An integrated approach to overcrowding in the Romanian Penitentiary System

An integrated and multidisciplinary approach to prison overcrowding

The prison system is undergoing a process of continuous modernization and reform, driven by the need to respond effectively to evolving societal challenges while ensuring compliance with international standards.

Among these challenges, prison overcrowding remains a particularly complex issue. Addressing overcrowding requires more than simply increasing detention capacity. It calls for a comprehensive and integrated approach that combines measures aimed at:

- ⇨ improving detention infrastructure and living conditions with policies focused on rehabilitation;
- ⇨ reducing reoffending;
- ⇨ strengthening alternatives to imprisonment;
- ⇨ supporting the effective reintegration of individuals into society.

Such an approach is essential to ensure that the penitentiary system is not viewed solely as a place of detention, but as an active component of a broader criminal justice framework, capable of contributing to public safety while promoting rehabilitation and social responsibility.

The evolution of prison overcrowding and accommodation capacity in the Romanian Penitentiary System

➢ The scale and dynamics of prison overcrowding in Romania need to be understood against the background of the measures adopted following the ***European Court of Human Rights' Pilot Judgment in the case of Rezmiveș and Others v. Romania***.

The efforts of the National Administration of Penitentiaries (NAP) to expand systemic accommodation capacity have mitigated the impact of the increase in the prison population since 2019. Through the implementation of the measures included in the ***2020-2025 Action Plan adopted in response to the Rezmiveș and Others v. Romania Pilot Judgment***, as well as the ***Decisions issued in the Bragadireanu v. Romania case group***, 3**,549 new accommodation places have been finalized**. Of these, 1,255 places were provided for in the Memorandum, i.e. the actual action plan, while 2,294 places were created through alternative measures. In addition, 318 accommodation places provided for in the Memorandum have been modernised, while the remaining objectives are at various stages of implementation.

Challenges making prison overcrowding still relevant

- ➢ The objectives outlined in the *2026-2030 Action Plan* should be interpreted as **strategic directions for developing the prison system infrastructure, with a programmatic and phased status**. Achieving them is conditioned by cumulatively fulfilling all the necessary technical, administrative, financial and legislative prerequisites for their implementation, as well as by the evolution of the external factors that may influence the course of public investments.
- ➢ **NAP does not have the possibility to refuse the admission of individuals deprived of liberty on the grounds of overcrowding**. In fact, admitting an

individual deprived of liberty into a prison unit exceeding its accommodation capacity results in having beds installed beyond this capacity, which puts pressure on the prison system infrastructure and on the staff's activity, as compared to standards.

Measures to reduce overcrowding

➢ ***Administrative balancing of the prison population***

The **transfer of inmates between prison units** represents a short-term administrative measure aimed at balancing the distribution of the prison population across the system. Given the continuous dynamics of the prison population and the need to maintain inmates' connections with their support environment, transfers must also take into account the distance from the inmate's home, which may constitute an obstacle to exercising rights involving direct contact with family members.

The continuous flow of incarcerated individuals, driven by new admissions, releases, transfers, and other changes in legal status, means that the redistribution of prisoners can provide a temporary solution for reducing overcrowding and balancing occupancy levels among prison units. However, such measures are **inherently dependent on the ongoing evolution of the prison population and therefore cannot, in themselves, constitute a long-term solution to overcrowding.**

For this reason, the balancing of the prison population **must be carried out continuously**, based on an analysis of the individual situation of each prison unit.

NAP's efforts to expand prison capacity have mitigated the impact of the rising prison population since 2019, **keeping average occupancy rates relatively stable** despite significant increases across all four prison regimes.

Prison regime	Number of inmates as of 10 January 2020	Occupancy rate as of 10 January 2020	Number of inmates as of 31 December 2025	Occupancy rate as of 31 December 2025
Open regime	2,508	127.30%	3,426	116.29%
Semi-open regime	6,081	140.09%	8,680	143.78%
Closed regime	4,515	142.50%	5,196	140.62%
Maximum-security regime	1,267	119.17%	1,644	130.37%

➢ ***Reorganisation measures to increase prison accommodation capacity***

Romania's commitment to European prison standards requires increased accommodation capacity. As of **30 September 2026, there were 25,835 inmates in the Romanian prison system**, calculated at the 4m² accommodation standard and excluding inmates admitted to hospital wards. This corresponded to a **deficit of 3,788 accommodation places**.

Therefore, the NAP proposes the **reorganisation of Craiova Detention Centre into a closed-regime prison**, creating **434 additional places** using existing infrastructure and staff, without major financial or human-resource implications. The measure is justified by

significant disparities in occupancy, with detention centres for minors/young people below 50%, while some adult prisons reach **176%**. The measure would also help address inadequate detention conditions, which have led to repeated ECHR findings and over **€16.6 million in compensation payments between 2011 and 2025**. At the time of the initiative, Craiova and Brăila-Tichilești units had occupancy rates of only **44% and 47%**.

The reorganisation offers a **rapid and cost-efficient solution** to increase adult prison capacity, particularly in the South-West region. The draft Government Decision establishing Craiova Prison - Bariera Vâlcii has undergone the public consultation procedure.

