

Reply of the Danish Government to the report of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) on its visit to Greenland from 14 to 16 January 2025

1. Preliminary remarks

Paragraph 9 in the CPT's report

The CPT recommends that efforts be made by the Danish authorities to increase the range and the recourse to alternative measures and sanctions in Greenland.

For a number of years, the Prison and Probation Service in Greenland has been challenged by a high number of inmates. In order to address the capacity challenges, the Danish government presented a penal reform in May 2025, which among other things include measures to ensure further capacity in the future in Denmark as well as in Greenland. Specifically, the reform includes an expansion of 70 new prison places in Greenland (open and closed) to handle the capacity challenges that the Prison and Probation Service in Greenland is facing in both short and long term. This corresponds to an increase in the existing prison capacity by approximately 45 percent. The places are expected to be established by expanding existing prisons and building new prisons. The Danish government will discuss the implementation of the capacity expansion with the Government of Greenland.

2. Ill-treatment

Paragraph 10 in the CPT's report

The CPT recommends that it be recalled to custodial staff at Nuuk Prison that they must always treat prisoners with respect.

The officers are instructed on how to act professionally towards the prisoners in their education at the academy. The detention facility in Nuuk demands that officers act with respect towards the inmates, thus expecting a mutual respect.

The head of institution has informed that there are no disciplinary cases against officers on the allegation that they have yelled at an inmate.

Paragraph 11 in the CPT's report

The Committee recommends that both the management and the staff of Nuuk Prison exercise continuing vigilance in this context; in particular, more attention needs to be paid to assessing the risk of inter-prisoner violence when allocating prisoners to double-occupancy cells.

The Prison and Probation Service has a natural focus on its responsibility in connection with providing a safe environment for both staff and inmates and is conscious of this responsibility.

When deemed necessary to place inmates in double occupancy, the involved inmates are assessed through a screening. This screening involves an assessment of the inmate's state of mind, their crimes, previous knowledge of the inmates and their behaviour, and an assessment of the risk factors.

Throughout the double occupancy, there will be regular assessment on whether the inmates continue to be able to be matched in double occupancy.

Reference is also made to the response to paragraph 9.

3. Conditions of detention

Paragraph 13 in the CPT's report

The CPT refers to its recommendation in paragraph 9 above. Further, the Committee recommends that steps be taken to ensure that all prisoners at Nuuk Prison (including those who spend the night at Nuuk Police Station) are enabled to have food (including warm meals) every day and at normal meal times. Steps should also be taken to improve the material conditions of detention at Nuuk Police Station, in particular the heating system.

Reference is made to the response to paragraph 9.

The Prison and Probation Service informs that the shop at the detention facility in Nuuk is open on weekdays. If the inmates for some reason are not able to shop groceries a certain day and need to buy food the same day, they are always able to write down a list of groceries, which the staff of the detention facility in Nuuk will be helpful to buy for them.

Regarding the material conditions of detention at Nuuk Police Station, The Danish National Police, initially notes that the detention facilities can differ depending on the location in Greenland, which is one unified police district covering Greenland's five municipalities.

The detention facilities are in general set up to hold detainees and intoxicated persons for shorter periods of time. Convicted persons may exceptionally be detained for a shorter period.

When it comes to parts of the police district where there are Prison and Probation Service's institutions, a detained or convicted person will normally be transferred to the Prison and Probation Service's institutions within 24 hours of the detention or conviction.

In parts of the police district where there are no Prison and Probation Service's institutions, the detained or convicted person shall normally be transferred to the Prison and Probation Service's institutions within 14 days of the detention or conviction.

The detention facilities usually have a minimum width of 2 meters and a minimum area of 6 m². Daylight access is not required, but there is lighting in the facilities. Furthermore, the detention facilities are heated and in Nuuk Police Station there is also floor heating.

Based on an individual assessment in each case, detainees can get access to facilities such as kitchenettes, televisions, etc.

The Prison and Probation Service often informs Greenland Police that they cannot receive detainees due to lack of capacity in their institutions. Therefore, Greenland Police is forced to refrain from transferring detainees to the Prison and Probation Service and thus keep the detainees in the detention.

In these cases, Greenland Police try to set up the detention facilities in such a way that the placement is as comparable to the institutions in Prison and Probation Service as possible.

