



EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

28 April 2010

THIRD SECTION

MOLE and 144 others against Slovenia
(see the attached table)

STATEMENT OF FACTS

THE FACTS

1. The applicants are current or previous prisoners in Dob Prison. For their personal data, see the attached table. They were represented before the Court by Odvetniška Družba Matoz o.p. d.o.o., a law firm practising in Koper.

A. The circumstances of the case

2. The facts of the case, as submitted by the applicants, may be summarised as follows.

1. Occupancy level and the size of the cells

3. Dob Prison is by far the largest prison in Slovenia. It holds only male prisoners sentenced to a term of imprisonment of eighteen months or more. It has an official capacity of 233 inmates. According to the 2008 Annual Report by the Administration for the Execution of Penal Sentences, the prison held on average 443 prisoners in 2008. The official capacity was therefore exceeded by almost 90%.

4. The applicants are or were held in shared cells (bedrooms). The large majority of applicants are or were held in cells measuring 57 sq. m. In most cases these cells hold between fifteen and nineteen inmates. In the former case, each prisoner has 3.8 sq. m and in the latter case 3 sq. m of personal space.

5. The prisoners in larger bedrooms share one lavatory and two washbasins, which appear to be situated in sanitary annexes. Owing to overcrowding, there are long delays in gaining access to these facilities.

6. See the attached table for the exact size of each cell and the cell occupancy level. The personal space available to each applicant includes a bed and a cupboard.

2. Other aspects of physical conditions in Dob Prison

7. As out-of-cell time is limited to four hours per day, the applicants spend at least twenty hours per day in their cells confined to their beds. They have almost no recreation available. Owing to overcrowding, the ventilation is inadequate, temperatures are often extreme, and hygiene is lacking. The applicants suffer from constant disturbance from other inmates, which extends overnight, and they cannot enjoy a minimum level of privacy. The fact that the prisons are severely understaffed seriously affects the security and medical and psychological assistance available to prisoners. Several requests have been made by the prisoners for a transfer to another room or section, but to no avail as the prisons operate beyond the official capacity. Because of this, there is no proper system in operation that would allow drug users to be separated from the rest of the prison population and in particular from those who have been treated or are undergoing treatment for drug abuse. Contact with the outside world through the use of a phone or visits is severely limited.

B. Relevant domestic law

1. General rules concerning living space available to prisoners

8. The relevant parts of sections 42 and 43 of the Execution of Penal Sentences Act (“the EPSA” – *Zakon o izvrševanju kazenskih sankcij*, Official Gazette No. 22/2000) provide as follows:

Section 42

“...

(2) A prisoner should normally be held in a single cell. Shared cells should not have more than eight beds.

...”

Section 43

“A prisoner should be provided with the possibility of spending a minimum of two hours per day outdoors.”

9. Rule 27 of the Rules on Execution of Sentences of Imprisonment (*Pravilnik o izvrševanju kazni zapora*, Official Gazette no. 102/2000) provides:

“Cells must be bright, dry, airy, and sufficiently large. Each prisoner should have at least 9 sq. m of space in a single cell, and 7 sq. m of space in a shared cell.”

2. Remedies

10. Domestic legislation provides for several remedies or supervisory mechanisms which, to a greater or lesser extent, could be applicable in respect of improper conditions of detention. However, at this stage there is little material available to show how these remedies work in practice and in the circumstances to which the applicants refer.

(a) Request for judicial protection

11. Section 83 of the EPSA reads as follows:

“(1) A prisoner who claims to have suffered torture or other cruel forms of inhuman or degrading treatment may lodge a request for judicial protection.

(2) The prison authorities shall also forward to the public prosecutor any request made under the preceding paragraph.”

(b) Administrative complaint

12. A formal manner of dealing with prisoners’ complaints is established within the administrative procedure whereby complaints are dealt with by the prison governor. An appeal can then be lodged with the Ministry of Justice (which is the ministry responsible for prisons). Section 85 of the EPSA provides:

“(1) If a prisoner alleges a violation of other rights or any irregularities which are not subject to judicial protection, the prisoner may complain to the prison governor.

(2) If the prisoner does not receive a reply to such a complaint within thirty days or is dissatisfied with the decision, he or she may lodge an application with the Ministry of Justice.

(3) Prisoners also have the right to complain of a violation of their rights or of any irregularities referred to in subsection (1) above to other bodies responsible for the supervision of the prison.”

13. This remedy does not in principle involve the participation of the complainant. The decision ultimately given in this procedure can then be challenged before the Administrative Court by means of an application for review. In this connection Article 157 of the Constitution of the Republic of Slovenia (*Ustava Republike Slovenije* – “the Constitution”) is of relevance. It provides:

“A court with jurisdiction to review administrative decisions shall [have jurisdiction to] determine the legality of final individual decisions by State or local authorities or holders of public office concerning the rights or obligations or legal entitlements of individuals and organisations, if no other legal protection is specifically provided.

If no other legal protection is provided, the court with jurisdiction to review administrative decisions shall also [have jurisdiction to] determine the legality of individual acts and decisions which encroach upon the constitutional rights of the individual.”

More specifically, section 4 of the Administrative Disputes Act (Official Gazette No. 105/2006) provides:

“(1) The courts in administrative proceedings shall also decide on the legality of decisions and acts which interfere with individuals’ human rights and fundamental freedoms, if no other judicial protection is provided...”

(c) Civil claim

14. Article 26 of the Constitution provides:

“Everyone shall have the right to compensation for damage caused by the unlawful acts of a person or body when performing a function or engaged in an activity on behalf of a State or local authority or as a holder of public office. ...”

