COMMITTEE OF MINISTERS
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Recommendation CM/Rec(2026)5 of the Committee of Ministers to member States on education in prison

(Adopted by the Committee of Ministers on 8 April 2026 at the 1556th meeting of the Ministers' Deputies)

The Committee of Ministers, under the terms of Article 15.*b* of the Statute of the Council of Europe (ETS No. 1),

Considering that the aim of the Council of Europe is to achieve greater unity among its members and that this aim can be pursued notably by common action in ensuring equal access to good quality education for all;

Having regard to the European Convention on Human Rights (ETS No. 5) and its protocols, in particular the Additional Protocol (ETS No. 9), which affirms that "[n]o person shall be denied the right to education";

Having further regard to the relevant case law of the European Court of Human Rights;

Having regard to the European Social Charter (revised) (ETS No. 163) and also to the work of the European Committee of Social Rights;

Having regard to the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (ETS No. 126) and also to the work carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT);

Having regard to Recommendation Rec(2006)2-rev of the Committee of Ministers to member States on the European Prison Rules, which states in Rule 28 that "[e]very prison shall seek to provide all prisoners with access to educational programmes which are as comprehensive as possible and which meet their individual needs while taking into account their aspirations";

Considering that ensuring quality education for all is a public responsibility;

Acknowledging the importance of education in the development of the individual and the community;

Recognising that a high proportion of prisoners have left compulsory education before completion and have limited or negative past educational experiences, and that they therefore have unmet educational needs and aspirations;

Considering that access to education in prison reduces recidivism through improved work opportunities, increased active citizenship and desistance from crime;

Considering that education in prison helps to humanise prisons and to improve the conditions of detention for those offenders living and working in these institutions;

Recognising that, in the practical application of certain rights or measures, in accordance with the following recommendations, distinctions may be justified between convicted prisoners and prisoners on remand;

Recognising that providing prisoners with access to quality education, either within the prison or, when feasible, in the community, is important for achieving the primary objective of making prison life replicate as closely as possible the positive aspects of life in the community and facilitating the successful reintegration of prisoners into society;

Acknowledging the importance of continuing to safeguard access to education and wider goals, including preparing prisoners for release and reintegration into society, in spite of challenges including prison population growth and overcrowding;

Taking also into account the following recommendations of the Committee of Ministers of the Council of Europe to member States:

- Recommendation Rec(2003)23 on the management by prison administrations of life sentence and other long-term prisoners;
- Recommendation Rec(2006)13 on the use of remand in custody, the conditions in which it takes place and the provision of safeguards against abuse;
- Recommendation CM/Rec(2012)5 on the European Code of Ethics for Prison Staff;
- Recommendation CM/Rec(2012)12 concerning foreign prisoners;
- Recommendation CM/Rec(2012)13 on ensuring quality education;
- Recommendation CM/Rec(2014)3 concerning dangerous offenders;
- Recommendation CM/Rec(2019)10 on developing and promoting digital citizenship education;

Bearing in mind:

- the United Nations Universal Declaration of Human Rights (1948), which proclaims in Article 26 that “[e]veryone has the right to education” and that “[e]ducation shall be directed to the full development of the human personality”;

- the United Nations International Covenant on Economic, Social and Cultural Rights (1966), which recognises in Article 13 “the right of everyone to education”;

- the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules, 2015), which states as a basic principle in Rule 4 that “prison administrations and other competent authorities should offer education, vocational training and work” to be “delivered in line with the individual treatment needs of prisoners”;

- the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules, 2010); and

- the Charter of Fundamental Rights of the European Union (2000), which recognises in Article 14 that “[e]veryone has the right to education and to have access to vocational and continuing training”,

1. Replaces, by the text of this Recommendation, Recommendation Rec(89)12 of the Committee of Ministers to member States on education in prison;

2. Recommends that the governments of member States:

   a. take all appropriate measures, when reviewing their relevant legislation and practice, to apply the principles set out in the appendix to this recommendation;

   b. ensure the dissemination of this recommendation and its explanatory memorandum to the relevant authorities and agencies, in particular prison administrations, probation services and providers of education in prison, and make it accessible to prisoners.

Appendix to CM/Rec(2026)5

I. Scope

The present recommendation applies only to adult prisoners. Separate rules should apply to the education of detained children and take into consideration their age, individual development, needs and aspirations.

For the purposes of this recommendation, “prisoners” are incarcerated persons to whom the European Prison Rules (Rec(2006)2-rev) are applicable.

This recommendation applies also to probation services that operate in prisons and which may play a role in securing access for prisoners to suitable educational programmes.

This recommendation refers to a broad concept of education, which should include academic subjects encompassed by traditional educational frameworks, vocational education and training, digital literacy, creative arts and cultural activities, physical education and sports, the teaching of life skills and access to library services.

This recommendation should not be interpreted as precluding the application of other relevant international instruments and standards that are more conducive to ensuring the right to education of adults.

II. Definitions

For the purposes of this recommendation, the terms and expressions below should be understood as follows.

“Active citizenship” is one’s participation in civil society, community and/or political life, characterised by mutual respect and non-violence, and in accordance with human rights and democracy.

“Adult education” denotes the entire body of learning processes, formal, non-formal and informal, whereby those above the age of 18 develop and enrich their capabilities for living and working, both in their own interests and those of their communities, organisations and societies. It may also encompass continuing or further education or second-chance education.

“Adult literacies” refers to the process whereby adults acquire essential skills in listening and speaking, reading, writing, numeracy and the use of everyday technology. This process enables individuals to identify, understand, interpret, create, communicate and compute; ultimately enhancing their ability to solve problems and make informed decisions.

