

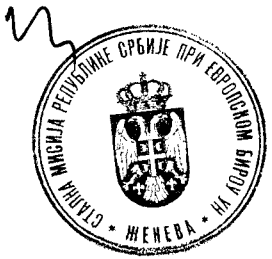


**PERMANENT MISSION OF THE REPUBLIC OF SERBIA TO THE UNITED NATIONS OFFICE, GENEVA**  
**STALNA MISIJA REPUBLIKE SRBIJE PRI UJEDINJENIM NACIJAMA U ŽENEVI**  
 5, chemin Thury CH-1206 Genève Tel: 022.839.33.44 Fax: 022.839.33.59  
 E-mail: serbian.mission@bluewin.ch

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The Permanent Mission of the Republic of Serbia to the United Nations Office and other International Organizations at Geneva presents its compliments to the Office of the High Commissioner for Human Rights and with reference with invitation to provide contributions on causes and human rights dimension of over-incarceration and overcrowding in prisons (Human Rights Council Resolution 24/12), has the honor to submit the relevant information of the Office for Human and Minority Rights of the Government of the Republic of Serbia.

The Permanent Mission of the Republic of Serbia to the United Nations Office and other International Organizations in Geneva avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration.



Geneva, 28 April 2015

Office of the High Commissioner for Human Rights

GENEVA

**OHCHR REGISTRY**

- 4 MAI 2015

Recipients : ... *R.R.D.* .....  
 ..... *M.W. Czer* .....  
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## **Overcrowding in correctional facilities**

Since the biggest problem in the system of enforcement of criminal sanctions is overcrowding of prisons, the Ministry of Justice - Administration for Enforcement of Criminal Sanctions has achieved significant results in the implementation of the Strategy for Reduction of Overcrowding in Institutions for Enforcement of Criminal Sanctions in the Republic of Serbia in the period 2010—2015 and of the Action Plan.

The Strategy includes comprehensive measures to address this problem, namely: wider enforcement of alternative measures and sanctions and development of the commissioner service, more intensive implementation of the institution of parole or early release from prison, adoption of the Amnesty law, increase of accommodation capacities and improvement of living conditions in prisons, upgrading professional capacities in the Administration and establishing judge's competence on the enforcement of criminal sanctions.

It was necessary to change existing legal solutions in order to implement a number of measures, so the following laws have been adopted: The Amnesty Law (in November 2012), the Law on Amendments to the Criminal Code (January 2013), the Criminal Procedure Code (in October 2013), the Law on the Execution of Criminal Sanctions (in May 2014) and the Law on Enforcement of Non-custodial Sanctions and Measures (in May 2014).

With wider enforcement of alternative measures and sanctions (community service sentences, a suspended sentence with supervision, house arrest, house detention, bail and parole) and the adoption of the Amnesty Law, the number of persons deprived of their liberty in penal correctional facilities is at the same level of 10,500 persons, which is much less compared to those 11,300 held in the prisons up until November of 2012, before the implementation of these measures. Current capacity of penal correctional facilities is 9,000 places.

The Republic of Serbia has been continuously working on popularisation of alternative forms of punishment by promoting the results achieved among the public and by organising specialised seminars with judicial officials.

There was a great deal of investments, new facilities were built and accommodation conditions improved in penal correctional facilities in accordance with national regulations and international standards. Only by applying comprehensive measures that, on the one hand, involve development of a system of alternative sanctions and measures, and increased institutional capacities on the other hand, can long-term results be achieved.

In accordance with the Development strategy of the penal sanctions enforcement system for the period up to 2020, adopted by the Government of the Republic of Serbia in late 2013, the Ministry of Justice of the Republic of Serbia shall undertake further actions to address this problem, by expanding the conditions for imposition of alternative sanctions set out in the Criminal Code, by creating conditions for wider application of the institution of parole under supervision, by developing post-penal acceptance and by increasing capacities in prisons. It is determined in the Strategy that the overcrowding is predominant in closed departments of penal correctional facilities where 1- to 10-year sentences are being carried out. Therefore, the strategic goal of the Administration is the introduction of new specialized treatment programmes that would contribute to successful achievement of individual treatment programme towards convicts and thus enable a more efficient method of classifying convicts in semi-open and open prison departments. Execution

of prison sentence in these departments gives convicts wider opportunities for work, especially work outside the institution and the use of extended rights outside the institution (weekend family visits, free outings, etc.). The successful realization of the treatment program for convicted persons contributes to better social reintegration of convicted persons after their release from prison, and reduces the re-offending rate.

Overcrowding in institutions for execution of criminal sanctions inevitably leads to the execution of a prison sentence in unfavourable housing conditions, but also affects the implementation of treatment, hinders the application of various activities (cultural, sports, occupational), reduces the possibility of work engagement and leads to increased security risk, given that frequent incidents between prisoners are possible.

DIRECTOR OF THE ADMINISTRATION  
Milan Stevović PhD