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Report to the Turkish Government on the visit to Turkey carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT)

from 26 to 27 January 2010

The Turkish Government has requested the publication of this report and of its response. The Government's response is set out in document CPT/Inf (2010) 21.

Strasbourg, 9 July 2010

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Copy of the letter transmitting the CPT's report

Mr Kaan Esener
Minister Plenipotentiary
Deputy Director General for the
Council of Europe and Human Rights
Ministry of Foreign Affairs
TR - Ankara

Strasbourg, 18 March 2010

Dear Sir,

In pursuance of Article 10, paragraph 1, of the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, I enclose herewith the report to the Government of Turkey drawn up by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) following its visit to Turkey from 26 to 27 January 2010. The report was adopted by the CPT at its 71st meeting, held from 1 to 5 March 2010.

The recommendations formulated by the CPT are set out in paragraphs 10, 19, 25, 28 and 35 of the visit report. The CPT requests the Turkish authorities to provide **within three months** a response giving a full account of the action taken to implement them. The Committee trusts that it will also be possible for the Turkish authorities to provide replies to the comments and requests for information set out in paragraphs 19, 21, 22, 27 and 29 to 31.

As regards paragraph 19, the CPT wishes to receive, **on a monthly basis for the next six months**, a detailed account of all out-of-cell activities offered to prisoners at Imralı F-Type High-Security Closed Prison and of all activities which have actually taken place.

I am at your entire disposal if you have any questions concerning either the CPT's report or the future procedure.

Yours faithfully,

Mauro Palma
President of the European Committee
for the Prevention of Torture and Inhuman
or Degrading Treatment or Punishment

I. INTRODUCTION

A. Dates of the visit and composition of the delegation

1. In pursuance of Article 7 of the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (hereinafter referred to as "the Convention"), a delegation of the CPT carried out a visit to Turkey from 26 to 27 January 2010. The visit, which focused on Imralı F-Type High-Security Closed Prison (hereinafter: Imralı Prison), was one which appeared to the CPT "to be required in the circumstances" (see Article 7, paragraph 1, of the Convention)[1].

2. The visit was carried out by the following members of the CPT:

- Mauro Palma (President of the CPT and Head of the delegation)
- Marc Nève
- Jean-Pierre Restellini.

They were assisted by Timothy Harding, psychiatrist, former Director of the University Institute of Legal Medicine, Geneva (expert), and Michael Neurauter, Head of Division, from the CPT's Secretariat.

B. Context and objectives of the visit

3. Ever since 2001, the CPT has been expressing concern about the treatment of Abdullah Öcalan and, in particular, has repeatedly emphasised the potentially harmful effects of the prisoner's detention as the sole inmate of Imralı Prison. It has reiterated time and again the key recommendation that this prisoner "should at the earliest opportunity be integrated into a setting where contacts with other inmates and a wider range of activities are possible"[2].

At its 65th meeting in March 2008, the CPT reviewed the steps taken by the Turkish authorities up until then to implement the recommendations made by the Committee concerning the treatment of Abdullah Öcalan and, in particular, the key recommendation referred to above. The CPT reached the conclusion that the response of the Turkish authorities to the report on the May 2007 visit amounted to a manifest refusal to implement that recommendation. Further, as regards access to Imralı island for family members and lawyers of Abdullah Öcalan, the Committee noted that, following an improvement in the situation in the last quarter of 2006 and the first quarter of 2007, the situation had once again deteriorated.

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1 The CPT had already carried out four visits to Imralı Prison, in March 1999, September 2001, February 2003 and May 2007. All visit reports and related Government responses have been made public and are available on the CPT's website: www.cpt.coe.int

2 See, *inter alia*, paragraph 86 of the report on the 2001 visit (CPT/Inf (2002) 8) and paragraph 33 of the report on the 2007 visit (CPT/Inf (2008) 13).

In the light of the above, the Committee decided to set in motion the procedure under Article 10, paragraph 2, of the Convention[3].

4. On 12 June 2008, the Turkish authorities informed the Committee of their intention to construct a new detention facility on the premises of Imralı Prison and to transfer as soon as possible a limited number of prisoners to the island. This issue was discussed at length with the then Minister of Justice during the high-level talks which representatives of the CPT held with the Turkish authorities in October 2008.

