



**PRESIDENCY OF FINLAND**  
Council of Europe  
November 2018 – May 2019  
**PRÉSIDENTE DE LA FINLANDE**  
Conseil de l'Europe  
Novembre 2018 – Mai 2019



Strasbourg, 17 January 2019

## CONCEPT PAPER REGARDING THE HOLDING OF A HIGH-LEVEL CONFERENCE “RESPONSES TO PRISON OVERCROWDING”

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Strasbourg, 24-25 April 2019

**Council of Europe**

**Room: 1, Palais de l'Europe**

[www.coe.int/prisonovercrowding](http://www.coe.int/prisonovercrowding)

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Funded  
by the European Union  
and the Council of Europe



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Implemented  
by the Council of Europe

## **1. BACKGROUND:**

Prison overcrowding is and has been for many decades a recurring problem in quite a number of Council of Europe member States including those belonging to the European Union, despite efforts taken at national and international level to address it. This situation has a negative effect for society and within prisons. In practice this means prison conditions that are below standard, bad treatment of detainees and a permanent strain on prison staff. Preparation for release during the time spent in prison falls short of what is needed, which has negative consequences for the reintegration in society of suspects and offenders after release. Society's expectations that imprisonment is an effective response to crime can thus not be met.

Member States are responsible for the management and maintenance of their own prison systems and also for the conditions in which these systems function. However countries do not exist in a vacuum but in the European area and thus prison overcrowding is no longer a purely national problem but a problem of common concern.

When investigating crime on a daily basis police and prosecution services in Europe rely on international co-operation such as extradition and surrender to bring offenders to justice. However, prison overcrowding has become an obstacle for this co-operation. Co-operation between governments regarding the transfer of prisoners to their home State with a view to improving their reintegration is also negatively influenced by prison overcrowding.

In the criminal justice process prosecutors and judges have their own role and responsibilities. During that process prosecutors and judges take on a daily basis decisions at different stages regarding the necessity to detain a suspect or to apply custodial sentences. Prison services have to execute these decisions. They cannot influence the influx in prisons but they have a role to play regarding the way in which the sentences are executed.

In 2016 the Council of Europe published a [White Paper](#) on prison overcrowding in order to analyse the situation and recommend specific measures that could be taken by the national authorities. The European Committee on Crime Problems (CDPC), under the authority of which the text was drafted, considered that promoting the White Paper is important and decided that this high-level Conference should be organised.

## **2. AIM OF THE CONFERENCE:**

The aim of the Conference is to look at the problem of prison overcrowding from different angles by prosecutors, judges and CDPC delegates and to discuss possible practical steps that could be taken by these professionals at the different stages of the criminal justice process which could result in managing the influx in prisons better and in overcoming the problem of overcrowding.

The aim of the Conference is also to identify what support the Council of Europe can offer in this respect, including the possibility of holding a meeting at political level (Ministers of Justice) in order to present the outcome of the Conference and to assist the member States in dealing with prison overcrowding effectively.

### 3. ORGANISATION OF THE CONFERENCE:

The Conference is co-funded by the Council of Europe and the European Commission and is held under the auspices of the Finnish Presidency of the Committee of Ministers of the Council of Europe ([Finnish Presidency](#)).

The Conference will start with a plenary opening session. Simultaneous interpretation in English and French will be ensured during the plenary sessions and during some of the working sessions (please consult the [Conference web site](#) and the programme for more details). The other working sessions will be in English only.

After the opening, the Conference will continue with parallel working sessions on specific topics which should allow the participants to discuss the possibilities for managing prison influx during the relevant stages of the criminal justice process in greater detail. During these sessions the participants can, by using electronic voting remote controls, reply anonymously to questions related to the topic of the session and thus shape the focus of discussions on the topics of their interest.

On the second day there will be a plenary session dedicated to issues related to enhancing international co-operation in the criminal law field in Europe, in particular regarding extradition and surrender procedures and the transfer of prisoners as well as the need to raise public awareness on the importance of improving prison conditions and dealing with prison overcrowding.

At the closing session the outcomes of the discussions will be presented.

