 30 months for committing an offence against sexual dignity, abetting or abuse. They had been found guilty of raping and abusing a homosexual Turkish national refugee in June 2001. At the appeal in June 2006, those sentences had been reduced to 6 months' imprisonment for two of the coastguards, while the other three had been acquitted. In its ruling on the case on 17 January 2012, the European Court of Human Rights had held that rape of a detainee by State agents was indeed torture under international law and had cited ample case law. The Court had ordered the State party to pay redress and had found that it had breached article 3 of the European Convention on Human Rights on four counts. First, the domestic courts had failed to recognize the rape as torture; second, the authorities had failed to conduct an adequate investigation, particularly by denying the victim a medical examination after the assault; third, the fine handed down had been inadequate; and fourth, the courts had ignored the victim's request for information on the progress of his case. She wished to know what action was being taken in the State party in the wake of that ruling.

27. In that connection, it would be useful to have more information on the training provided to the police, other law enforcement officers and medical personnel on how to recognize the signs of torture and on implementing the Istanbul Protocol. The case of the ill-treatment of a 16-year-old member of the Roma community in August 2001 in a police station was a further example of punishment handed down by the State party in violation of the Convention. While the court had convicted the police officer for ill-treatment and sentenced him to 3 years' imprisonment, the appeal court had acquitted him. In April 2010, the European Court of Human Rights had found that the State party had violated article 3 of the European Convention. It appeared that many convictions concerning cases of torture or ill-treatment handed down in the first instance were overturned on appeal. It would be useful to know why that was the case.

28. Reports appeared to indicate that article 137A of the Criminal Code had been invoked until recently only in relation to ill-treatment and often led to minimal sentences. In December 2011, a retired police officer had been convicted by an Athens court for two acts of torture, namely using electroshock weapons on two youths in August 2002. She requested confirmation of whether that was the only case in which a domestic court had convicted a person of torture under article 137A of the Criminal Code. Even in that case, the 6-year sentence had been suspended pending an appeal hearing, resulting in the most lenient sentence possible and allowing the police officer to walk free. She would welcome the delegation's comments on that case. In that connection, she recalled the importance of establishing independent bodies to deal with complaints of police violence. The Committee would appreciate more information on any such bodies.

29. She commended the State party for the measures it had taken to prevent trafficking in persons, notably by enacting comprehensive victim-centred legislation, prosecuting

labour and sex trafficking offences and disrupting major trafficking networks. She would, however, appreciate additional information on current steps to protect the victims of trafficking.

30. It was widely recognized that about 90 per cent of the migrants that came to the State party did so in order to access other parts of Europe. The European Court of Human Rights had ruled in January 2011 that asylum-seekers could not be sent to the State party under Dublin Convention procedures. It would be useful to know what action the State party had taken in that regard. The Committee urged the State party to ensure that legal safeguards guaranteed that its asylum procedure was fair and was in line with international standards. It should also provide humane conditions for asylum-seekers and migrants awaiting the outcome of their applications and must respect the principle of non-refoulement. She welcomed the recently adopted legislation on asylum, migration-related detention and returns of third-country nationals and requested updated information on how the new legislation was functioning in practice. She also commended the State party for adopting an action plan in 2010 to improve the asylum procedure and conditions for the treatment of third-country nationals, including asylum-seekers, and a presidential decree to set appropriate standards for the fair examination of asylum-seekers for a transitional period. She asked whether the transitional period was still under way. The Committee would appreciate updated information on the planned opening of 30 new detention centres. She asked whether the new centres would be visited regularly and how they would be staffed.