The construction of the new detention facility was completed in summer 2009 and, on 17 November 2009, five prisoners serving aggravated life sentences were transferred from two other F-type prisons in Turkey (Bolu and Kırıkkale) to Imralı Prison. At the same time, Abdullah Öcalan was transferred to the new detention facility of the prison.

The main objective of the 2010 visit was to verify on the spot whether the key recommendation referred to above had been implemented and, in particular, (a) whether and to what extent Abdullah Öcalan was effectively able to associate with other prisoners and (b) whether he had been offered a wider range of activities.

In accordance with its mandate, the CPT's delegation also took the opportunity to examine the treatment of the other prisoners recently transferred to Imralı Prison.

5. In the course of the visit, the delegation interviewed all the prisoners at Imralı Prison individually and in private. It also had consultations with various members of the establishment's management and staff.

In Bursa, the delegation held talks with Sait Gürlek, Chief Public Prosecutor of Bursa, Sadık Dölek, Deputy Chief Prosecutor of Bursa responsible for the enforcement of sentences, and Yahya Özkök, Enforcement Judge responsible for Imralı Prison. In addition, it met several specialist doctors with whom Abdullah Öcalan had had consultations.

6. The CPT would like to thank the Turkish authorities - and in particular the Gendarmerie - for providing the delegation with transportation by helicopter throughout the visit. The Committee would also like to express its appreciation for the assistance provided before and during the visit by its liaison officer, Kaan Esener, Deputy Director General for the Council of Europe and Human Rights, from the Ministry of Foreign Affairs.

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[3] Article 10, paragraph 2, reads as follows: "If the Party fails to co-operate or refuses to improve the situation in the light of the Committee's recommendations, the Committee may decide, after the Party has had an opportunity to make known its views, by a majority of two-thirds of its members to make a public statement on the matter".

7. At the end of the visit, the President of the CPT, in his capacity as Head of delegation, contacted the Turkish authorities and impressed upon them the need to improve further the regime (i.e. more possibilities for association and a wider range of activities) for prisoners held at Imralı Prison.

By letter of 24 February 2010, the Turkish authorities informed the CPT's President of adjustments which had been made to the prisoners' regime. The information provided will be assessed later in the report (see paragraphs 18 and 19).

II. FACTS FOUND DURING THE VISIT AND MEASURES PROPOSED

A. Ill-treatment

8. The delegation received no allegations of physical ill-treatment of inmates by prison officers working in Imralı Prison.

It is noteworthy that, about one year ago, there had been a major change in the composition of the custodial staff. According to Abdullah Öcalan, this had had a positive impact on the attitude of staff.

B. Conditions of detention

1. Material conditions

9. All prisoners (including Abdullah Öcalan) were accommodated in single cells in the newly constructed detention facility.

In total, there were nine identical individual cells, of which six opened onto an individual yard (measuring some 24 m²) and the other three had a common exercise area (measuring some 75 m²). All of the cells were of the same design and were very similar to the cells previously seen by the CPT in other F-type prisons; they were of a reasonable size (9.8 m², not counting the adjacent sanitary annexe of 2 m²) and well-equipped (bed, small table, two chairs, metal cupboard, small kitchenette with a sink).

10. The new detention facility suffered from one major structural deficiency, namely poor access to natural light in all the cells. Despite the fact that every cell had a window measuring approximately 1 m x 0.5 m, it was not possible for prisoners to read inside the cell without the artificial lighting being switched on. Even in the cell of Abdullah Öcalan, in which parts of the door to the exercise yard had recently been replaced by a glass opening[4] (at the request of the prisoner), access to natural light remained insufficient.

The problem described above is in large part caused by the fact that the outdoor exercise yard in front of every cell is surrounded by a high wall (some 7 m). Another consequence of this design is that (at least during winter months) prisoners are not able to see the sun and expose themselves to sunshine; this, in the long run, may have a detrimental effect on the prisoners' health.

The CPT recommends that the Turkish authorities take the necessary steps to improve access to natural light in all the cells at Imralı Prison, in the light of the above remarks. This will require making modifications to the walls surrounding the exercise yards.

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[4] This measure was taken for medical reasons (see paragraph 32).

11. In all other respects, material conditions in the new detention facility were generally of a high standard. In particular, compared to the old detention area, the new premises seemed to offer much better insulation against humidity. It is also noteworthy that, in all the cells, the sanitary facilities were fully partitioned (and included a door).

12. The new detention facility at Imralı Prison also comprised one room designated as a "sports room", equipped with a table tennis table, and two other large rooms which were designated as "hobby rooms". One of the latter two rooms was equipped with four tables and eight chairs; the other one was equipped like a classroom (nine chairs with a foldable sideboard and a blackboard on the wall). All three rooms had very good access to natural light.

2. Regime

13. The general criteria for the regime applied to prisoners serving an aggravated life sentence are set out in Section 25 of the Law on the Execution of Sentences[5]. On the basis of that provision, the precise activities offered to prisoners held at Imralı Prison were determined by the establishment's Board of Administration and Observation. It is also noteworthy that shortly before the visit, an educator and a social worker had been recruited by the prison administration.

14. In practice, by the time of the visit, the regime offered to prisoners comprised the following out-of-cell activities:

All prisoners benefited from two hours of outdoor exercise per day (seven days a week; taken alone in the yard attached to the cell), each prisoner could spend one hour per week alone in the "hobby room" (where no activities were offered)[6] and two hours per month alone in the establishment's library. In terms of communal activities, all prisoners could gather once a week for one "conversation hour" in the open visits room (in the presence of several prison officers).

In addition, by the time of the visit, three prisoners had on two occasions (including in each case Abdullah Öcalan) been allowed to play table tennis for one hour.

15. Compared to the regime previously applied to Abdullah Öcalan, the above-mentioned arrangements constituted a certain improvement. The outdoor exercise period had been increased from one to two hours per day. Further, the prisoner was allowed to take part in out-of-cell activities other than outdoor exercise and was also allowed to have contacts with other prisoners for one hour per week and, on two occasions, for one additional hour. However, these new arrangements could only be described as a very modest step in the right direction.

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[5] Section 25 reads as follows: "(a) The convict shall be kept in a single room. (b) The convict shall have the right to access to outdoor exercise for one hour per day. (c) Depending on individual efforts and good conduct the convict displays concerning risk and security requirements as well as in rehabilitation and training activities, the duration of outdoor exercise may be extended and he/she may be allowed within limits to have contact with the convicts staying in the same unit. (d) The convict can perform artistic or professional activities as deemed appropriate by the board of administration of the institution, provided that the conditions of the place where he/she is kept permit. (…)"

[6] By the time of the visit, neither of the two "hobby rooms" had in fact been used by prisoners.

16. As regards the other prisoners at Imralı Prison, it is a matter of serious concern that, compared to the regime previously applied to them, the above-mentioned arrangements constituted a regime which was much more restricted than that provided at Bolu and Kırıkkale F-type Prisons.

The prisoners previously held at Bolu F-type Prison indicated that, prior to their transfer to Imralı Prison, they had been offered four hours of outdoor exercise every day, without direct supervision, together with two other prisoners in a common exercise yard. In addition, they had apparently been offered three hours of out-of-cell activities per week with up to ten prisoners (conversation, sport and library).

The situation was even more favourable at Kırıkkale F-type Prison, which had been visited by the CPT during the last periodic visit to Turkey in 2009[7]. Thus, the Committee could itself verify that, in that establishment, prisoners of the same category (i.e. those serving an aggravated life sentence) were usually allowed to associate freely and without direct supervision with two other prisoners during outdoor exercise for twelve hours a day in summer and for nine hours a day in winter. In addition, the prisoners concerned were offered between three and seven hours of association per week with other prisoners (including sports and conversation), usually in groups of up to ten prisoners. To sum up, the prisoners could spend up to ninety hours per week out of their cells together with other prisoners.

17. As already indicated in paragraph 7, the President of the CPT contacted the Turkish authorities, on behalf of the delegation, at the end of the visit and impressed upon them the need to improve further the regime (i.e. more possibilities for association and a wider range of activities) for all prisoners held at Imralı Prison.

