



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

PALAIS DES NATIONS • 1211 GENEVA 10, SWITZERLAND

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Mandate of the Special Rapporteur on torture and other cruel, inhuman, and degrading treatment or punishment

April 1, 2014

Helene Combs Dreiling, FAIA  
President  
American Institute of Architects  
1735 New York Ave. NW  
Washington, DC 20006-5292

Re: supporting proposed prohibition on design of spaces for solitary confinement

Dear Ms. Dreiling,

The use of solitary confinement on prisoners has become an urgent international human rights issue that has significant implications for the architectural profession. As the United Nations Special Rapporteur on torture and other cruel, inhuman, and degrading treatment or punishment, I have stated that the imposition of solitary confinement beyond 15 days – or of any duration for juveniles, persons with mental disabilities, and pregnant women – constitutes ill-treatment or even torture in violation of the international *just cogens* consuetudinary prohibition of torture and ill-treatment, and a breach of article 1 and 16 of the Convention against Torture and article 7 of the International Covenant on Civil and Political Rights (ICCPR). The effects of solitary confinement can be so severe and irreversible that, depending on the circumstances of the specific case, its imposition can amount to ill-treatment or torture even if used for less than 15 days. Yet buildings intended for this purpose continue to be designed both within the United States and around the world, in which case they are often making use of American design expertise.

The UN-accredited NGO Architects / Designers / Planners for Social Responsibility (ADPSR) has requested that your organization (American Institute of Architects) amend your rules of ethics to prohibit the design spaces intended for prolonged solitary confinement (as well as execution chambers, which I will not address here), as described at their web site: [http://www.adpsr.org/home/ethics\\_reform](http://www.adpsr.org/home/ethics_reform). Such a prohibition by AIA would be a welcome step in advancing respect for human rights within civil society and I urge you to adopt ADPSR's proposal.

Architects participate in shaping the experience of people in detention – people whose human dignity is protected by article 10 of the ICCPR (among other human rights standards) and whose treatment should reflect that the essential aim of their incarceration is their reformation and social rehabilitation, as also required by article 10 of the ICCPR. The design of prison environments can in general help to meet human rights standards but, in some extreme cases, design may facilitate abuse. So-called “supermax” prisons (among other specialized prison environments) impose long-term solitary isolation that is well-known to cause a level of severe mental pain and suffering



amounting to cruel, inhuman, or degrading treatment, or even torture. Accordingly, it is not appropriate for individuals or organizations that support human rights to participate in or condone the design or construction of supermax prisons (or other similar spaces). In addition, juvenile detention centers and secure mental health facilities should not be designed with spaces intended for any form of solitary isolation.

In closing, I again urge AIA to help resolve the human rights problems caused by solitary confinement through prohibiting the design of spaces that would lead to these cruel, inhuman, or degrading conditions. Many other architectural options exist for penitentiary systems to serve their penal and rehabilitative purposes that do not conflict with the international prohibition of torture and ill-treatment, as enshrined in CAT and ICCPR; I trust you can refer your members to such practices instead. Thank you for your attention to this important matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Méndez'.

Juan E. Méndez

Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment