Criminal Detention in the EU Conditions and Monitoring

National Standard

Country	Detention Issues	Key provision	Legal Instrument	NPM Recommendation	NPM Recommendation year	NPM report URL
Spain	Hygiene and sanitation	Spanish rules provide for the location of toilets inside cells. Generally access to showers is daily.	Prison Rules (Royal Decreto 190/1996, de 9 de febrero, por el que se aprueba el Reglamento Penitenciario)	The NPM stated the following in a non formal recommendation: Although this is not frequent, complaints have been received from detainees relating to delay in accessing the toilets, after they have requested permission from the officers. For that reason, persons deprived of liberty should be afforded access to the toilets, without undue delay, at any time, and they should be afforded appropriate means for their personal hygiene, particularly in the case of women who so require or persons whose personal hygiene is linked to religious practices which should be respected". To the extent possible it is to be avoided that cells not for individual use should contain toilets within them, since it is not acceptable either as regards the lack of privacy that such location implies for the detainees, or for the rest of the detainees who must put up with the bad smell. Likewise, the existence of squat toilets is inadequate for persons who, because of their age or physical condition, need to use seat toilets.	2014	https://www.defensordelpueblo.es/en/wp-content/uploads/sites/2/2016/02/NPM_annual_report_2014.pdf

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Spain	Hygiene and sanitation	At the time of admission, each prisoner will receive the items and products necessary for their personal hygiene. Standards of cleanliness and hygiene established by the management centre will be observed.	General Penitentiary Law September (Ley General Penitenciaria)	The NPM stated the following in a non formal recommendation: Although this is not frequent, complaints have been received from detainees relating to delay in accessing the toilets, after they have requested permission from the officers. For that reason, persons deprived of liberty should be afforded access to the toilets, without undue delay, at any time, and they should be afforded appropriate means for their personal hygiene, particularly in the case of women who so require or persons whose personal hygiene is linked to religious practices which should be respected". To the extent possible it is to be avoided that cells not for individual use should contain toilets within them, since it is not acceptable either as regards the lack of privacy that such location implies for the detainees, or for the rest of the detainees who must put up with the bad smell. Likewise, the existence of squat toilets is inadequate for persons who, because of their age or physical condition, need to use seat toilets.	2014	https://www.defensordelpueblo.es/en/wp-content/uploads/sites/2/2016/02/NPM_annual_report_2014.pdf

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