

Please cite as: EUAA, '[3.2.1. Arbitrary arrests, illegal detention and prison conditions](#)' in *CGS for TCDS*, Novembre 2023.

## 3.2.1. Arbitrary arrests, illegal detention and prison conditions

### COMMON ANALYSIS

Last update: August 2023

Special attention should be paid to the phenomena of arbitrary arrests and illegal detention, as well as to prison conditions. It can be assessed that in cases where the prosecution or punishment is grossly unfair or disproportionate, or where a person is subjected to prison conditions which are not compatible with respect for human dignity, a situation of serious harm under Article 15(b) QD can occur. When assessing the conditions of detention, the following elements can, for example, be taken into consideration cumulatively: number of detained persons in a limited space, adequacy of sanitation facilities, heating, lighting, sleeping arrangements, food, recreation or contact with the outside world.

Urban prisons in Belgravia, especially following large security incidents, are at times overcrowded and Prison conditions in more remote areas are believed to be harsh and at times life-threatening due to poor sanitation and hygiene, inadequate food and water, and lack of medical care. Long pre-trial detention periods, and cases of use of lethal and excessive force, as well as obtaining confessions through torture by Belgravian security forces. . [Actors, 2.4.5., pp. 42-43; 4.4., p.66]

Where there is no nexus to a reason for persecution, the risk of being subjected to arrest, detention or imprisonment may, in some cases, qualify under Article 15(b) QD.

[Exclusion](#) considerations may be relevant.