Detainees who stay in the detention facilities at Nuuk Police Station are most often so called “day men”. A day man is a detainee who stays in the Prison and Probation Service during the day (8 am – 8 pm) and therefore only sleeps in the detention facilities. Consequently, a day man eats every meal at the Prison and Probation Service’s institutions. If there is no room in the Prison and Probation Service’s institutions as day man and the person therefore has to stay in the detention facilities, Greenland Police will provide breakfast, lunch and dinner for the detainee.

Greenland Police is in continuous dialogue with the Prison and Probation Service about transferring detainees from the detentions to the Prison and Probation Service’s institutions as soon as the opportunity arises, so that the placement of detainees in the detention is as short as possible.

Paragraph 14 in the CPT’s report

The Committee recommends that the authorities find a solution whereby both female remand prisoners concerned are enabled to remain at Nuuk Prison, without having to spend every other day at the police station.

In the specific case, the police were highly aware of interrogating witnesses without hesitation, in order for both of the two female remand prisoners to remain at the detention facility in Nuuk, without interfering with the investigation. It was therefore only for a short period the female remand prisoners had to spend every other day at the police station. The period referred to was from the 8th January 2025 to the 1st February 2025.

Paragraph 15 in the CPT’s report

The CPT recommends that the aforementioned practices be extended to all sentenced prisoners, including those with fixed-term sentences.

The Prison and Probation Service in Greenland strives, to the extent that staffing allows, to ensure all prisoners receive necessary therapeutic support. Indeterminate sentenced inmates however, have special circumstances surrounding their sentence, which means that their sentencing is dependent on ongoing assessment of therapeutic advances through ongoing sessions with a psychologist. Thus, these services are normally reserved for the indeterminate sentenced.

Inmates with a fixed sentence are assessed by the psychologist if needed, e.g. particularly vulnerable inmates. Furthermore, the sentenced inmates have access to public offers for substance abuse treatment and anger management in the institution. If they want further treatment, they have the same access to treatments as other citizens of Greenland.

Paragraph 16 in the CPT’s report

The Committee recommends that efforts be made to enlarge the offer of organised activities (especially paid work) to this category of inmates. In this context, reference is also made to the recommendation in paragraph 71 of the report on the 2024 periodic visit to Denmark, which reads as follows: “The aim should be to ensure that all prisoners, including those on remand, spend a reasonable part of the day (i.e. eight hours or more) outside their cells engaged in purposeful activities of a varied nature: work, preferably with vocational value; education; sport;

recreation/association. The longer the period for which remand prisoners are detained, the more developed should be the regime offered to them.”.

Remand prisoners have access to informal activities and interaction with other inmates in sections from 08:00-21:15. Currently, they have the possibility of employment which consists of cleaning common areas. Concerning other activities, remand prisoners have access to kitchens to prepare food, workout rooms, common areas with games, and an outside courtyard. Furthermore, they have access to schooling through teachers employed by the institution.

During the course of the year other activities are offered, for instance male (and female) group sessions with an experienced psychotherapist specializing in this field, talks, chess events and more.

4. Health care

Paragraph 18 in the CPT's report

The CPT recommends that efforts be made to provide the nurse with professional support and to recruit a second full-time nurse to work at Nuuk Prison. This should permit a better nursing coverage (preferably also at night and on weekends). As a minimum, steps must be taken to ensure that a person competent to provide first aid (especially CPR32) is always present at Nuuk Prison, including at night and on weekends; preferably, this person should be a qualified nurse. Recruiting a second nurse would also make it possible to ensure that prisoners can directly approach the nurses with requests for consultations and that prescribed medication is systematically distributed to inmates by health-care professionals and not by custodial staff, thus ensuring the respect of medical confidentiality. This is mostly not the case at present. The Committee must also stress that remand prisoners currently required to stay overnight (or, sometimes, the whole day) at Nuuk Police Station remain under the responsibility of Nuuk Prison; therefore, the aforementioned recommendations apply to them as well.

According to section 209 of the Criminal Code of Greenland, inmates have the right to medical treatment and other health care assistance. All inmates, including remand prisoners, have access to medical care through the nurse at the detention facility in Nuuk. Equally, the nurse referred to, also assists with contacting the Greenlandic Health Care Services at Nuuk Hospital, when there is a need for medical treatment and other health care assistance, which cannot be performed in the detention facility. For that reason, the nurse at the detention facility in Nuuk has a close collaboration with Dronning Ingrid's Hospital in Nuuk (Nuuk Hospital). This concerns all wards at the hospital, including the ward that takes care of inmates with mental health problems.