18. By letter of 24 February 2010, the Turkish authorities provided the following information on modifications introduced with effect from 4 February 2010 to the regime applied to prisoners at Imralı Prison:

> "Following the discussions […] during and after the said visit the relevant Turkish authorities have decided to make further adjustments to the execution regime currently in place. In this respect, the following modifications have been carried out at the Imralı Prison:
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> a. Previously, inmates were allowed to access open air for a period of two hours per day. Open air time is now extended to four hours per day by the decision of the Board of Administration and Observation as of 4 February 2010. Please take note that convict Öcalan is currently excluded from this practice because of the two solitary confinement punishments he has received, which are yet to be executed. However, convict Öcalan will also be able to benefit from prolonged open air time once the Board of Administration and Observation is convinced of his good conduct in the future.
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> b. Inmates used to receive only once a week the daily newspapers accumulated during the week. As of 4 February 2010, access to daily newspapers is now possible twice a week, every Tuesday and Friday.

[7] See paragraph 112 of the CPT's report on the 2009 visit.

c. The duration of conversation meetings *i.e.* an hour per week is increased to three hours per week in accordance with the decision of the Board of Administration and Observation. The convicts may now attend to the conversation meetings every Monday, Wednesday and Friday from 08:00 to 09:00, as of 4 February 2010.

d. The inmates are now offered the below-mentioned activities that they may benefit from collectively, in compliance with the Circular on "Training and Rehabilitation of Young and Adult Convicts and Detainees" and within the context of "leisure time, sports and rehabilitation activities":

   i. painting and handcraft activities for an hour per week,
   ii. table tennis for an hour per week,
   iii. games of chess and checkers for an hour per week,
   iv. volleyball for an hour per week,
   v. basketball for an hour per week.

e. In compliance with the report of the Psycho-social Assistance Service dated 5 February 2010, which advises to postpone all disciplinary punishments of new convicts in order to expedite their integration and adaptation to Imralı Prison, the Board of Administration and Observation decided to suspend temporarily the execution of the disciplinary punishments the new convicts have received in the past.

f. The below-mentioned activities are planned to be offered collectively to all inmates at Imralı Prison in the near future. These activities have been prepared in line with the report of the Psycho-social Assistance Service of 5 February 2010 and will be carried out taking into account the risk and security requirements and the efforts and good conduct displayed by the convicts during rehabilitation and training activities, provided that prison conditions and regulations permit:

   i. Beading, copper engraving, wood carving, playing "bağlama" (a Turkish musical instrument), billiards and backgammon for an hour per week;
   ii. Mini football and badminton for an hour per week."

Further, in the annexe to the above-mentioned letter, the Turkish authorities indicated that, as from 4 February 2010, all prisoners were granted "access to the prison library collectively with other inmates for an hour every second and third week of the month".

19. The CPT notes the above-mentioned developments, which have significantly increased the possibilities for communal activities and enhanced the range of activities. The total amount of time prisoners can now spend out of their cells is (on average) 36 ½ hours per week, of which 8 ½ are association hours, and two additional hours per week of communal activities for all inmates are planned in the near future.

That said, **the CPT recommends that all recently-arrived prisoners be allowed to associate during outdoor exercise, as they had previously been able to in other F-type prisons. For this purpose, the existing larger exercise yard should be used, and an additional larger yard should be created by merging three smaller individual yards.** Further, **the Committee fails to see why Abdullah Öcalan is denied all contact with other prisoners during outdoor exercise.**

The CPT would like to receive, on a monthly basis for the next six months, a detailed account of all out-of-cell activities offered to prisoners at Imralı Prison and of all activities which have actually taken place.

20. The medium-term objective should be to ensure that all prisoners at Imralı Prison are able to spend a reasonable part of the day, eight hours or more, outside their cells engaged in purposeful activities of a varied nature.

21. The CPT also wishes to raise once again the issue of access to television for Abdullah Öcalan. Whereas all other prisoners at Imralı Prison had a television set in their cells, Abdullah Öcalan was still not allowed to rent or purchase a television set, despite the specific recommendation repeatedly made by the Committee in the past[8]. **The Committee would like to receive the Turkish authorities' comments on this matter.**

C. Contact with the outside world

22. The CPT is pleased to note that access to Imralı island for Abdullah Öcalan's lawyers and family members has significantly improved since March 2008. As regards more specifically 2009, out of 52 possible weekly visits, 42 actually took place on the scheduled day and 7 on the following day (due to adverse weather conditions)[9].