15. More specifically, section 84 of the EPSA reads as follows:

“If a prisoner has suffered damage as a result of treatment referred to in the preceding section [see paragraph 14 above], he or she may claim compensation directly from the person responsible in accordance with the applicable laws.”

16. Compensation can normally be claimed under the general rules of the Code of Obligations 2001 (*Obligacijski zakonik*, Official Gazette no. 83/2001).

(d) Constitutional appeal

17. As regards a constitutional appeal, it can only be used once all other remedies have been exhausted. In decision no. Up-863/04 of 22 February 2005, which concerned the alleged ill-treatment of a detainee, the Constitutional Court dismissed the appeal, finding that the appellant had failed to make use of the following remedies: a claim provided for in section 4 of the Administrative Disputes Act; a criminal complaint against those responsible or a subsidiary prosecution; and a complaint to the prison governor.

(e) Supervision of prisons by the Ministry of Justice and the district court judge

18. Section 212 of the EPSA, in so far as relevant, provides:

“(1) Supervision of the lawfulness of the treatment of prisoners shall be carried out by the Ministry and the judge of the district court... [They] shall acquaint themselves with how prisoners are treated and whether their rights are respected. This shall be done in the absence of prison staff, if so requested by the prisoner.

(2) If the Ministry and the judge of the district court establish that the rights of prisoners have been violated, they shall do everything necessary for the protection of those rights.

(3) The supervision referred to in the first paragraph may also be carried out by the Ombudsman for Human Rights ... and by international bodies for the protection of human rights and the prevention of torture and inhuman and degrading treatment and punishment.”

C. Relevant international standards

19. The relevant extracts from the 2nd General Report by the Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) (CPT/Inf (92) 3) read as follows:

“46. Overcrowding is an issue of direct relevance to the CPT’s mandate. All the services and activities within a prison will be adversely affected if it is required to cater for more prisoners than it was designed to accommodate; the overall quality of life in the establishment will be lowered, perhaps significantly. Moreover, the level of overcrowding in a prison, or in a particular part of it, might be such as to be in itself inhuman or degrading from a physical standpoint.

47. A satisfactory programme of activities (work, education, sport, etc.) is of crucial importance for the well-being of prisoners... [P]risoners cannot simply be left to languish for weeks, possibly months, locked up in their cells, and this regardless of how good material conditions might be within the cells. The CPT considers that one should aim at ensuring that prisoners in remand establishments are able to spend a reasonable part of the day (8 hours or more) outside their cells, engaged in purposeful activity of a varied nature...

48. Specific mention should be made of outdoor exercise. The requirement that prisoners be allowed at least one hour of exercise in the open air every day is widely accepted as a basic safeguard... It is also axiomatic that outdoor exercise facilities should be reasonably spacious...

49. Ready access to proper toilet facilities and the maintenance of good standards of hygiene are essential components of a humane environment...

50. The CPT would add that it is particularly concerned when it finds a combination of overcrowding, poor regime activities and inadequate access to toilet/washing facilities in the same establishment. The cumulative effect of such conditions can prove extremely detrimental to prisoners."

20. The CPT's 7th General Report (CPT/Inf (97) 10) contains the following passage:

"13. As the CPT pointed out in its 2nd General Report, prison overcrowding is an issue of direct relevance to the Committee's mandate (cf. CPT/Inf (92) 3, paragraph 46).

An overcrowded prison entails cramped and unhygienic accommodation; a constant lack of privacy (even when performing such basic tasks as using a sanitary facility); reduced out-of-cell activities, due to demand outstripping the staff and facilities available; overburdened health-care services; increased tension and hence more violence between prisoners and between prisoners and staff. This list is far from exhaustive.

The CPT has been led to conclude on more than one occasion that the adverse effects of overcrowding have resulted in inhuman and degrading conditions of detention..."

21. The CPT's 11th General Report (CPT/Inf (2001) 16) contains the following passages:

"28. The phenomenon of prison overcrowding continues to blight penitentiary systems across Europe and seriously undermines attempts to improve conditions of detention. The negative effects of prison overcrowding have already been highlighted in previous General Reports...

29. In a number of countries visited by the CPT, particularly in central and eastern Europe, inmate accommodation often consists of large capacity dormitories which contain all or most of the facilities used by prisoners on a daily basis, such as sleeping and living areas as well as sanitary facilities. The CPT has objections to the very principle of such accommodation arrangements in closed prisons and those objections are reinforced when, as is frequently the case, the dormitories in question are found to hold prisoners under extremely cramped and insalubrious conditions...

Large-capacity dormitories inevitably imply a lack of privacy for prisoners in their everyday lives... All these problems are exacerbated when the numbers held go beyond a reasonable occupancy level; further, in such a situation the excessive burden on communal facilities such as washbasins or lavatories and the insufficient ventilation for so many persons will often lead to deplorable conditions.

30. The CPT frequently encounters devices, such as metal shutters, slats, or plates fitted to cell windows, which deprive prisoners of access to natural light and prevent fresh air from entering the accommodation. They are a particularly common feature of establishments holding pre-trial prisoners. The CPT fully accepts that specific security

measures designed to prevent the risk of collusion and/or criminal activities may well be required in respect of certain prisoners... [E]ven when such measures are required, they should never involve depriving the prisoners concerned of natural light and fresh air. The latter are basic elements of life which every prisoner is entitled to enjoy...”

22. The relevant extracts from the Recommendation of the Committee of Ministers to Member States of the Council of Europe on the European Prison Rules (Rec (2006)2, adopted on 11 January 2006 at the 952nd meeting of the Ministers’ Deputies) read as follows:

“...

1. All persons deprived of their liberty shall be treated with respect for their human rights.

...