Therefore, if the medical treatment available at the detention facility in Nuuk is not sufficient for an inmate, the inmate in question will be referred to the Greenlandic Health Care Service for relevant examination and treatment.

If the nurse is not present, the custodial staff can contact Nuuk Hospital. In case of acute life-threatening illness or injury, the staff of the detention facility in Nuuk will call for an ambulance, and the transportation of the inmates will happen on equal terms as other citizens in Greenland.

Concerning the need to recruit a second full-time nurse, the Prison and Probation Service finds the existing nursing coverage with one nurse present 40 hours a week for adequate.

Regarding the recommendation concerning the availability of first aid in the detention facility in Nuuk, all custodial officers have had first aid classes as part of their education, and there is therefore always a competent person to provide first aid at the detention facility. Furthermore, the detention facility in Nuuk fairly regularly offers first aid courses for both the staff and the inmates.

According to section 16 of the administrative act on detention, remand prisoners have the right to medical treatment and other health care assistance, why the aforementioned statements apply to them as well.

Paragraph 19 in the CPT's report

The CPT recommends that steps be taken to ensure that there is a medical doctor who visits Nuuk Prison on a regular basis and who has the formal responsibility for the management of the establishment's health-care service. Preferably, this should be a doctor with a previous experience of working in prisons and with a good understanding of the particular needs of prisoner population in terms of health care.

The Committee would also like to be informed whether there exist any plans to secure inmates' remote access to medical consultations (telemedicine) at Nuuk Prison.

The Criminal Code of Greenland, section 209 states that inmates have the right to doctoral treatment and other health services. These rights are secured through offering all inmates' access to the Greenlandic Health Service on the same basis as other citizens in Greenland.

On top of this the detention facility in Nuuk has a nurse, and a dentist is regularly present in the detention facility for dental services. Whenever needed inmates will be transported to the Health Service Center at Dronning Ingrid's Hospital, if necessary with an ambulance. Thus, the health service coverage of the institution is aligned with the health service in Greenland in general, in fact – due to the local nurse and the dentist – the coverage is even more comprehensive.

Based on the assessment of the nurse, the detention facility in Nuuk uses remote medical consultations (telemedicine), with The Greenlandic Health Service in relevant cases. The detention facility's nurse has as late as in late March used telemedicine with an inmate, and the intention is to continue with further medical consultations.

Apart from televideo-consultations the nurse has access to the electronical patient journal system used in Greenland. Through this and on the basis of informed consent from the inmate, she can refer to supervision on the basis of patient data and observations and communicate digitally with the Health Service.

Paragraph 20 in the CPT's report

The Committee once again calls upon the authorities to take necessary measures to ensure that all prisoners are examined by a doctor, or by a qualified nurse reporting to a doctor, within 24 hours of their admission to Nuuk Prison. In this context, reference is also made to the recommendation set out in paragraph 80 of the report on the 2024 periodic visit to Denmark.

All newly-arrived inmates at the detention facility in Nuuk are offered a medical screening examined by the detention facility's nurse, where their state of health and other medical needs are identified, including whether they take medicine.

Furthermore, it will be examined if newly-arrived inmates have injuries or wounds or infections, which need to be treated. Regarding the time for medical screening after an admission to the detention facility in Nuuk, the detention facility's nurse has informed the Prison and Probation Service in Greenland that she checks up on newly-arrived inmates every day. If an inmate arrives in the weekend, the nurse will follow up on the following Monday.

Furthermore, on other occasions than the admission the inmates are always able to contact the nurse through the custodial staff.

Paragraph 21 in the CPT's report

The CPT recommends that steps be taken to improve access to psychiatric care and psychological assistance for all inmates at Nuuk Prison. In particular, efforts should be made to set up, in co-operation with the Self-Government of Greenland, a secure room for prisoners at the psychiatric ward of Nuuk Hospital.

As previously stated under par. 19, an inmate is entitled to medical treatment and other medical assistance, cf. section 209(1) of the Criminal Code of Greenland. The provision is, pursuant to the preparatory works to the Criminal Code, a codification of the principle that an inmate has the same access and right to medical treatment etc. as citizens not deprived of their liberty. The same principle applies to inmates remanded in custody, cf. section 16 of Executive Order no. 1176 of 7 December 2009 on Remand Custody.