31. It appeared that it was extremely difficult to access the asylum procedures, even for asylum-seekers in detention centres and for individuals submitting an asylum application. The Committee had received reports that in 2010, at the Turkish-Greek border alone, some 55,000 people had been arrested and only 512 applications had been lodged. The number of people being granted asylum was likewise extremely limited, and there was allegedly a lack of information about rejection decisions and the possibilities of appeal. She wished to know what measures the State party planned to take to ensure that the system of appeals fully complied with the obligation of non-refoulement under article 3 of the Convention. The State party should ensure that the law guaranteed the automatic and immediate suspensive effect of appeals against orders of deportation. It should also implement measures to ensure that free, prompt and effective legal assistance was provided to all persons subject to deportation orders to ensure the effective exercise of their right to appeal the order. It should ensure that all persons who were subject to a deportation order understood the order and other relevant documents by having them translated into a language the persons understood or explained orally if the persons were illiterate. If the persons did not understand the deportation order, they would be unable to exercise their right to appeal the order. In addition, the State party must ensure that strict time limits did not impair the exercise of the right of appeal.

32. The Committee remained concerned at reports of undocumented migrants and asylum-seekers being detained at entry into the State party and a lack of respect for the limitations on the length of administrative detention. It would be useful to know how long the State party planned to hold people in the 30 new detention centres. Reports also alleged that reception centres did not operate under standardized rules for the care of unaccompanied or separated children. It would be useful to know if any of the new centres for asylum-seekers would be specially designed and staffed to accommodate children.

33. She would also welcome an account of the recent amendment to legislation on granting refugee and asylum status, including Presidential Decree 114/2010. It would appear that asylum-seekers could be arrested if they were considered a public health risk. She asked how many people had been detained under that provision and if they had received the medical care they needed. In that regard, she would appreciate additional

information on the programmes to improve the health of people staying in reception centres.

34. It would be useful to know which NGOs and other organizations were permitted to visit prisons, under what conditions, and how they applied for access to places of detention. She also asked whether the Convention could be directly invoked in domestic courts and if not, why that was the case. The Committee would welcome updated information on the bill being drafted to ensure that victims of torture or ill-treatment received compensation. Likewise, it would be useful to hear about any cases in which victims of torture had received compensation, and to verify the accuracy of reports that some asylum-seekers had been returned to Turkey, despite the fact that their asylum requests remained under consideration.

35. **Ms. Belmir** (Country Rapporteur) said that she would like clarification of the status of minorities in the State party and whether their members were considered to be Greek citizens and therefore equal under the law. Given the often poor treatment reserved for members of certain groups, such as immigrants in an irregular situation and detainees, by police officers, she asked whether the latter received proper training. Noting that the courts appeared to treat the police with a degree of indulgence, she would like to know why so few police officers against whom complaints of misconduct had been lodged had been actually prosecuted or punished. She wondered whether the judiciary and the police tried to protect each other's interests.

36. Attempts to modernize the criminal justice system had little hope of success if the remainder of the justice system continued to function poorly. The effort to reduce prison overcrowding by commuting prison terms to fines would have little effect if convicts unable to pay those fines then became liable to civil imprisonment. The absence of an impartial mechanism to which complaints of torture could be submitted by Greek nationals and foreigners alike impeded their access to justice.

37. Juvenile justice was also characterized by major shortcomings. The fact that minors were held only in special juvenile detention centres and that the maximum prison term of 20 years was not applied to them was insufficient. Unaccompanied immigrant minors had difficulty obtaining access to justice. She was also concerned about the treatment reserved for minors who were victims of human trafficking, in particular those who were exploited sexually.

38. **Mr. Tugushi** said that he would like to know whether efforts had been made in 2011 to improve the conditions of detention in migrant reception facilities and border guard posts in the Evros area. He also asked whether the Special Foreigner Hosting Centre in Lakonia had reopened. He would like to know what measures had been taken to increase funding and staff levels for prisons. He also asked whether the assault on Panayote Dimitras (of Greek Helsinki Monitor) and legal counsel Thanassis Tartis at a court hearing on 16 December 2011 had been investigated and, if so, whether the perpetrators had been prosecuted.

39. **Mr. Bruni** asked for more information on the current number of inmates in Special Foreigner Hosting Centres and how that compared with their official capacity, and for details on their conditions of detention. He was concerned by statements in the State party's combined periodic reports that there was an urgent need to build more detention centres.

