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PRESS RELEASE

[Legal decision]

Prisons: special units for combating organised crime are legal

Following an appeal by the French association of criminal lawyers [*Association des Avocats Pénalistes*], the Conseil d'État today ruled that the decree establishing special units for combating organised crime in certain prisons, notably at Vendin-le-Vieil, is lawful. **It is considered that the necessary safeguards were in place both with regard to the procedure potentially leading to incarceration in these special units and concerning prisoners' rights. On the one hand, the grounds for placing prisoners in the units are defined by law with sufficient precision and placement decisions are subject to a prior adversarial procedure. On the other hand, the prisoners concerned enjoy the same rights as other prisoners, subject to the adjustments required to prevent any communication with criminal networks (full body searches, separate visiting rooms and restricted telephone use).**

For the implementation of the law of 13 June 2025 aimed at combating drug trafficking in France, a decree set out the detention system applicable in special units set up in certain prisons, known as "special units for combating organised crime". The decree applies to the prison in Vendin-le-Vieil (Pas-de-Calais), which houses prisoners associated with organised crime networks under a restrictive and secure detention regime to prevent any links with criminal networks. The association of criminal lawyers had referred the matter to the Conseil d'État seeking its annulment, arguing that it did not respect certain prisoners' rights.

The Conseil d'État today ruled that the clarifications provided by this decree are lawful, as they provide the necessary guarantees in terms of placement and the respect of the rights of prisoners held in units designed to combat organised crime.

On the one hand, the Conseil d'État observed that the grounds for placing prisoners in the unit had been fully determined by law and were deemed sufficiently precise by the Conseil Constitutionnel in June¹. It also noted that the adversarial procedure prior to placement allows prisoners' comments to be taken into consideration before any decision on placement is made.

On the other hand, the Conseil d'État noted that prisoners placed in these special units enjoy the same rights as other prisoners in compliance with the French Prisons Code, including with regard to maintaining family relationships. The measures implemented (full body searches in some cases, separate visiting rooms and restricted telephone use) were considered appropriate and justified by the objective of preventing any links with criminal networks.

On these grounds, the appeal by the association of criminal lawyers was dismissed.

Decision No. 506644, Association des Avocats Pénalistes of 28 October 2025

¹ [Constitutional Council Decision No. 2025-885 DC of 12 June 2025](#)