Medical treatment is under the responsibility of the Government of Greenland, cf. Act no. 369 of 6 June 1991 on the health care system in Greenland. This includes psychiatric treatment. Since inmates have the same rights as citizens not deprived of their liberty, cf. above, medical treatment of inmates in detention facilities is under the responsibility of the Government of Greenland. The detention facilities thus facilitate that the Greenlandic health care services have access to provide health care, including psychiatric treatment, to inmates cf. par. 18-20 on health care in general. Naturally, a prerequisite for relevant treatment is close co-ordination between the authorities, and the Prison and Probation Service of Greenland has an ongoing dialogue with the Greenlandic health care services about the psychiatric services available to inmates in detention facilities across Greenland.

If an inmate has psychiatric needs that require admittance to hospital, the inmate is treated at the psychiatric hospital ward in Nuuk. There is, however and as the committee is aware, no closed psychiatric ward in Greenland. Consequently, inmates may be referred to a closed forensic psychiatric ward in Denmark due to limited psychiatric capacity in Greenland.

In February 2025, the erection of new buildings at the hospital in Nuuk has begun, expanding, amongst others, the capacity of the psychiatric ward by 10 extra beds by the end of 2027. The expansion does not include the establishment of a closed ward, but is expected to enable a separation between the open ward and a shielded ward.

Concerning the psychiatric and psychological staff in the detention facility in Nuuk, it is correct, as stated by the committee, that their tasks are primarily related to two specific topics, which do not constitute treatment:

The first is needs and risk assessments for inmates serving indeterminate sentences for serious offences (forvaring). The staff is responsible for assessing the individual development concerning these inmates in order to propose progressive changes during the time served, if this is deemed safe. This follows from the amendments to the Criminal Code of Greenland in 2018 repealing the provisions enabling the placement of such inmates in a psychiatrically governed institution under the prison service in Denmark, i.e. Herstedvester Prison.

The other topic is to hold sessions with inmates, having committed sexual offences, with the purpose to motivate the inmate to receive further treatment. Such further treatment would take place under the responsibility of the Government of Greenland, which e.g. has a therapy programme targeted inmates convicted of sexual offences against children.

Apart from these primary specific topics, the psychologists participate in the work with particularly vulnerable inmates.

Paragraph 22 in the CPT's report

The Committee would welcome additional details of the alcohol and drug counselling and treatment programs available to inmates at Nuuk Prison. 39 In this context, the CPT would also like to receive information on whether it is envisaged to authorise custodial staff to administer naloxone (in the form of nasal spray) to prisoners in case of an opioids overdose.

The Prison and Probation Service in Greenland has a contract with Allorfik, which is the public rehabilitation center in Greenland focusing on alcohol and drug abuse and gambling addictions.

Allorfik offers free rehabilitation. The treatment is provided through motivational interviewing and cognitive behavioral therapy, with the goal of reinforcing the commitment to changing habits.

All inmates have access to free rehabilitation in different forms, and attendance is based on a wish to seek treatment. Inmates in open units with permission to leave can attend the course at Allorfik. If they do not have permission to leave the institution, Allorfik offers the rehabilitation within the institution. Furthermore, it is possible to receive treatment through phone conversations or via videolink. The Prison and Probation Service finds that individual rehabilitation through Allorfik is assessed as positive.

Currently, one inmate is undergoing individual treatment. Group treatment began in May 2025, where 6-7 sentenced inmates attend weekly meetings during a period of 14 weeks.

In addition, motivational talks and lectures are offered through Allorfik and external lecturers. Allorfik talks are primarily used for remand prisoners in order to inform them of abuse in general and the treatment offers available. External lecturers have been used as motivation by talking about their own abuse and how they overcame it.

Abuse of opioids is not known within the institution. Therefore, there are currently no plans to authorize custodial staff to administer naloxone. If this form of substance abuse becomes an issue, the Prison and

Probation Service will consider whether it is relevant to authorise custodial staff to administer naloxone to inmates in case of an opioid overdose.

Paragraph 23 in the CPT's report

The Committee recommends that free-of-charge condoms also be made available to prisoners who do not receive visits, as a means to prevent the spread of transmissible diseases.

Condoms are available for inmates in the visitors' section at Nuuk Prison. If inmates request condoms in their units, the institution can provide them.

