



HEALTH RIGHTS IN PRISONS AND OTHER PLACES OF DETENTION

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INTERNATIONAL STANDARDS

- UN CAT
- COE CPT
- ECHR
- EUROPEAN PRISON RULES
- UN STANDARD MINIMUM RULES FOR THE TREATMENT OF PRISONERS
- UN BODY OF PRINCIPLES FOR THE PROTECTION OF ALL PERSONS UNDER ANY FORM OF DETENTION OR IMPRISONMENT
- BEIJING RULES
- WHO GUIDELINES

RIGHT TO HEALTH

- **Medical assistance**
- **General well-being**



BUDGET

GENERAL DUTIES

*DUTY OF CARE

*PRINCIPLES

- INDEPENDENCE
- COMPETENCE
- NON-DISCRIMINATION
- CONFIDENCE

GENERAL DUTIES

- **SANITARY, LIVING AND GENERAL HEALTH CONDITIONS**
- **Reporting and inspection**
- **Overcrowding, food, medications**

**ECtHR case law*

Farbthus v. Latvia

Semikhvostov v. Russia

Vasilyev v. Russia

MEDICAL RECORDS/DOCUMENTATION

- CONFIDENTIALITY
- DETAIL
- ACCESS TO PRISONER/DETAINED AND HIS LAWYER/FAMILY

**ECtHR case law*

Szuluk v. UK – confidential correspondence with specialist outside of prison health care

Accountability and responsibility

- Highest ethical standards (professional associations)
- Informed consent unless there are strong and compelling reasons otherwise
- Report any issues of health-care, unlawful treatment, epidemiological risks
- Protection against reprisals

Education and training

- Health professionals must know about the Human Rights standards
- Continuous education and professional development

INFECTIVE DISEASES

- PREVENTION
- TREATMENT
- HYGIENE, MATERIAL CONDITIONS, MEDICAL DOCUMENTATION

**ECtHR CASE-LAW*

Ghavatadze v. Georgia

Salakhov and Islyamova v. Ukraine

Juveniles, women

- **Adequate health care according to their specific needs**
- **Solitary confinement for juveniles should not exceed 3 days**

RECOMMENDATIONS

- **Good law-making practices**
- **Alternatives to imprisonment**
- **Effective link of the penitentiary health-care with the public health authorities**
- **Accurate, confidential and detailed medical documentation**
- **Screening of hepatitis**