40. Conditions of detention in Greece had deteriorated so much in recent years that the European Committee for Prevention of Torture had felt itself compelled to issue a special public statement in March 2011 on the situation of immigrants in an irregular situation and the prison system in the State party. The statement had been issued under article 10 of the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment as a result of the State party's failure to cooperate with that Committee and

was only the sixth such statement it had issued since its establishment in 1989. He wished to know what the State party's response had been and if anything meaningful had since been done to comply with its recommendations. He asked what progress had been made on the draft presidential decree on amendments to national asylum legislation and whether implementation of the law establishing an independent asylum service had been stalled for want of resources. In the absence of that service, who was responsible for assessing and processing asylum requests?

41. **Ms. Gaer**, noting that the population of certain places of detention, in particular those in Patras and Trikala, had doubled or even quadrupled between 2004 and 2007, asked why that was and what had happened since then. She said that she would like to have information on the age and nationality of detainees and details of training provided to law enforcement officials on the detection of signs of domestic and sexual violence. Noting that body searches of female detainees were routine and that the Committee for Prevention of Torture had found during its most recent visit to the State party that the searches were invasive and degrading, she asked whether the situation had improved in that respect since that visit.

42. She asked how many complaints, if any, had been lodged against police officers for violations of the police code of ethics and whether any officers had been prosecuted and punished as a result. With regard to the more than 500 Albanian Roma children who had reportedly gone missing in the State party after their arrest for begging and subsequent release between 1982 and 2002, she asked what measures had been taken to locate them or investigate their disappearance. Had the State party considered setting up a joint commission of inquiry with Albania?

43. **Mr. Mariño Menéndez** asked whether the commutation of prison terms of up to 5 years to fines, aimed at reducing prison overcrowding, would also be applied to persons convicted of acts of torture. He said that such fines could be considered a suspension of the original sentence, which would contravene article 2 of the Convention. He wished to know whether audio or audiovisual recordings were made during the questioning of detainees.

44. Turning to the matter of asylum-seekers, he asked whether new regulations made a distinction between asylum and subsidiary protection. He would also like to know whether having been subjected to female genital mutilation was considered sufficient grounds for the granting of asylum, whether immigrants in an irregular situation could register a fixed address and whether their children thereby had the right to attend school.

45. He asked whether the agreement between the State party and Turkey on the refoulement of immigrants in an irregular situation, under which the State party could return such immigrants to Turkey if they had entered Greece from that country, was still in force or being renegotiated. He wondered whether Turkey, in turn, then returned such immigrants to countries where their lives or freedom might be threatened.

46. The fact that compulsory civilian service for conscientious objectors took twice as long as military service appeared to constitute a form of punishment for the refusal to carry out military service.

47. **Mr. Gaye** said that he would like more information from the State party on the application of fundamental guarantees to persons held in police custody or detention. The State party had provided no information as to whether persons who reported acts of torture received protection from the authorities. With regard to asylum, he asked whether it was possible to appeal against deportation orders and, if so, whether such appeals had suspensive effect. Had any cases before Greek courts reached a statute of limitations because of the lethargy of the Greek justice system and, if so, had those responsible for the delays faced any consequences? Lastly, he asked what role was played by NGOs in prison visits.

48. **The Chairperson** asked for more details about the records of injuries to detainees that had been introduced in the State party's prisons in 2011 and, in particular, on the prevention of reprisals against prisoners who reported such injuries. He said that he would also like to know what specific measures had been taken by the State party to ensure that NGOs and other competent bodies had full access to prisons, and whether it was known when the Ombudsman would take up the role of national preventive mechanism.

49. He asked whether resources had been made available to implement the bill entitling prisoners to treatment for drug addiction, to ensure the proper functioning of the Ministry of Citizen Protection office responsible for addressing allegations of arbitrary action by law enforcement personnel, and to implement new asylum legislation. He also asked whether the Ministry of Citizen Protection office would investigate violations of the Convention.

50. **Mr. Domah**, noting that the European Court of Justice had suggested that interference by the executive in court sentences ran counter to democratic principles, asked whether decisions to commute prison sentences to financial penalties and otherwise amend sentences were made by the executive or the judicial branch. Were prisoners returned to court for re-sentencing?

The discussion covered in the summary record ended at 12 noon.