Paragraph 24 in the CPT's report

The CPT would like to be informed whether there exist any plans to authorise the use of Androcur (or any other substances with a similar action) in Greenland. Were this to be the case, the Committee refers to its comments on this subject made in paragraph 78 of the report on the 2008 periodic visit to Denmark, which are as follows: "The Committee considers that more attention should be paid to ensuring that these safeguards [including a written informed consent] are being fully respected in practice. In particular, special care should be taken to make sure that prisoners' consent to medical libido-suppressing treatment is genuinely free and informed. In this connection, the provision of full information (oral and written) on the known adverse effects – as well as the possible benefits – of the treatment, should be improved. Further, no prisoner should be put under undue pressure to accept medical libido-suppressing treatment. Moreover, in addition to drug treatment, efforts should be made to step up psychotherapy and counselling with a view to reducing the risk of re-offending.

The Prison and Probation Service in Greenland has through a submission to the Council of Medical Examiners assessed that there is a need for libido-suppressing treatment in concrete cases. As other forms of health related services, such treatment is to be provided by the Greenlandic Health Service. Currently this form of treatment is not offered in Greenland and thus should be conducted in Denmark.

The Greenlandic health authorities have stated that, at present, libido-suppressing treatment is not offered in Greenland. This is partly due to the known and potentially serious side effects of medications such as Androcur, including an increased risk of osteoporosis. Responsible treatment therefore requires regular medical follow-up, including bone scans (e.g., DEXA scans), which cannot be provided in Greenland.

On this basis, the Greenlandic health authorities assess that the necessary healthcare framework to offer this type of treatment in a responsible manner is not yet in place in Greenland. This applies to diagnostic facilities, ongoing monitoring, and access to specialized healthcare personnel.

There will be ongoing dialogue with the Greenlandic health authorities to determine when and how this service may, in due course, become generally accessible in Greenland.

5. Other issues

Paragraph 25 in the CPT's report

The CPT recommends that steps be taken to increase the number of custodial staff actually present inside prisoner accommodation sections of Nuuk Prison throughout the day. Custodial staff should also be encouraged to engage and communicate more with prisoners, in accordance

with the concept of dynamic security. This will also need to be addressed in the context of initial and ongoing training of custodial officers, which should additionally put more emphasis on dealing with agitated and mentally disturbed prisoners.

The custodial staff of the detention facility in Nuuk are indeed observant on being present inside the inmates' accommodation sections. Among other things, the custodial staff prepare meals, play cards and football with the inmates, which is a determinative factor of decreasing the level of violence and threats between staff and inmates. The concept of dynamic security is a well integrated part of the staff's daily work, and an approach to provide for a safe environment in the institution. The concept of dynamic security is also a significant part of the education becoming a custodial officer.

Learning to deal with agitated and mentally disturbed inmates is a significant part of the education to become a custodial officer in Greenland in order for the officers to be able to identify for instance signs concerning mental illness or personality disorders. Furthermore, additional education has been conducted in this field.

Paragraph 26 in the CPT's report

Reference is made to the recommendation in paragraph 92 of the report on the 2024 periodic visit to Denmark, which applies mutatis mutandis.

In general, disciplinary solitary confinement imposed on inmates is very rarely used for more than a few days. In fact, the head of institution and the other senior members of the management of the detention facility in Nuuk have no immediate knowledge of disciplinary solitary confinement imposed on an inmate for more than 14 days for a given offence.

The custodial staff of the detention facility in Nuuk remains highly aware of the detrimental effects of solitary confinement on an inmate's physical and mental well-being.

Due to special circumstances limited community time may be granted during solitary confinement imposed as a disciplinary measure (section 5(4) of Executive Order no. 1164 of 7 December 2009 on Disciplinary Measures and the Processing of Disciplinary Actions).

If the inmate's physical or mental well-being deteriorates, consultation with healthcare personnel is advised.

Furthermore, visits may be granted during solitary confinement imposed as a disciplinary measure if the special circumstances justify it.

Paragraph 27 in the CPT's report

The CPT recommends that inmates at Nuuk Prison be systematically provided with a copy of the disciplinary decision, the receipt of which they should be asked to acknowledge in writing.

According to section 13 of Executive Order no. 1164 of 7 December 2009 on Disciplinary Measures and the Processing of Disciplinary Actions (the Executive Order on Disciplinary Actions), a prisoner must be provided with a copy of the decision on disciplinary sanction upon request. A prisoner must be informed of the possibility of being provided with a copy of the decision, cf. Section 10 (4).