3. Restrictions placed on persons deprived of their liberty shall be the minimum necessary and proportionate to the legitimate objective for which they are imposed.

4. Prison conditions that infringe prisoners’ human rights are not justified by lack of resources.

5. Life in prison shall approximate as closely as possible the positive aspects of life in the community.

6. All detention shall be managed so as to facilitate the reintegration into free society of persons who have been deprived of their liberty.

...

18.1 The accommodation provided for prisoners, and in particular all sleeping accommodation, shall respect human dignity and, as far as possible, privacy, and meet the requirements of health and hygiene, due regard being paid to climatic conditions and especially to floor space, cubic content of air, lighting, heating and ventilation.

18.2 In all buildings where prisoners are required to live, work or congregate:

a. the windows shall be large enough to enable the prisoners to read or work by natural light in normal conditions and shall allow the entrance of fresh air except where there is an adequate air conditioning system;

b. artificial light shall satisfy recognised technical standards ...

18.3 Specific minimum requirements in respect of the matters referred to in paragraphs 1 and 2 shall be set in national law.

18.4 National law shall provide mechanisms for ensuring that these minimum requirements are not breached by the overcrowding of prisons.

18.5 Prisoners shall normally be accommodated during the night in individual cells except where it is preferable for them to share sleeping accommodation.

18.6 Accommodation shall only be shared if it is suitable for this purpose and shall be occupied by prisoners suitable to associate with each other.

...

19.1 All parts of every prison shall be properly maintained and kept clean at all times.

19.2 When prisoners are admitted to prison the cells or other accommodation to which they are allocated shall be clean.

19.3 Prisoners shall have ready access to sanitary facilities that are hygienic and respect privacy.

19.4 Adequate facilities shall be provided so that every prisoner may have a bath or shower, at a temperature suitable to the climate, if possible daily but at least twice a week (or more frequently if necessary) in the interest of general hygiene.

19.5 Prisoners shall keep their persons, clothing and sleeping accommodation clean and tidy.

19.6 The prison authorities shall provide them with the means for doing so including toiletries and general cleaning implements and materials.”

D. Relevant international and domestic reports

1. Reports by the CPT

23. The CPT visited Dob Prison in 1995 and 2001.

24. In 1995 the number of prisoners held in the Dob prison was significantly lower than it is currently. 208 prisoners were held in the relevant sections of Dob Prison (the closed sections) (see document CPT/Inf (96) 18). Following the visit in 2001, the following recommendations were made to the Slovenian authorities (CPT/Inf (2002) 36):

“i. Dob Prison

56. ... The CPT recommends that efforts be made to reduce the occupancy rate of the 60 m² dormitories, having regard to the new minimum standards for prison accommodation. Further, the Committee wishes to reiterate that smaller accommodation units for prisoner[s] are far preferable to large units such as the 60 m² dormitories seen in Dob Prison.

...”

2. The 2008 Annual Report by the Administration for the Execution of Penal Sentences

25. In the chapter concerning the living conditions in Slovenian prisons, the Administration for the Execution of Penal Sentences stated the following (p. 98):

“... Poor living conditions are coupled with overcrowding, which is most present in the large prisons in Slovenia, Dob, Ljubljana and Maribor. The urgency of improving living conditions has been stressed by the Ombudsman for Human Rights, the CPT and other institutions.

... It is understandable that such living conditions adversely affect prisoners’ hygiene and privacy. Poor living conditions sometimes also obstruct the exercise of prisoners’ rights. In some establishments, prisoners on remand live in worse conditions than sentenced prisoners. The outdated and inadequate furniture in living rooms and other areas presents an additional problem.”

3. Report by the Slovenian Ombudsman for Human Rights

26. On 17 and 18 March 2009 the Ombudsman for Human Rights conducted a visit to Dob Prison under the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment and issued a report, which reads as follows:

“... the official capacity is still 296 prisoners, including 233 prisoners in the closed section, 40 prisoners in the semi-open section and 23 prisoners in the open section. At the time of our visit, the establishment held 497 prisoners, including 433 in the closed section, which is 200 beyond the official capacity. The prison administration has stressed that it has previously been faced with an even higher occupancy rate. During a certain period in 2008, the prison held 526 prisoners...

We found that since our last visit the overcrowding has only intensified. This raises concerns. The prison administration has agreed with this finding and stressed that it is

of particular concern that the overcrowding cannot be reduced by placing prisoners in other establishments as the number of prisoners is rising everywhere. On the other hand, we welcome the fact that the preparatory work on the renovation and expansion of the prison has finally started. ...

We have again stressed that in most cases the furniture in the rooms is completely outdated and therefore urgent repairs and replacements are needed. ...

The closed section had sufficient outside areas at the time of the visit ...

According to the prison administration, illegal drugs present a serious problem. About half of the prisoners are addicted to drugs or alcohol... Apart from the lack of space, the drug-free section also cannot operate because of the lack of appropriate staff.”

COMPLAINTS

27. The applicants complain that the conditions of their detention in Dob Prison amounted to a violation of Articles 3 and 8 of the Convention. In particular, they complain of severe overcrowding, which led to a lack of personal space, poor sanitary conditions, insufficient ventilation, deprivation of privacy, excessive restrictions on out-of-cell time, an inadequate level of health care and psychological assistance, and reduced security.

28. They also submit that the situation amounted to a structural problem, which has been acknowledged by the domestic authorities.

29. In addition, the applicants complain that owing to the systemic nature of the violation, they do not have any effective remedy at their disposal. In any event, there is no evidence that the remedies which are available in theory could work effectively in practice when it comes to prison conditions and treatment of prisoners. They invoke Article 13 on that account.

