

Resolution CM/ResDH(2016)28
Execution of the judgments of the European Court of Human Rights
Two 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 |

*(Adopted by the Committee of Ministers on 8 March 2016
at the 1250th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 46, paragraph 2, of the Convention for the Protection of Human Rights and Fundamental Freedoms, which provides that the Committee supervises the execution of final judgments of the European Court of Human Rights (hereinafter "the Convention" and "the Court"),

Having regard to the final judgments transmitted by the Court to the Committee in these cases and to the violations established;

Recalling the respondent State's obligation, under Article 46, paragraph 1, of the Convention, to abide by all final judgments in cases to which it has been a party and that this obligation entails, over and above the payment of any sums awarded by the Court, the adoption by the authorities of the respondent State, where required:

- of individual measures to put an end to violations established and erase their consequences so as to achieve as far as possible *restitutio in integrum*; and
- of general measures preventing similar violations;

Having examined the action report provided by the government indicating the measures adopted in order to give effect to these judgments and the additional information provided (see documents DH-DD(2015)1251 and DH-DD(2016)106 respectively);

Welcoming the response given by the Italian authorities to the *Torreggiani and Others* pilot judgment through the adoption of major reforms aimed at solving the problem of prison overcrowding and the significant results achieved to date in this area;

Welcoming further the government's commitment to continue its efforts to combat overcrowding in order to achieve a lasting solution to this problem;

Having noted moreover with satisfaction the establishment of a system of computerised monitoring of the living space and conditions of detention of each detainee and an independent internal mechanism of supervision of detention facilities which will allow the competent authorities promptly to take the necessary corrective measures;

Welcoming the establishment of a combination of domestic remedies, preventive and compensatory, and noted the information provided on their functioning in practice confirming that these remedies appear to offer appropriate redress in respect of complaints concerning poor conditions of detention;

Having noted the importance of continuing closely to follow the implementation of these remedies in order to ensure their accessibility and effectiveness and having also noted with interest the establishment of a monitoring system within the penitentiary administration and the Ministry of Justice of their functioning;

Having noted the other measures adopted in order to improve the material conditions of detention and expressing its confidence that the Italian authorities will continue their efforts in order to ensure conditions of detention in conformity with the requirements of the Convention and the standards of the European Committee for the prevention of torture and inhuman or degrading treatment or punishment;

Having satisfied itself that all the measures required by Article 46, paragraph 1, have been adopted,

DECLARES that it has exercised its functions under Article 46, paragraph 2, of the Convention in these cases and

DECIDES to close the examination thereof.