At the end of a hearing all inmates are asked if they want a copy of the disciplinary decision. However, the staff of the detention facility in Nuuk notes that some inmates do not want to receive such a copy as they do not want other inmates reading their disciplinary decision. Thus, the practice of receiving a copy on request is implemented out of concern for the inmates.

Paragraph 29 in the CPT's report

The Committee recommends that efforts to address the situation of the two prisoners in voluntary isolation be continued; this should include authorising them to continue using their mobile phones. The overall aim of these efforts should be to convince the prisoners concerned to gradually reintegrate the main prisoner population; meanwhile, they should be offered meaningful human contact (either with one or more carefully selected fellow inmates or, if impossible, with dedicated custodial staff) for at least two hours per day. They should also be visited by the nurse and one of the psychologists on a daily basis, in order to monitor their physical and mental health and provide necessary assistance, as required. In particular, any observed signs of deterioration of their mental health should prompt the nurse to contact the psychiatric ward of Nuuk Hospital, in order to arrange a psychiatric consultation. Reference is also made here to the recommendation set out in paragraph 102 of the report on the 2024 periodic visit to Denmark, 58 which applies mutatis mutandis.

The Prison and Probation Service in Greenland can inform that voluntary isolation is a rare occurrence. Inmates who wish to stay in voluntary isolation are asked daily if they want to return to their unit. Often reluctance to participate in association with other inmates in the unit can be resolved by change of units. Inmates in voluntary isolation have no limitations to visits, except if they are under controlled correspondence and visit measures based on the investigation in the criminal case that led to their remand. Furthermore, a nurse visits the inmates in voluntary isolation as a minimum weekly and more often if the circumstances demand it. However, inmates in these facilities often do not want or need to talk the nurse. In these cases, a psychologist will take over the regular visits.

The Head of Institution has informed, that there is one remand prisoner under controlled correspondence and visit measures who has asked to stay in voluntary isolation for a longer period on the ground of special circumstances. When there are no other inmates in the ward, the door to his cell is open, and he can roam free in the hall and in the courtyard attached. He is also offered employment, in the form of cleaning the depot accompanied by an officer. The remand prisoner also receives weekly visits by the institution's psychologists.

Paragraph 31 in the CPT's report

The Committee refers to its remarks and recommendations on the use of “security cells” and fixation in prisons, as set out in paragraph 111 of the report on the 2024 periodic visit to Denmark, which apply fully also to Nuuk Prison: “The CPT must stress once again that agitated prisoners who pose a serious danger to themselves or to others may be temporarily isolated in a calming down cell until they restore behavioural control, only as a last resort when all other reasonable options (such as talking to the prisoners in question) have failed to satisfactorily contain these risks. As regards prisoners displaying severe mental health issues, they should be transferred to a psychiatric facility where they can receive the necessary care.

The Committee reiterates the recommendation that the Danish authorities abolish the practice of fixation of prisoners for security reasons and develop alternative approaches; the CPT would

like to be provided with a detailed plan to achieve this objective. Pending this, the Danish authorities must ensure that the following minimum safeguards are strictly applied in all prisons resorting to fixation:

- fixation may only be used as a measure of last resort, when all other reasonable options have failed satisfactorily to deescalate violence; previous (unsuccessful) measures should be clearly indicated either in the decision to apply fixation or in dedicated register;
- any fixation may only be of a very short duration (minutes rather than hours);
- fixation may only be resorted to in a medical setting, namely as expressly ordered by a doctor or immediately brought to the doctor's attention. The doctor should proactively visit fixated prisoners immediately upon fixation to document and treat any injuries, review the prisoners' health condition as well as assess the necessity to continue applying the measure;
- fixated inmates should be under continuous, personal and direct supervision by prison staff physically present in the "security cell"; observing patients through a window is not sufficient.

Further, the CPT recommends that steps be taken to ensure that debriefing sessions involving the prisoners concerned and custodial and health-care staff are organised following each measure of fixation, for oversight and learning purposes. [...] The Committee also recommends that appropriate initial and refresher training be provided to staff regarding the use of fixation and de-escalation techniques."

The Prison and Probation Service in Greenland can inform that the security cell is not in common use at the institution and that the cell was not used at all in 2024. In the rare cases that the security cell has been used, it has mostly been on the account of threats of self-harm with the intent of suicide.