30. Certain applicants submit further complaints, which are noted in the attached table.

QUESTIONS TO THE PARTIES

1. In respect of each applicant and each cell in which he was held, the Government are requested to comment on the following points.

- (a) Indicate the cell number and the dates of the applicant’s stay.
- (b) What was the floor surface of the cell (in square metres)?
- (c) How many beds were available in the cell at the time of the applicant’s stay?
- (d) How many detainees were held in the cell at the time of the applicant’s stay? Indicate the maximum number of detainees, *not* the average.
- (e) Was the cell equipped with a *functioning* ventilation system at the time of the applicant’s stay?

(f) For each applicant, indicate the duration of out-of-cell time available to him per day and the area available for this purpose.

(g) For each applicant, indicate the frequency and the duration of outdoor exercise, the surface area of the exercise yard (in square metres) he can use during exercise and the type of the roof above the yard (metal bars, solid roof, netting, etc.).

(h) What were the sanitary conditions in respect of the cells in which the applicants were held?

(i) What measures were taken to provide adequate hygiene and to prevent transmission of diseases such as Hepatitis C at the time of the applicant's stay?

Where applicable, the Government are requested to provide the above information also as regards the period following the lodging of the applications.

2. As regards each applicant, did the conditions of his detention amount to treatment prohibited by Article 3 of the Convention?

3. Has there been an unjustified interference with each applicant's right to respect for his private life, within the meaning of Article 8 § 1 of the Convention?

4. Do these cases reveal the existence of a structural problem? Does this situation amount to "a practice incompatible with the Convention" (see *Bottazzi v. Italy* [GC], no. 34884/97, § 22, ECHR 1999-V)?

5. Did the applicants have effective domestic remedies available – as required by Article 13 of the Convention – for their complaint about the inhuman and degrading conditions of their detention? In particular, was there an effective mechanism, sufficiently established in law and practice, that would have allowed the authorities to put an end to the continuing violation of the applicants' rights under Article 3 while they were still in detention, and/or to grant them adequate compensation for non-pecuniary damage after their detention had already ended?

6. What is the time frame within which the construction project concerning the Dob Prison will be completed?

APP.NO.	NAME	SURNAME	NATIONALITY	BIRTH DATE	INTRODUCTION DATE	SIZE OF CELL/OCCUPANCY LEVEL	EST. LENGTH OF STAY	Additional complaints
5700/10	Jasmin	Mole	Slovene	28/12/1976	24/12/2009	57m ² /16 (3,56m ²)	01/05 - 08/11	
5704/10	Elvis	Livadić	Slovene	07/08/1988	24/12/2009	57m ² /16 (3,56m ²)	04/09 - 06/24	
5711/10	Rajko	Lalić	Slovene	15/03/1961	24/12/2009	57m ² /17 (3,35m ²)	09/07 - 02/11	
5714/10	Ismet	Smajović	Serbian	29/10/1965	24/12/2009	57m ² /16 (3,56m ²)	05/06 - 06/14	
5719/10	Roman	Tivadar	Slovene	26/12/1974	24/12/2009	57m ² /18 (3,16m ²)	01/09 - 07/12	
5720/10	Radovan	Mišić	Bosnia and Herzegovina	17/04/1962	18/12/2009	57m ² /17 (3,35m ²)	05/08 - 04/11	The applicant complains that he suffered from severe distress and other related illnesses.
5724/10	Niko	Stariha	Slovene	01/12/1977	18/12/2009	57m ² /16 (3,56m ²)	06/07 - 05/10	

APP.NO.	NAME	SURNAME	NATIONALITY	BIRTH DATE	INTRODUCTION DATE	SIZE OF CELL/OCCUPANCY LEVEL	EST. LENGTH OF STAY	Additional complaints
5728/10	Đorđe	Petrović	Slovene	05/05/1955	18/12/2009	Between April 2006 and May 2008: 57m ² /17 (3,35m ²); Currently: 3.52m ² of personal space (p.s.)	03/06 - 03/10	
5729/10	Elvir	Mukeljić	Slovene	17/06/1978	18/12/2009	57m ² /17 (3,35m ²)	05/08 - 01/10	
5733/10	Ivan	Plečko	Slovene	13/08/1970	18/12/2009	57m ² /16 (3,56m ²)	09/08 - 06/11	
5749/10	Ivo	Šolaja	Slovene	25/08/1956	18/12/2009	57m ² /17 (3,35m ²)	03/09 - 07/12	
5750/10	Zoltan	Varadi	Slovakia	01/05/1985	24/12/2009	57m ² /18 (3,16m ²)	03/08 - 07/18	
5753/10	Nermin	Lović	Slovene	21/03/1974	18/12/2009	57m ² /17 (3,35m ²)	05/07 - 08/10	
5754/10	Drago	Prajner	Slovene	13/04/1971	18/12/2009	57m ² /16 (3,56m ²)	07/07 - 09/13	
5759/10	Stanko	Kolompar	Slovene	13/07/1977	18/12/2009	57m ² /17 (3,35m ²)	02/09 - 12/10	

