



Recommendation 2081 (2015)¹

Provisional version

Abuse of pretrial detention in States Parties to the European Convention on Human Rights

Parliamentary Assembly

1. The Parliamentary Assembly refers to its [Resolution 2077 \(2015\)](#) on the abuse of pretrial detention in States Parties to the European Convention on Human Rights and to Committee of Ministers Recommendation Rec(2006)13 on the use of remand in custody, the conditions in which it takes place and the provision of safeguards against abuse.

2. Drawing the attention of the Committee of Ministers to the continuing shortcomings, including over-representation of foreign nationals in pretrial detention, which have been documented in recent research carried out on behalf of the European Union, and to the examples of abuses of pretrial detention in a number of States Parties to the European Convention on Human Rights (ETS No. 5) referred to in Assembly [Resolution 2077 \(2015\)](#), the Assembly calls on the Committee of Ministers to:

2.1. consider ways and means of reducing recourse to pretrial detention in general and its abuse for specific purposes such as the pursuit of political or corruption-related objectives, in particular in light of recent developments;

2.2. encourage relevant bodies of the Council of Europe to intensify their co-operation with their European Union counterparts in order to ensure that any action to tackle pretrial detention issues is taken in a co-ordinated way, on the basis of the standards laid down by the European Convention on Human Rights as interpreted by the European Court of Human Rights.

1. *Assembly debate* on 1 October 2015 (34th Sitting) (see [Doc. 13863](#), report of the Committee on Legal Affairs and Human Rights, rapporteur: Mr Pedro Agramunt). *Text adopted by the Assembly* on 1 October 2015 (34th Sitting).