



1193rd meeting – 6 March 2014

Cases against Italy

Application No.	Case	Judgment of	Final on
43517/09+	TORREGGIANI AND OTHERS	08/01/2013	27/05/2013
22635/03	SULEJMANOVIC	16/07/2009	06/11/2009

[DH-DD\(2013\)1368](#), [DH-DD\(2012\)670](#)

Decisions

The Deputies

1. recalled that in response to the pilot judgment, the authorities must put in place, by 27 May 2014, a remedy or combination of remedies with preventive and compensatory effect affording adequate and sufficient redress in respect of Convention violations stemming from overcrowding in Italian prisons;
2. expressed concern that the remedy under consideration is only compensatory and only available in limited circumstances;
3. strongly urged the Italian authorities to take concrete steps to put in place a remedy or combination of remedies with preventive and compensatory effect affording adequate and sufficient redress in respect of Convention violations stemming from overcrowding in Italian prisons by the deadline set, and provide the Committee with information on all developments in this respect;
4. recalled that to be fully effective such a remedy needs to be underpinned by substantive measures to address overcrowding and in this respect noted with interest the measures taken in particular, a law decree adopted in July 2013 which includes possibilities to grant early release, maximise use of house arrest, reduce use of pre-trial detention and increases eligibility for release on licence;
5. noted however that further information is needed in order to understand the scale of overcrowding in Italian prisons and assess the effectiveness of the measures taken, in particular on how the total capacity of the prison establishments is calculated, monitoring carried out on detention conditions, up-to-date statistics on the reduction of the prison overcrowding and details on the impact of the different measures adopted so far, along with a timetable for the measures planned, and invited the authorities to provide a consolidated action plan with this outstanding information, so that it can be fully assessed;
6. in the light of the deadline in the pilot judgment, decided to resume examination of these cases at its 1201st meeting (DH) in June 2014.