APP.NO.	NAME	SURNAME	NATIONALITY	BIRTH DATE	INTRODUCTION DATE	SIZE OF CELL/OCCUPANCY LEVEL	EST. LENGTH OF STAY	Additional complaints
5767/10	Jasmin	Mešić	Slovene	22/05/1979	24/12/2009	57m ² /16 (3,56m ²)	07/06 - 06/14	The applicant raises allegations as to the transmission of Hepatitis C in the prison and complains about improper medical treatment.
5778/10	Astor	Brajdič	Slovene	03/11/1981	18/12/2009	57m ² /17 (3,35m ²)	12/08 - 09/12	The applicant complains that he suffered trauma because of racial harassment by fellow prisoners (the applicant is of Roma origin) and that no protective measures were taken by authorities.
5780/10	Roman	Viličnik	Slovene	18/12/1984	18/12/2009	57m ² /18 (3,16m ²)	01/09 - 01/12	
5783/10	Drago	Pečko	Slovene	25/12/1957	18/12/2009	57m ² /16 (3,56m ²)	01/09 - 01/12	
5787/10	Zoran	Benić	Slovene	29/11/1975	24/12/2009	57m ² /18 (3,16 m ²)	02/08 - 04/10	
5798/10	Anđelko	Vardič	Slovene	26/01/1971	18/12/2009	57m ² /17 (3,35m ²)	06/07 - 03/11	

APP.NO.	NAME	SURNAME	NATIONALITY	BIRTH DATE	INTRODUCTION DATE	SIZE OF CELL/OCCUPANCY LEVEL	EST. LENGTH OF STAY	Additional complaints
5801/10	Danijel	Bekš	Slovene	05/08/1963	18/12/2009	57m ² /18 (3,16 m ²)	10/06 - 12/12	
5803/10	Albin	Božičnik	Slovene	30/01/1966	18/12/2009	57m ² /16 (3,56m ²)	07/07 - 11/12	
5804/10	Enis	Bajić	Slovene	11/03/1976	18/12/2009	57m ² /16 (3,56m ²)	04/07 - 04/11	
5807/10	Elvir	Šabotič	Montenegrin	13/07/1975	18/12/2009	57m ² /17 (3,35m ²)	09/05 - 12/10	
5811/10	Matjaž	Jusič	Slovene	13/08/1958	18/12/2009	57m ² /17 (3,35m ²)	06/07 - 11/12	
5814/10	Miroslav	Adler	Slovene	06/03/1977	18/12/2009	57m ² /15 (3,8m ²)	01/08 - 01/20	
5816/10	Niko	Šotner	Slovene	07/03/1980	18/12/2009	57m ² /15 (3,8m ²)	07/09 - 01/13	The applicant raises allegations as to the transmission of Hepatitis C in the prison.
5823/10	Marko	Kos	Slovene	15/08/1966	18/12/2009	57m ² /15 (3,8m ²)	04/06 - 03/18	

APP.NO.	NAME	SURNAME	NATIONALITY	BIRTH DATE	INTRODUCTION DATE	SIZE OF CELL/OCCUPANCY LEVEL	EST. LENGTH OF STAY	Additional complaints
5827/10	Damijan	Kranjec	Slovene	12/02/1981	18/12/2009	57m ² /17 (3,35m ²)	03/09 - 11/10	
5829/10	Boris	Ahec	Slovene	25/02/1955	18/12/2009	57m ² /16 (3,56m ²)	04/09 - 05/12	
5830/10	Slobodan	Katič	Slovene	02/01/1960	18/12/2009	57m ² /16 (3,56m ²)	02/08 - 05/14	The applicant complains that his treatment for drug abuse was unsuccessful due to improper prison conditions.
5831/10	Haris	Ajdarović	Slovene	26/04/1983	24/12/2009	57m ² /17 (3,35m ²)	08/07 - 08/10	
5835/10	Darinko	Brajdič	Slovene	18/12/1968	08/01/2010	57m ² /18 (3,16 m ²)	10/05 - 11/18	The applicant complains that he was a victim of an accident at work in the prison.
5841/10	Aleš	Kovačič	Slovene	06/04/1982	18/12/2009	57m ² /15 (3,8m ²)	05/08 - 08/12	
5855/10	Bogomir	Demšar	Slovene	29/01/1958	18/12/2009	57m ² /15 (3,8m ²)	01/07 - 01/15	
5864/10	Marko	Kaluža	Slovene	26/08/1967	18/12/2009	57m ² /16 (3,56m ²)	03/08 - 03/10	

APP.NO.	NAME	SURNAME	NATIONALITY	BIRTH DATE	INTRODUCTION DATE	SIZE OF CELL/OCCUPANCY LEVEL	EST. LENGTH OF STAY	Additional complaints
5876/10	Martin	Kos	Slovene	28/10/1960	18/12/2009	57m ² /18 (3,16 m ²)	11/07 - 02/12	
5889/10	Milan	Komadina	Slovene	19/07/1963	18/12/2009	57m ² /17 (3,35m ²)	Since 06/09	
5896/10	Marjan	Kunc	Slovene	18/05/1975	18/12/2009	57m ² /16 (3,56m ²)	02/06 - 07/12	
5898/10	Franc	Pevc	Slovene	21/11/1963	18/12/2009	57m ² /16 (3,56m ²)	05/07 - 07/11	
5900/10	Gorazd	Bukvič	Slovene	12/09/1981	18/12/2009	57m ² /16 (3,56m ²)	12/07 - 02/18	
5906/10	Goran	Ilibašić	Croatian	09/06/1976	18/12/2009	57m ² /16 (3,56m ²)	08/06 - 04/12	
5911/10	Milan	Plavčak	Slovene	26/08/1973	18/12/2009	57m ² /15 (3,8m ²)	10/08 - 06/10	
5917/10	Peter	Rijavec	Slovene	08/12/1977	18/12/2009	57m ² /16 (3,56m ²)	07/08 - 10/11	
5939/10	Goran	Đurković	Slovene	15/05/1979	08/01/2010	57m ² /16 (3,56m ²)	08/09 - 02/11	
5940/10	Miloš	Zogović	Slovene	11/06/1979	08/01/2010	57m ² /18 (3,16 m ²)	02/06 - 12/11	
5941/10	Duško	Cvijanović	Slovene	11/10/1973	08/01/2010	57m ² /16 (3,56m ²)	03/08 - 10/10	