Regarding the recommendation that fixation may only be used as a measure of last resort, the Prison and Probation Service in Greenland refers to section 225(2) of the Criminal Code of Greenland, which states that fixation must be proportional. Placement in security cell with fixation is considered a last resort measure and may only be effectuated when less intrusive measures – such as conversation, deescalating techniques, placement in observation cell or placement in security cell without fixation – are rendered insufficient.

Regarding the recommendation that fixation may only be of a very short duration, the Prison and Probation Service in Greenland notes that, under section 12 (1) of Executive Order no. 1114 of 1 July 2022 on the Use of Means of Restraint in detention facilities, an entry regarding the supervision of an inmate must be made at least every 15 minutes while the inmate is fixated in a security cell. This entry must include information about the prisoner's condition as well as any comments on the necessity of continuing the placement in a security cell and the fixation.

With regard to the recommendation that fixation should immediately be brought to the doctor's attention, such an obligation already follows from national provisions. According to section 225(4) of the Criminal Code of Greenland, when fixating a prisoner in a security cell, the institutions must immediately request a medical doctor to attend the prisoner. The medical doctor must see the person in question, unless the medical doctor, on the basis of a medical assessment, deems that such supervision is clearly

unnecessary. Thus, a doctor will be contacted immediately, when a prisoner is placed in the security cell with fixation.

Concerning direct supervision: When inmates are placed in a security cell under the use of coercive mechanical restraint, including belt fixation, they are observed through a window for the sake of both the inmate's and the employee's safety. Physical supervision can be perceived as intimidating and thus in theory contribute to a prolonged fixation of the inmate.

Regarding debriefing sessions, the detention facility in Nuuk has no specific written procedure on this, but the prison finds that there is a good dialogue with inmates at this point in general. Often, following the quite rare occasions that fixation has been used, one of the psychologists has had a conversation with the inmate in case.

Paragraph 32 in the CPT's report

The CPT is of the view that the default approach should be to allow prisoners to keep their own clothes whilst in an "observation" or a "security" cell. If, based on an individualised risk assessment, staff concludes that it is necessary to remove their clothes, prisoners must be provided with appropriate rip-proof clothing.

The Committee recommends that steps be taken to ensure that prisoners placed in "observation" and "security" cells are always enabled to use the toilet without delay.

When an inmate is placed in an observation cell on the ground of threats of self-harm or suicide, they are asked to turn in their clothing. This is because of the risk of hidden items that can be used to do self-harm. The inmate will be provided with clothes from the institution. If the institution assesses that there is no risk of self-harm, the inmate will be allowed to keep his or her own clothes on.

The institution is currently looking into possibilities of acquiring rip-proof clothing and is in dialogue with a possible supplier.

Related to the comments on the use of the bathroom in the observation cells, the Prison and Probation Service in Greenland can inform the committee that within these cells there is a call button which inmates can for requests to use the toilet. When this call is made, they will be escorted to the bathroom within minutes.

As regards inmates placed in a security cell under restraint, a need to urinate or defecate will be handled with a urine flask or a basin for defecation. The head of institution has informed that the latter has not occurred within the last five years.

Paragraph 33 in the CPT's report

The CPT invites the authorities to grant access to long-term visits to all sentenced prisoners accommodated at Nuuk Prison, including those with fixed-term sentences."

The detention facility in Nuuk always aim to accommodate all inmates' requests for visits.

However, since the institution only has limited facilities to receive long-term (48 hours) conjugal visits, the application of these facilities is prioritized to inmates with an indeterminate sentence. Otherwise, the waiting time for each inmate will increase significantly.

This is especially out of the consideration that the vast majority of sentenced inmates with a fixed-term sentence have the opportunity to go on leave which indeterminate sentenced inmates do not.

However, if a fixed-term sentenced inmate's family is passing through Nuuk from other areas of Greenland, they can – after a specific assessment – get permission to make a long-term visit. Depending on what is available at the time, the long-term visit will take place either in the apartment or in a visit room.

Paragraph 34 in the CPT's report

The Committee recommends that efforts be made to increase the telephone calls entitlement for remand prisoners accommodated at Nuuk Prison. Consideration should also be given to enabling remand prisoners whose families live far away to receive long-term visits. As for remand prisoners subjected to “B&B” restrictions, reference is made to the recommendation in paragraph 121 of the report on the 2024 periodic visit to Denmark, which applies mutatis mutandis also to Nuuk Prison. The recommendation in question reads as follows: “Regarding access to a telephone, this must be granted as a rule; if there is a risk of collusion, calls to a particular person could be restricted by a prosecutor for a certain amount of time but, in any event, the privileged option should be that particular telephone calls could be monitored (rather than prohibited).”