It is essential that this positive trend be maintained in the future. **The Committee requests the Turkish authorities to continue to provide monthly reports on the visits which Abdullah Öcalan has received from his lawyers and family members. In addition, in respect of the other prisoners, it would like to receive an account of the visits requested and visits received during the period January to May 2010.**

23. The new detention facility of Imralı Prison comprised six booths for closed visits (each fitted with a full glass partition and an interphone) and one room for "table visits". In addition, there were special rooms for lawyers' visits, one large room (which was mainly used by the lawyers of Abdullah Öcalan) and one smaller one.

24. The legal provisions concerning visits remained unchanged since the 2007 visit. All prisoners serving an aggravated life sentence are in principle allowed to receive two one-hour visits from relatives per month, one being a closed visit and the other one taking place under open conditions ("table visit")[10]. In addition, prisoners are entitled to receive visits from their lawyer(s) once a week for one hour.

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8 See, most recently, paragraph 33 of the report on the 2007 visit (CPT/Inf (2008) 13).

9 As regards the other prisoners at Imralı Prison, only two had so far received a visit from relatives; both visits took place on 28 December 2009. No other visits had been requested. In addition, one prisoner had meetings with his lawyers on 16 and 30 December 2009 and 20 January 2010, and another prisoner had received one visit by his lawyer on 30 December 2009.

10 According to the internal rules of Imralı Prison, closed visits are always scheduled on the second Monday of the month and "table visits" on the fourth Monday of the month.

25. Abdullah Öcalan is still effectively excluded from receiving "table visits" from members of his family[11] and is not allowed to accumulate unused visiting periods, despite the specific recommendations repeatedly made by the Committee after its previous visits to Imralı Prison[12]. **The CPT calls upon the Turkish authorities to take the necessary steps (if necessary, at the legislative level) to ensure that every prisoner is allowed to receive a "table visit" once a month from his/her closest living relatives (in the case of Abdullah Öcalan, his brother and sister). The Committee also recommends that all prisoners held at Imralı Prison be allowed to accumulate any unused visiting periods (bearing in mind the geographical isolation of Imralı island).**

26. In the report on the 2007 visit, the CPT expressed misgivings about the systematic prohibition of confidential contacts between Abdullah Öcalan and his lawyers (under Section 59, paragraph 4, of the Law on the Execution of Sentences). Since this issue is the subject of a complaint which is currently pending before the European Court of Human Rights, the Committee will refrain from making further remarks about the precise modalities of the meetings with the lawyers (including the systematic recording of all conversations[13]) and the manner in which the lawyers are reportedly subjected to a search before every visit.

27. The new detention facility has been equipped with a telephone, which, according to staff, was not yet operational, due to "technical problems". The delegation was informed that these problems would be resolved shortly. **The CPT would like to receive confirmation that all recently-arrived prisoners are now able to make two ten-minute telephone calls per month.**

28. As regards, more specifically, Abdullah Öcalan, the arguments advanced by the Turkish authorities for not allowing the prisoner to have any telephone contact with his relatives are not clear to the CPT, since any such conversation can always be monitored[14]. Therefore, **the CPT must reiterate once again its recommendation that Abdullah Öcalan be allowed to speak on the telephone with members of his family (calls being subject to monitoring and, if necessary, interrupted).**

29. The outgoing and incoming correspondence of all the prisoners was systematically checked and censored by the establishment's letter screening commission. In this regard, **the CPT would like to receive the Turkish authorities' confirmation that all prisoners at Imralı Prison are allowed to send letters to the Committee on a confidential basis.**

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11 As he does not have living parents, a spouse, children or grandchildren with whom he would be entitled to have "table visits".

12 See, most recently, paragraph 33 of the report on the 2007 visit (CPT/Inf (2008) 13).

13 Abdullah Öcalan and his lawyers were seated behind tables at two opposite sides of the room (at a distance of several metres), and a prison officer usually sat at another table in between directing the microphone of the recording device.

14 See, most recently, paragraph 21 of the report on the 2007 visit (CPT/Inf (2008) 13) and page 7 of the Turkish authorities' response to that report (CPT/Inf (2008) 14).