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5951/10	Dragutin	Srpak	Slovene	04/02/1956	18/12/2009	57m ² /15 (3,8m ²)	07/07 - 05/15	The applicant complains that he suffered from severe distress and that his complaints were not answered by the authorities.
5952/10	Franjo	Ivanušič	Croatian	13/03/1961	08/01/2010	57m ² /16 (3,56m ²)	07/07 - 04/11	
5956/10	Sašo	Tuksar	Slovene	19/09/1967	18/12/2009	57m ² /17 (3,35m ²)	05/09 - 09/11	
5958/10	Jasmin	Kostevc	Slovene	11/08/1974	18/12/2009	57m ² /16 (3,56m ²)	07/08 - 02/10	
5959/10	Danijel	Fabijančič	Slovene	15/05/1978	08/01/2010	57m ² /16 (3,56m ²)	10/04 - 01/15	
5964/10	Alojz	Polajšer	Slovene	15/10/1957	18/12/2009	57m ² /15 (3,8m ²)	01/08 - 07/10	
5970/10	Matej	Kumin	Slovene	03/01/1983	18/12/2009	57m ² /15 (3,8m ²)	02/05 - 05/17	

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5971/10	Matjaž	Šušteršič	Slovene	11/03/1969	18/12/2009	57m ² /16 (3,56m ²)	07/07 - 07/10	The applicant complains that he was twice beaten and injured by fellow prisoners.
5973/10	Aleš	Erjavec	Slovene	01/11/1976	08/01/2010	57m ² /15 (3,8m ²)	03/09 - 03/11	
5974/10	Zeni	Demiri	Slovene	01/04/1965	18/12/2009	57m ² /15 (3,8m ²)	10/08 - 10/11	
5980/10	Marjan	Zupanič	Slovene	11/07/1966	18/12/2009	57m ² /18 (3,16 m ²)	11/06 - 08/18	
5987/10	Zoran	Dedić	Slovene	12/11/1981	24/12/2009	57m ² /15 (3,8m ²)	06/09 - 03/11	
5988/10	Iztok	Nilič	Slovene	28/08/1977	18/12/2009	57m ² /16 (3,56m ²)	05/08 - 03/?	
6007/10	Goran	Maksimovič	Slovene	22/10/1976	18/12/2009	57m ² /16 (3,56m ²)	08/08 - 05/14	
6008/10	Sead	Batanović	Slovene	28/07/1971	24/12/2009	57m ² /15 (3,8m ²)	07/08 - 07/10	
6014/10	Damjan	Mikložič	Slovene	24/08/1980	18/12/2009	57m ² /16 (3,56m ²)	07/03 - 12/13	
6022/10	Tihomir	Mijalković	Serbian	23/02/1974	18/12/2009	57m ² /15 (3,8m ²)	09/07 - 05/13	

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6030/10	Marko	Celarc	Slovene	18/07/1957	18/12/2009	57m ² /17 (3,35m ²)	05/03 - 03/11	
6040/10	Boštjan	Koprivnikar	Slovene	05/05/1979	18/12/2009	57m ² /17 (3,35m ²)	12/07 - 12/11	
6057/10	Darko	Šinko	Slovene	11/12/1967	24/12/2009	57m ² /15 (3,8m ²)	09/02 - 10/10	The applicant raises allegations as to the transmission of Hepatitis C in the prison.
6074/10	Zlato	Farčnik	Slovene	21/03/1972	18/12/2009	57m ² /15 (3,8m ²)	07/08 - 10/18	
6084/10	Lenart	Ciglar	Slovene	15/04/1983	18/12/2009	57m ² /17 (3,35m ²) Since June 2009: 3.75m ² of p.s.	06/05 - 03/18	
6091/10	Jože	Kac	Slovene	17/04/1965	18/12/2009	57m ² /15 (3,8m ²)	05/06 - 11/10	
6102/10	Dušan	Nedeljko	Slovene	12/12/1966	18/12/2009	57m ² /18 (3,16m ²)	10/07 - 10/11	

APP.NO.	NAME	SURNAME	NATIONALITY	BIRTH DATE	INTRODUCTION DATE	SIZE OF CELL/OCCUPANCY LEVEL	EST. LENGTH OF STAY	Additional complaints
6108/10	Martin	Vidovič	Slovene	12/09/1953	18/12/2009	57m ² /18 (3,16m ²)	05/07 - 11/10	
6117/10	Štefan	Mitrovič	Slovene	23/12/1961	18/12/2009	57m ² /17 (3,35m ²)	07/00 - 09/19	
6118/10	Franc	Arh	Slovene	06/04/1973	18/12/2009	57m ² /15 (3,8m ²)	04/07 - 10/14	
6119/10	Denis	Ambroželj	Slovene	15/07/1976	18/12/2009	57m ² /15 (3,8m ²)	Since March 2009	
6122/10	Redžep	Aksalić	Montenegrin	15/01/1961	18/12/2009	57m ² /15 (3,8m ²)	05/02 - 07/15	
6125/10	Albin	Mravljak	Slovene	14/12/1957	18/12/2009	57m ² /18 (3,16m ²)	10/07 - 10/21	The applicant complains that he suffered from severe distress and other related illnesses.