In practice, remand prisoners, who are not subject to police-imposed restrictions (“B&B”), have the opportunity to make telephone calls to relatives for 10 minutes once a week. The allocated time is determined in order to secure the same right for all of the remand prisoners vis a vis the possibility to uphold the remaining operation of the facility. Concerning the right to visits, remand prisoners who are not subject to police-imposed restrictions have the same access to receive visits as sentenced inmates. If a remand prisoner's relatives come to visit, and they live far away, it is possible to receive additional visits.

At the time of writing there are 20 remand prisoners in the detention facility in Nuuk, of which 18 are subject to police-imposed restrictions (“B&B”). Concerning their right to make phone calls and receive visitors, the police is present at the institution once a week to conduct monitored telephone calls and visits.

The rules on remand prisoners' right to contact with the outside world are set out in Chapter 35 of the Greenlandic Administration of Justice Act, which is supplemented by provisions in the Executive Order no. 1176 of 7 December 2009 on Remand Custody. The rules are – with adaptations to the Greenlandic conditions – equivalent to the rules set out in the Danish Administrations Act and Executive Order no. 1099 of 16 October 2024 on Remand Custody. As stated in the reply of the Danish Government to the report of the Committee on its visit to Denmark from 23 May to 3 June 2024 it is the view of the Ministry of Justice that these rules contribute to safeguarding the fundamental rights of remand prisoners in accordance with Denmark's international obligations. As also stated, there are a number of important reasons for the restrictions on remand prisoners' contact with the outside world, including to ensure that the purpose of the remand detention can be achieved. At the same time, legal guarantees are built in for remand prisoners, including the rules on referral to court. The Ministry of Justice and other relevant authorities continuously consider whether there is reason to change the rules and practices in the area to ensure the right balance between effective law enforcement on one hand and the right of remand prisoners to contact with the outside world on the other.

Paragraph 36 in the CPT's report

The Committee refers to its remarks and recommendations set out in paragraph 118 of the report on the 2024 periodic visit to Denmark.

The said remarks and recommendations read as follows: “As stated many times in the past, the Committee is of the view that strip searches are very invasive measures that must therefore be proportionate and duly justified. They should only be carried out when there are reasonable grounds to suspect that prisoners may have hidden on themselves items that may be used to harm themselves or others or in the case where there may be evidence of a crime (e.g. smuggling in prohibited items) and a more in-depth search is necessary. In the light of the above, the CPT recommends that the Danish authorities ensure that the decision to impose a strip search on a prisoner is indeed always based on an individual risk assessment. As concerns the procedure, the Committee reiterates its recommendation that prisoners who are subjected to a strip search be allowed to remove clothing above the waist and redress before removing further clothing.”

According to section 221 of the Criminal Law of Greenland, prison staff is authorised to do strip-searches on inmates without a court order, when it is considered necessary to ensure prison security or to prevent disorder or crime.

Upon admittance to the institution, all inmates are searched to ensure that no illegal items are brought into the institution. Furthermore, it is stated in section 221, that strip-searches shall be proportional, carried out gently and must only be attended by prison officers of the same gender as the detained.

Since the committee's visit the procedure of strip searches have been updated. The strip searches are now done with one half of the body covered at all times.

Paragraph 37 in the CPT's report

The CPT recommends that the management of Nuuk Prison firmly reminds all the staff members that they should never dissuade prisoners from exercising their right to address complaints, both internally and to competent outside bodies.

Further, steps must be taken to ensure that all prisoners, particularly newly arrived ones, are systematically provided with information about the prison's house rules and their rights including the rights to referred to above.

Upon admittance new inmates receive a copy of the house rules. Within these internal regulations, there is also a detailed description on how to file a complaint. When an inmate receives an official decision, it will also be accompanied by an instruction on how to file a complaint.

Custodial officers are taught inmates' rights during their education. If an officer dissuades an inmate who wishes to complain, he or she can be faced with disciplinary action. The institution has no knowledge of a situation where an officer knowingly has misdirected an inmate. This also applies to the Prison and Probation Service in Greenland.