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EUROPEAN COMMITTEE ON CRIME PROBLEMS
(CDPC)

Council for Penological Co-operation
(PC-CP)

DRAFT OPINION
ON PARLIAMENTARY ASSEMBLY RECOMMENDATION 2018 (2013)
“PROMOTING ALTERNATIVES TO IMPRISONMENT”

Document prepared by the Directorate General
Human Rights and Rule of Law

The Parliamentary Assembly adopted on 31 May 2013 Recommendation 2018 (2013) "Promoting alternatives to imprisonment" by which it invites the Committee of Ministers to consider "addressing a new recommendation to all member States aimed at promoting alternatives to imprisonment... paying specific attention to the increased potential of electronic supervision, but also to new threats to human rights potentially inherent in such measures".

The Committee of Ministers Deputies at their 1173rd meeting held on 11-12 June 2013 decided to communicate this text "to the European Committee on Crime Problems (CDPC) and the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), for information and possible comments by 30 October 2013".

The CDPC shares the Parliamentary Assembly opinion that alternatives to imprisonment need to be promoted and that their effective use can contribute to reducing rates of imprisonment and thus to combatting prison overcrowding.

It also shares the Assembly opinion that substantive standard-setting texts in this regard have been developed by the Council of Europe in the course of the years which provide valuable guidelines to the national authorities of its member States.

It wishes further to draw the Assembly's attention to the fact that it will finalise and approve at its next plenary meeting (2-6 December 2013) a draft Recommendation on electronic monitoring. It is expected that the said Recommendation will be adopted by the Committee of Ministers in the beginning of 2014.

This new standard-setting text, in line with the previous relevant Committee of Ministers recommendations, recommends to the national authorities ethical and professional guidelines for the use of this new surveillance technology in the framework of the criminal justice process in conformity with the existing human rights safeguards in Europe.