D. Medical issues

30. As regards the health-care services available at Imralı Prison, the delegation was informed that there was always a general practitioner present on the island. However, the doctors, who were usually assigned to the island for very short periods (see paragraph 33), were apparently not always trained in emergency care. In this connection, **the Committee wishes to recall that there should always be a medical presence on the island capable of responding effectively to a medical emergency.** Further, **steps should be taken to ensure that in such a situation, prisoners can be transferred expeditiously to the nearest hospital.**

31. Moreover, the delegation noted that several of the newly-arrived prisoners were in need of specialised medical interventions (including dental care) which could not be performed on the island. **The CPT trusts that the Turkish authorities will make the necessary arrangements for the prisoners concerned to receive any treatment required by their state of health.**

32. In the course of the visit, the delegation reviewed the state of health of Abdullah Öcalan. Overall, the prisoner's health had improved since the 2007 visit. He still had recurrent nasal and other allergic symptoms but these were intermittent and did not seem to cause major health problems. Further, his mental state has also improved since 2007 and can now be described as satisfactory, without any psychiatric disorder, although an underlying vulnerability persists, as was shown by the delegation's findings during the 2007 visit.

33. Notwithstanding the above-mentioned improvements to Abdullah Öcalan's state of health, the CPT is very concerned by the fact that various specific recommendations repeatedly made by the Committee concerning the provision of health care remain unimplemented.

Firstly, Abdullah Öcalan continues to be subjected to a superficial medical check (his pulse, blood pressure and weight are measured) every day, which is not only unnecessary but also potentially counterproductive.

Secondly, the establishment of a meaningful doctor/patient relationship remained impossible due to the constantly changing visiting doctors. In practice, the general practitioners changed weekly and were never the same. Further, during a period of nine months prior to the visit, there had been twelve psychiatric consultations by five different psychiatrists[15] and eleven visits by eleven different specialists in internal medicine, as well as a number of additional visits by various other specialists. Thus, it is possible that Abdullah Öcalan is seen by almost 90 different doctors in a year.

Thirdly, it is particularly worrying that the visiting doctors did not communicate with each other, and that there was no co-ordination of medical consultations whatsoever. Usually, doctors wrote a report at the end of each visit which was then simply forwarded to the prison director. This, moreover, constitutes a breach of medical confidentiality.

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[15] In this regard, the situation was much more favourable at the time of the 2007 visit. From 1999 until 2007, he was seen twice a month by the same psychologist. In 2007, he was also being seen regularly by the same psychiatrist.

34. In the CPT's view, the most appropriate form of medical follow-up for a person in Abdullah Öcalan's position (as well as for all other prisoners held on the island) would be to have regular consultations with the same general practitioner. This should be an experienced doctor with basic skills in internal medicine and psychiatry. Monthly consultations would be sufficient. The practitioner could call for specialist visits as needed (internal medicine, psychiatry, ENT). The prisoners concerned should be assured that these consultations would be confidential, and no written report should be made to the prison management.

If, for whatever reason, regular visits by the same general practitioner cannot be arranged, it is of paramount importance that a doctor be appointed by the competent health authorities as medical co-ordinator. Even if this doctor does not see the prisoners regularly, he/she should be responsible for collecting and analysing all the medical reports prepared by the visiting doctors and for providing advice and guidance to those doctors.

35. **The CPT recommends that the provision of health care to prisoners at Imralı Prison be reviewed, in the light of the remarks made in paragraphs 33 and 34. Immediate steps should be taken to open for every prisoner a comprehensive individual medical file which is accessible only to medical staff.**

E. Concluding remarks

36. On the basis of the delegation's findings and the additional information provided by the Turkish authorities in their letter of 24 February 2010, the CPT has reached the conclusion that the conditions of detention of Abdullah Öcalan have improved as compared to the situation found during the 2007 visit. The prisoner's integration "into a setting where contacts with other inmates and a wider range of activities are possible" is now under way (cf. paragraph 3). In addition, the Committee noted that there had been a marked improvement with regard to access to Imralı island for Abdullah Öcalan's lawyers and family members.

Consequently, the CPT has decided to close the procedure under Article 10, paragraph 2, of the Convention, which had been set in motion in March 2008. However, it will continue to monitor closely the situation of Abdullah Öcalan (as well as that of the other prisoners at Imralı Prison), and will not hesitate to re-open the above-mentioned procedure if it becomes apparent that the above-mentioned improvements are not sustained.