

Summary of Report No. AJB-1190/2021

On 10 February 2021, the Commissioner for Fundamental Rights of Hungary, who is responsible for performing the tasks of the OPCAT National Preventive Mechanism (hereinafter the “NPM”), and his staff members paid a visit to the Borsod-Abaúj-Zemplén County Remand Prison (hereinafter the “Prison”).

At the time of the visit, there were 820 detainees in the Prison with a capacity of 874 places; therefore the utilization rate was 96.81%.

In 2020, as part of a nationwide capacity expansion project, a new unit of lightweight construction buildings started its operation, which increased the capacity. Although several new inmates arrived, the overcrowding has ceased.

The members of the visiting group, wearing appropriate personal protective equipment (masks, gloves, gowns, and overshoes) inspected the premises of the Prison and conducted 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 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 the detainees.

Until the time of the visit, 20 inmates and 65 staff members had become infected with COVID-19 virus.

The warden of the Prison took measures to provide the necessary protective equipment and disinfectants, as well as to prevent infection in the Prison, and followed the regulations of the protocol applicable in case of suspected and confirmed infections.

In compliance with the provisions of special legislation due to the pandemic, restrictions had been introduced, which affected certain rights of the detainees.

Free time activities were organized in smaller groups or within the cells. The organization of education and work was affected not only by the pandemic, but also by the arrival of several new inmates. Education was mainly ensured without the personal presence of teachers, with the exception of vocational training, where protective measures were applied in order to prevent infection. Work opportunities outside the premises of the Prison were terminated.

Visits were prohibited. As a compensation, longer phone calls and the possibility of electronic communication (via Skype) were provided for the detainees.

The NPM revealed fundamental-rights-related improprieties in relation to work overload, and shortcomings in the provision of personal hygiene conditions.