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6131/10	Milan	Mitrič	Slovene	15/02/1979	18/12/2009	57m ² /15 (3,8m ²)	05/09 - 05/13	The applicant complains that he suffered from heart disease and was forced to stay with smokers.
6140/10	Drago	Kovačič	Slovene	17/03/1962	18/12/2009	57m ² /15 (3,8m ²)	09/05 - 07/14	
6154/10	Robert	Rauter	Slovene	08/04/1976	18/12/2009	57m ² /17 (3,35m ²)	03/04 - 07/32	
6159/10	Tomaž	Vuk	Slovene	03/10/1967	18/12/2009	57m ² /18 (3,16 m ²)	Since September 2009	
6166/10	Zim	Memeti	Slovene	27/12/1967	18/12/2009	57m ² /17 (3,35m ²)	10/07 - 08/19	
6170/10	Drago	Majcen	Slovene	18/09/1958	24/12/2009	57m ² /15 (3,8m ²)	10/02 - 10/12	The applicant raises allegations as to the transmission of Hepatitis C and complains about improper medical treatment.
6171/10	Peter	Orešič	Slovene	16/05/1975	18/12/2009	57m ² /16 (3,56m ²)	05/99 - 01/16	

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6179/10	Lovro	Vadlja	Slovene	04/03/1985	18/12/2009	57m ² /15 (3,8m ²)	08/07 - 06/26	
6182/10	Bojan	Slana	Slovene	28/11/1975	24/12/2009	57m ² /17 (3,35m ²)	04/06 - 09/19	
6188/10	Marinko	Avgustinović	Slovene	08/09/1980	18/12/2009	57m ² /15 (3,8m ²)	01/08 - 07/11	
6195/10	Janez	Skubic	Slovene	18/01/1986	24/12/2009	57m ² /17 (3,35m ²)	02/09 - 04/11	
6225/10	Stojan	Radin	Slovene	27/05/1959	24/12/2009	57m ² /17 (3,35m ²)	06/06 - 10/17	
6267/10	Branko	Ločnikar	Slovene	17/03/1963	18/12/2009	57m ² /16 (3,56m ²)	03/08 - 09/11	
6275/10	Frank	Palmer	Slovene	28/12/1965	18/12/2009	57m ² /18 (3,16m ²); Currently; 3.75m ² of p.s.	10/07 - 07/10	

APP.NO.	NAME	SURNAME	NATIONALITY	BIRTH DATE	INTRODUCTION DATE	SIZE OF CELL/OCCUPANCY LEVEL	EST. LENGTH OF STAY	Additional complaints
6279/10	Vanja	Pirnat	Slovene	22/01/1959	18/12/2009	57m ² /15 (3,8m ²)	01/08 - 08/11	
6285/10	Jure	Trupej	Slovene	03/09/1983	18/12/2009	57m ² /16 (3,56m ²)	05/09 - 03/12	The applicant claims he became a drug addict in the prison and expresses fears over the transmission of Hepatitis C in the prison.
6309/10	Riki	Bukvić	Croatian	29/01/1985	18/12/2009	57m ² /16 (3,56m ²)	07/09 - 3/11	
6375/10	Slavko	Zlodej	Slovene	31/10/1963	22/01/2010	57m ² /15 (3,8m ²)	9/09 - 2/13	
6399/10	Zlatko	Kajtazović	Slovene	06/03/1964	18/12/2009	57m ² /16 (3,56m ²)	12/08 - 12/11	The applicant complains about lack of safety measures against potential fire.
6408/10	Milorad	Draganić	Bosnia and Herzegovina	31/07/1969	18/12/2009	57m ² /16 (3,56m ²)	12/08 - 09/12	
6427/10	Anton	Krempf	Slovene	26/04/1960	18/12/2009	57m ² /16 (3,56m ²)	05/07 - 05/11	
6438/10	Primož	Koritnik	Slovene	10/09/1991	18/12/2009	57m ² /16 (3,56m ²)	08/08 - 05/14	

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6452/10	Marko	Dragišić	Slovene	10/01/1979	18/12/2009	57m ² /17 (3,35m ²)	11/06 - 03/11	The applicant complains that he sustained injuries at work in the prison due to improper safety conditions.
6497/10	Jaka	Pavlinič	Slovene	09/05/1985	18/12/2009	57m ² /16 (3,56m ²)	Since July 2009	
6519/10	Aleksandar	Djurdjević	Slovene	26/09/1979	18/12/2009	57m ² /16 (3,56m ²)	05/07 - 06/13	
6530/10	Darko	Eržen	Slovene	12/11/1957	18/12/2009	57m ² /15 (3,8m ²)	02/08 - 05/17	
6538/10	Ahmet	Bajraktari	Slovene	11/10/1962	18/12/2009	57m ² /16 (3,56m ²)	04/08 - 12/21	
6548/10	Anton	Planinšec	Slovene	12/02/1963	18/12/2009	57m ² /16 (3,56m ²)	12/05 - 06/15	
6552/10	Jasmin	Čivović	Slovene	13/07/1977	18/12/2009	57m ² /15 (3,8m ²)	03/07 - 09/10	
6559/10	Tomaž	Čuden	Slovene	01/07/1972	18/12/2009	57m ² /17 (3,35m ²)	07/06 - 01/10	The applicant complains that he was beaten several times by fellow prisoners.

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6613/10	Vehid	Delić	Slovene	13/10/1980	18/12/2009	57m ² /16 (3,56m ²); Since spring 2007: 3.7m ² of p.s.	06/06 - 09/11	
6620/10	Sebastjan	Heine	Slovene	28/05/1983	18/12/2009	60m ² /17 (3,75m ²)	05/08 - 05/11	
6623/10	Radivoj	Dubac	Slovene	11/06/1969	18/12/2009	57m ² /18 (3,16 m ²)	01/08 - 08/11	
6634/10	Peter	Vogrinc	Slovene	16/09/1979	18/12/2009	57m ² /16 (3,56m ²)	02/08 - 03/10	
6647/10	Nebojša	Šegota	Slovene	10/02/1969	18/12/2009	57m ² /15 (3,8m ²)	07/08 - 11/15	
6653/10	Danilo	Tivadar	Slovene	10/02/1976	18/12/2009	57m ² /17 (3,35m ²)	09/08 - 03/12	
6682/10	Srečko	Ferenc	Slovene	01/03/1968	18/12/2009	57m ² /17 (3,35m ²)	02/09 - 03/11	The applicant complains that his injuries have not been properly treated in the prison.

