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Subject	Your letter dated	Date
Input regarding the human rights implications of over-incarceration and overcrowding	31 March 2015	April 15th, 2015

In response to your request for input, dated 31 March 2015, regarding the causes and human rights implications of over-incarceration and overcrowding and ways to remedy such situations, the Netherlands Institute for Human Rights would like to inform you of the following.

Renting out of institutional capacity

Fortunately, overcrowding is not currently a problem in penitentiary institutions in the Netherlands. On the contrary, the Netherlands has been renting out empty prison space to Belgium for the past few years. A similar arrangement is currently being made with Norway.

Never at the cost of (other) human rights

Whilst the Netherlands Institute for Human Rights understands the objective of preventing overcrowding by using empty prison space in another country, it would like to point out that this should never be done at the cost of human rights. It is therefore important that all detainees continue to be able to receive visits from their family, to protect their right to family life. Such visits should not be made impossible in practice due to the long distance between their home and the detainee abroad.

Monitoring

In addition, monitoring of the detention situation should be possible on a regular basis. The travel distance and additional costs for the monitoring body of the renting country could serve as an impediment to monitoring in practice. Therefore, the monitoring body in the hosting country should - whenever needed - be involved to ensure regular monitoring will take place in practice.