

**Question for oral answer O-000253/2011  
to the Commission**

Rule 115

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on behalf of the ALDE Group

Subject: Detention conditions in the EU

The Commission has issued a Green Paper, further to an explicit request by the Council and as provided for by the Stockholm Programme and repeatedly called for by Parliament, on 'Strengthening mutual trust in the European judicial area - A Green Paper on the application of EU criminal justice legislation in the field of detention'. The paper launches an open consultation exercise for stakeholders on EU actions for improvement of detention conditions to ensure mutual trust in judicial cooperation. It also highlights the links between detention conditions and various EU instruments, such as the European Arrest Warrant and the European Supervision Order, and illustrates how pre-trial detention, the situation of children and detention conditions are issues on which the EU could take initiatives. The paper contains an annex illustrating the very varied and often worrying situation in Member States, notably in relation to the number of pre-trial detainees, prison occupancy level and overcrowding, the prison population rate, and the detention rate for non-nationals. The European Court of Human Rights has repeatedly condemned EU Member States with regard to detention conditions, the length of pre-trial detention and the administration of justice, including on the basis of reports by the Council of Europe's Committee for the Prevention of Torture.

What will the Commission do at EU level to ensure that fundamental rights of persons detained in prisons are respected and that detention conditions are improved in Member States? What will the Commission do in relation to the abuse of pre-trial detention, overcrowding, high prison population rates and detention rates for non-nationals? Will it examine the impact of criminal policies and laws on detention conditions and make recommendations in relation to these issues, such as recourse to alternative measures, criminalisation of irregular immigrants, and special measures to ensure that fundamental rights are respected? What will the Commission do to follow up its Green Paper?

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