

1545th meeting, 2-4 December 2025 (DH)

H46-23 Sy (Application No. 11791/20) and Citraro and Molino group (Application No. 50988/13) v. Italy

Supervision of the execution of the European Court's judgments

Reference document

CM/Notes/1545/H46-23

Decisions

The Deputies

1. recalled that the case of *Sy* concerns the applicant's continued detention in prison despite a psychiatric condition and domestic court orders for his transfer to a psychiatric facility for the enforcement of security measures (*residenza per l'esecuzione delle misure di sicurezza: "REMS"*) facility, as well as delays in executing the Court's interim measure; that *Citraro and Molino* concerns the authorities' failure to prevent the suicide in prison of the applicants' son, who suffered from a psychiatric condition; and that *Niort* raises the issue of the lack of adequate assessment of the compatibility of the applicant's mental condition with detention;

As regards individual measures

2. noted that no further individual measures are required in the cases of *Sy* and *A.Z.*; decided to close their supervision of the *A.Z.* case and adopted Final Resolution CM/ResDH(2025)387;

3. noted with interest that, in the case of *Niort*, the compatibility of the applicant's psychiatric condition with detention has been reassessed and that he is receiving regular care; invited the authorities to maintain close monitoring, provide adequate medical and psychological care, and keep the Committee informed;

As regards the general measures in the case of Sy

4. noted with interest the available information reflecting overall progress since 2020 in reducing the number of persons held in prison awaiting transfer to a REMS facility, with a significant decrease observed in 2024, followed by a rise in 2025; highlighted, in this connection, that the continued detention of persons for whom judicial decisions have ordered placement in REMS or other appropriate facilities remains a matter of concern, as it underscores the ongoing risk of unlawful deprivation of liberty under the Convention; called therefore on the authorities to ensure the rapid implementation of these decisions regarding persons still detained;

5. noted with concern the information reflecting the absence of substantial progress in expanding REMS network; reiterated their call to the authorities to step up their efforts to address this issue; noted positively, in this context, the extension of funds allocated to the Liguria region and called on the authorities to secure adequate funding more broadly and particularly for regions where most persons awaiting transfer are reported to be detained;

6. invited them also to ensure the effective operation of the existing REMS system, including through the full implementation of the 2022 revised agreement between the government, the regions and local authorities and in accordance with the guidance provided by the Constitutional Court's 2022 judgment, with a view to streamlining the use of available resources and securing sufficient places and timely transfers;

7. noted with concern the persistent absence of information and assessment previously requested on the measures taken or envisaged to tackle the violations of Articles 5 § 5 and 34 in this case; urged the authorities to provide them rapidly;

As regards the general measures in the Citraro and Molino group of cases

8. noted with interest the recent measures adopted by the authorities, including the allocation of financial resources for 2025-2027, the adoption of legislation aiming at strengthening psychological and psychiatric support in prison and the further interventions envisaged to enhance suicide prevention; invited them to provide information on their implementation;
9. noted with concern the persistent negative trend in the number of suicides in prison which further underscores the urgent need for tangible progress; highlighting the importance of a comprehensive strategy in this area, urged the authorities to ensure the full implementation of the 2017 National Suicide Prevention Plan, including the establishment of regional and prison-level suicide prevention plans; invited them also to assess whether the National Plan needs to be updated to address emerging challenges, including the impact of prison overcrowding;
10. noted with satisfaction the National School for the Judiciary's initiative to organise targeted training courses in 2026 on the assessment of the compatibility of mental health conditions with detention; invited the authorities to keep the Committee informed of their implementation and encouraged them to continue ensuring the continuity and broad dissemination of capacity-building activities;
11. requested the authorities to provide the information indicated in paragraph 7 above by 30 March 2026 and on all remaining outstanding questions by 30 September 2026.