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6684/10	Danilo	Pohorec	Slovene	07/01/1955	18/12/2009	57m ² /16 (3,56m ²)	06/08 - 06/10	The applicant complains that he suffered from severe distress as a result of which he was hospitalised on four occasions.
6690/10	Edin	Tirić	Slovene	06/03/1981	18/12/2009	57m ² /16 (3,56m ²)	04/09 - 12/11	
6888/10	Janko	Kermc	Slovene	18/02/1976	18/12/2009	57m ² /17 (3,35m ²)	07/08 - 01/16	
6893/10	Damir	Glavica	Slovene	30/01/1974	18/12/2009	57m ² /15 (3,8m ²)	08/04 - 01/13	
6910/10	Vojko	Brajdič	Slovene	10/03/1970	18/12/2009	57m ² /19 (3m ²)	07/07 - 02/13	
6916/10	Jernej	Brezovšek	Slovene	25/06/1974	18/12/2009	57m ² /18 (3,16m ²)	11/08 - 11/11	
6918/10	Ramo	Bislimi	Slovene	16/03/1950	18/12/2009	57m ² /17 (3,35m ²)	04/07 - 03/13	

APP.NO.	NAME	SURNAME	NATIONALITY	BIRTH DATE	INTRODUCTION DATE	SIZE OF CELL/OCCUPANCY LEVEL	EST. LENGTH OF STAY	Additional complaints
6922/10	Dušan	Skobir	Slovene	15/01/1969	18/12/2009	57m ² /16 (3,56m ²)	09/05 - 10/10	
6927/10	Dejan	Jović	Slovene	17/03/1978	18/12/2009	57m ² /16 (3,56m ²)	12/08 - 06/11	
6934/10	Branko	Grant	Slovene	22/08/1951	18/12/2009	57m ² /18 (3,16 m ²)	02/08 - 02/15	
6948/10	Zdenko	Stanivuk	Slovene	19/07/1977	18/12/2009	57m ² /16 (3,56m ²)	02/05 - 08/19	
6952/10	Anton	Gorenjec	Slovene	13/01/1967	18/12/2009	57m ² /17 (3,35m ²)	06/07 - 06/10	
6954/10	Roman	Čmak	Slovene	14/03/1965	18/12/2009	57m ² /16 (3,56m ²)	07/07 - 03/12	
6961/10	Stephen	Casiraghi	Slovene	31/05/1968	18/12/2009	57m ² /16 (3,56m ²)	04/08 - 02/24	
6964/10	Marjan	Koser	Slovene	20/11/1961	18/12/2009	57m ² /17 (3,35m ²)	05/07 - 06/12	
6971/10	Damjan	Vilčnik	Slovene	29/05/1980	18/12/2009	2007-2009: 20m ² /4 (5m ²) (Hospital room); Currently: 3.3m ² of p.s.	06/05 - 06/10	

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6974/10	Samir	Sejfović	Slovene	03/08/1976	18/12/2009	57m ² /18 (3,16m ²)	05/05 - 06/11	
6980/10	David	Lorbek	Slovene	26/11/1971	29/12/2009	57m ² /16 (3,56m ²)	06/09 - 04/11	
6985/10	Oliver	Obradović	Slovene	13/09/1979	29/12/2009	Between March and May 2009: 57m ² /17 (3,35m ²); Currently: 3m ² of p.s.	01/09 - 11/10	
7034/10	Tomaž	Golob	Slovene	31/03/1966	18/12/2009	57m ² /17 (3,35m ²)	11/08 - 09/10	
7036/10	Franc	Vinšek	Slovene	07/04/1970	18/12/2009	57m ² /16 (3,56m ²)	06/05 - 06/10	
7048/10	Jožef	Gajšek	Slovene	09/02/1962	18/12/2009	57m ² /17 (3,35m ²)	06/07 - 05/16	
7059/10	Jožef	Kočar	Slovene	22/04/1961	18/12/2009	57m ² /17 (3,35m ²)	10/07 - 03/10	
7117/10	Stanislav	Ujčič	Slovene	30/03/1985	18/12/2009	57m ² /16 (3,56m ²); Currently: 3.75m ² of p.s.	08/08 - 07/11	The applicant alleges that he endured even more hardship due to his diabetes.
7175/10	Igor	Jeftić	Slovene	30/08/1977	18/12/2009	57m ² /15 (3,8m ²)	03/07 - 03/10	

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7182/10	Aleš	Jamnišek	Slovene	26/07/1982	18/12/2009	57m ² /17 (3,35m ²)	12/08 - 09/10	
7189/10	Alojz	Hajšek	Slovene	13/01/1964	18/12/2009	57m ² /17 (3,35m ²)	04/07 - 04/12	
7199/10	Mitja	Jovanovič	Slovene	15/05/1971	18/12/2009	57m ² /17 (3,35m ²)	12/08 - 04/11	
7207/10	Dominik	Javornik	Slovene	21/07/1970	18/12/2009	57m ² /18 (3,16 m ²)	12/06 - 10/11	
7236/10	Artur	Galič	Slovene	26/08/1976	18/12/2009	57m ² /16 (3,56m ²)	01/01 - 04/10	