A “broad and balanced curriculum” is one that provides a wide range of subjects and programmes that allow prisoners to develop a comprehensive range of knowledge and skills and attain formal qualifications and diplomas, and which reflects the diverse needs and interests of the prison population.

“Creative arts” in education encompass a broad spectrum of artistic disciplines, including visual arts, music, drama and creative writing that foster creativity, self-expression and holistic development, and develop a range of skills.

“Digital literacy” is the ability to find, evaluate and compose clear information through media and other digital platforms.

“Education” is the process of facilitating learning or the acquisition of knowledge, skills, values, beliefs and habits.

“Provider of education” is an organisation that provides education to prisoners. This may be a public educational institution, a private enterprise, a non-governmental organisation or a non-educational public body.

“Employability skills” relate primarily to interpersonal relationships; they are transferable skills and key personal attributes and values which are universal in nature rather than job specific, and which are applicable to all jobs and work environments, for example teamwork and the ability to follow instructions.

“Further education” is education and training that happens after secondary education, but which is not considered higher education.

“Higher education”, also known as third-level or tertiary education, is the final stage of formal learning following secondary education.

“Life skills” focus primarily on personal well-being and day-to-day living; they are practical skills and abilities that individuals acquire and use to manage their everyday lives, for example managing personal finances and budgeting.

“Neurodivergent” describes people whose brain differences affect how their brain works; they have different strengths and challenges from people whose brains do not have those differences.

“Physical education” aims to develop individuals’ physical competence and knowledge of movement and safety, and their ability to use these to perform in a wide range of activities associated with the development of an active and healthy lifestyle.

“Public authority” is a body, organ, entity or other organisation, at any level, empowered to supervise, oversee or make decisions, representing or acting on behalf of the population in the territory concerned, irrespective of its legal status under public or private law. Public authorities may operate at the local, regional or national level, in accordance with the constitutional arrangements of the country concerned.

“Secondary education” or second-level education is the education level following primary education and preceding higher or further education. It is typically offered to students between the ages of 12 and 18, but this age range may vary according to the country.

“Vocational education and training” is the process of acquiring skills and knowledge related to a specific trade, occupation or vocation, and is focused primarily on employability**.**

III. Rules

Basic principles

1. All prisoners shall have access to education.

2. Education in prison should include a broad and balanced curriculum which is commensurate in level, breadth, quality and qualifications to the education provided for adult learners in the community.

3. Education in prison should be grounded in the principles and practices of adult education and should be as close as possible to all aspects of adult education provision in the community.

4. Sentence planning should address each individual’s educational needs and strengths while taking into account their interests and aspirations.

5. The education of prisoners is a public responsibility, irrespective of the provider of education in prison.

6. Education should be offered as soon as possible after admission to prison and be available throughout detention.

7. Educational certificates and qualifications acquired by prisoners should not specify that they were delivered in a prison.

8. Education should have no less a status than work and other activities within the prison regime and prisoners should not lose out financially or otherwise by taking part in education.

Access to education

9. Access to education should be provided to all prisoners regardless of ethnic origin, nationality, gender, age, disability, sexual orientation, language, religion, political or other opinion, economic, social or other status, or physical or mental condition.

10. Access to education should be provided to all prisoners regardless of length of sentence, remand status, security regime or individual classification.

Responsibility for education

11. Public authorities are responsible for developing, implementing and resourcing policies and practices that aim to ensure quality education in prison.

12. Public authorities are responsible for developing measures, and for supporting relevant stakeholders, to facilitate post-release learning.

13. Every effort should be made to encourage prisoners to participate actively in a range of educational opportunities.

Provision of education

14. Prisoners should have access to secondary education in order to attain the relevant national certificate.

15. Prisoners should have access to vocational education and training and training in employability skills in order to enhance their employment prospects after release.

16. Prisoners should have access to higher education, where appropriate, in order to meet their educational needs and achieve their future aspirations.

17. Prisoners should have access to creative arts and other cultural activities in order to develop transferrable skills and enhance their cultural capital.

18. Prisoners should have access to physical education and sports in order to maintain and improve their mental and physical health.

19. Prisoners should have access to digital literacy learning within a secure technical infrastructure in order to reduce the digital divide experienced by prisoners.

20. Prisoners should have access to courses in practical life skills in order to better manage life in prison and after release.

21. Prisoners should have access to health and well-being education in order to better manage life in prison and maintain a healthy lifestyle.

22. Prisoners should have access to learning opportunities that promote active citizenship in order to understand and enjoy their rights and fulfil their responsibilities as citizens.

Educational support for specific groups

23. Particular attention should be directed to addressing the specific educational needs of prisoners who require support for their learning, including:

a. prisoners requiring support in adult literacies, to enable them to better manage life in prison, to enhance their employability and to prepare them for release;

b. prisoners identified as being neurodivergent or as experiencing mental health issues, to enable them to better manage life in prison, to enhance their employability and to prepare them for release;

c. foreign prisoners, to enable them to improve their communication and comprehension skills, to enable them to better manage life in prison, to enhance their employability and to prepare them for release.

Co-operation and collaboration

24. Education in prison should be delivered by specifically trained and qualified professionals adopting adult education methodologies and practices.

25. Prisoners should have direct access, at least once a week, to a well-stocked library which should include digitally stocked reading, audio and video materials. Access should be provided to community-based libraries where possible.

26. Prisoners should be allowed to participate in education outside prison wherever possible.

27. Where education takes place within the prison, the outside community should be involved as fully as possible.

28. Regular review and inspection of the provision and quality of prison education should be undertaken using the same review criteria as for adult and further education provision in the community.

29. Research should be sufficiently funded and undertaken regularly to update the curriculum, infrastructure and methodology in line with contemporary educational research and international developments in this area.

30. Innovation and best practice should be shared through national and transnational projects, partnerships and networks.