- ***Electronic monitoring and alternatives supporting prison decongestion***

The implementation of the Electronic Monitoring System (SIME) within the NAP is expected to **support both social reintegration and the management of prison capacity**.

Electronic monitoring will enable a significant increase in: release permits granted as a reward and carried out under electronic supervision, participation of inmates in gainful employment and social reintegration activities outside detention facilities, use of conditional release mechanisms. By allowing individuals to spend more time outside detention cells while remaining under supervision, the system is expected to reduce pressure on available prison accommodation. Real-time monitoring will also enhance security and enable a rapid response to incidents, including attempts to evade the execution of custodial sentences.

Implementation at NAP level is expected to be swift, as it will use the same technical solution already operational and tested within the Romanian Police (IGPR).

- ***Continuation of the 2020-2025 Action Plan and adoption of a new calendar 2026-2030***

The implementation of the **2020-2025** ***Action Plan*** was continuously monitored by an interinstitutional working group, providing a predictable strategic framework for coordinating investment projects and allocating financial resources to prison infrastructure. Following the evaluation conducted on 25 February 2026, it was established that several essential measures could not be fully implemented due to objective factors beyond the control of the NAP. Based on these results, the NAP will **continue the outstanding investment objectives and adopt a new 2026-2030 measures calendar**, aimed at addressing prison overcrowding and improving detention conditions in the long term. The new calendar envisages the creation of **7,559 new accommodation places and the modernisation of 2,211 existing places**.

- ***Social reintegration and support measures***

The NAP continues to implement educational, psychological, social assistance and recreational programmes to support social reintegration and prevent recidivism.

The ***National Strategy for the Prevention of Recidivism 2025-2029*** and its ***Action Plan***, approved by Government Decision No. 447/2025, provide a coordinated framework for **strengthening support during imprisonment and after release**.

The range of social reintegration programmes has expanded to **119 programmes** in 2026, including education, vocational training and employment measures. Particular attention is given to **mental health**, suicide prevention and access to specialised support. Since September 2025, a **free emergency suicide prevention hotline** has been available in all penitentiary units. Staff training in mental health, trauma-informed interventions and suicide-risk management has also been strengthened, including through a Council of Europe-funded project.

➢ *Infrastructure modernisation and dynamic security*

On 13 May 2026, the **Memoranda of Understanding for the EEA and Norwegian Grants 2021-2028** were signed. Under the NAP's ***WORKOpp*** **–** ***"Inmates rehabilitation through work: turning imprisonment into opportunity"*** project, three modern detention pavilions with a total capacity of **240 places** will be constructed at Bucharest-Rahova, Timișoara and Târgu Jiu prisons, together with **three production halls for work and vocational training.**

The project will pilot the ***open house*** concept, based on normality and dynamic security, promoting accountability, autonomy and independent living skills. At the same time, work, training, and professional certification activities, mentoring, counselling, self-management, and preparation for transition to the community will contribute to the development of the skills and behaviours necessary for an autonomous life post-release.

By increasing accommodation capacity in accordance with standards and expanding work and vocational training activities, the intervention contributes to alleviating the pressure generated by overcrowding and creating a more suitable framework for rehabilitation and socio-professional reintegration.

➢ *Digitalisation and preparation for release*

The NAP has developed digital tools to improve access to information and support preparation for release. The **IMSChatbot**, available in all penitentiary units and in Hungarian and English, provides written and verbal information on the main stages of imprisonment. Additional information and prevention channels, including the NAP's **official YouTube channel**, further support access to resources and a smoother transition to community life.

➢ *Conditional release (parole)*

Conditional release is a legal benefit granted by the court only when the convicted person meets the conditions established by criminal, procedural and sentence-enforcement legislation and there are sufficient grounds to support release. The court considers, among other factors, the **execution regime, compliance with civil obligations and the individual's prospects for social reintegration**. Its primary purpose is **reintegration into society**.

Between 2021 and September 2026, **29,145 individuals were granted conditional release by the courts**. The annual figures were 5,167 in 2021, 5,557 in 2022, 4,890 in 2023, 4,820 in 2024, 4,942 in 2025 and 3,769 by 30 September 2026. Compared with 2021, the slight decrease recorded in 2025 reflects the **amendment of the legal conditions for conditional release following the entry into force of Law No. 286/2009 on the Criminal Code**.

At the same time, prison population dynamics between 2021 and September 2026 show **continued pressure on the system, as entries generally exceeded exits**. The highest annual number of entries was recorded in 2025 (12,652), compared with 11,664 exits. By 2 October 2026, there had been 9,989 entries and 8,554 exits.

Conclusion

The measures presented show that prison overcrowding cannot be addressed through the expansion of accommodation capacity alone. The pressure on the prison system is also influenced by prison population flows, the use of alternatives to imprisonment and the effectiveness of rehabilitation and reintegration measures.

The measures implemented by the NAP therefore **combine the expansion and more efficient use of prison capacity with administrative measures, electronic monitoring, conditional release, rehabilitation and support for reintegration**. Together, these measures contribute to reducing pressure on the prison system while improving detention conditions and supporting compliance with European standards.

In this context, the measures undertaken by the NAP provide the basis for a **more balanced, resilient and sustainable prison system**, in which accommodation capacity, security, rehabilitation and reintegration are addressed as interconnected elements of the broader criminal justice system.