

Summary of Report No. AJB-750/2021

On May 13, 2020, the Commissioner for Fundamental Rights of Hungary, who is responsible for performing the tasks of the OPCAT National Preventive Mechanism (hereinafter the “NPM”) and two members of his staff paid a visit to the Sopronkőhida Strict and Medium Regime Prison (hereinafter the “Prison”).

At the time of the visit, a new unit with a capacity of 110 as part of a nationwide capacity expansion project was under construction, after the handover of which the utilization rate of the Prison was expected to fall below 100%.

Due to the risks of the pandemic, the visit, in contrast to the general practice of the NPM, was previously announced to the Prison. The members of the visiting group, wearing appropriate personal protective equipment, inspected the premises of the Prison and made interviews with the members of the management, the staff, and the detainees.

The aim of the visit was to investigate into the measures taken to prevent the spread of the COVID-19 and to cope with the challenges posed by the pandemic, as well as to inspect the impact of the restrictions imposed due to the COVID-19 outbreak on the everyday life of detainees.

At the time of the visit, there was no COVID-19 positive person in the Prison.

The warden of the Prison took measures to provide the necessary protective equipment and disinfectants, and in order to prevent the spread of infection in the Prison by the adaptation of the Action Plan of the Hungarian Prison Service Headquarters.

The Prison, in compliance with the provisions of special legislation due to the pandemic, has introduced restrictions which affected the means of contact and the participation of the inmates in education and training, and also in work and free time activities. Visits were prohibited. As compensation for this restriction, the detainees were allowed to make longer phone calls and could request to communicate via internet (Skype). Concerning the online communication via Skype, both the detainees and the prison staff reported positive experiences.

Education and training were provided without the personal presence of teachers or trainers. Outdoor activities were organized in smaller than usual groups. Work opportunities decreased, but it was still possible to employ more than half of the detainees.

In the opinion of the NPM, at the time of the visit, the staff shortage, with special regard to the increased psychological distress during the pandemic, which affected both the detainees and the prison staff, may have adversely affected the treatment of prisoners, which threatened the enforcement of the prohibition of inhuman or degrading treatment.