
CONCLUSIONS AND RECOMMENDATIONS

Conclusions and Recommendations of the Workshop on “Strategies and Best Practices against Overcrowding in Correctional Facilities”

The Workshop reached the following conclusions and recommendations:

1. Overcrowding in correctional facilities is one of the most serious impediments to compliance by Member States with relevant United Nations instruments and standards and norms and violates the human rights of inmates;
2. Crime is a social problem to which criminal justice systems can provide only part of the solution. Taking action against poverty and social marginalization is key to preventing crime and violence and, in turn, reducing prison overcrowding;
3. Member States should define prison overcrowding as an unacceptable violation of human rights and consider establishing a legal limit to their prison capacity;
4. Member States should consider reviewing, evaluating and updating their policies, laws and practices to ensure the development of a comprehensive criminal justice strategy to address the problem of prison overcrowding, which should include reducing the use of imprisonment and increasing the use of alternatives to prison, including restorative justice programmes;
5. Policies and strategies to address prison overcrowding should be evidence-based;
6. Member States should implement reforms and strategies to reduce overcrowding in a manner that is gender-sensitive and that effectively responds to the needs of the most vulnerable groups;
7. Member States are encouraged to review the adequacy of legal aid and other measures, including the use of trained paralegals, with a view to strengthening access to justice and public defence mechanisms to review of the necessity of pre-trial detention;
8. Member States are invited to conduct a system-wide review to identify inefficiencies in the criminal justice process that contribute to prolonged periods of custody during the pre-trial and trial processes, and to develop strategies to improve the efficiency of the criminal justice process, which includes measures to reduce case backlogs, and to consider introducing time limits on detention;
9. Member States should be encouraged to introduce measures providing for the early release of prisoners from correctional institutions, such as referral to halfway houses, electronic monitoring and reduction of sentences for good behaviour. Member States should consider reviewing their revocation procedures to prevent unnecessary return to prison;
10. Member States are invited to develop parole and probation systems;
11. Member States should ensure effective implementation of alternatives to imprisonment by providing necessary infrastructure and resources;
12. Member States should promote the participation of civil society organizations and local communities in implementing alternatives to prison;
13. Member States should raise awareness and encourage comprehensive consultative processes, involving the participation of all relevant sectors of government, civil society, in particular victims' associations, and other stakeholders in the development and implementation of national strategies, including action plans, to address overcrowding;
14. Member States should ensure that evidence-based information on crime and criminal justice is communicated to legislators, politicians, decision makers, criminal justice practitioners, the public and the media. For this purpose, Member States should be encouraged to continue research on factors contributing to prison overcrowding;
15. Relevant offices and bodies of the United Nations working on different issues relevant to the problem of prison overcrowding should strive to better co-ordinate their activities and initiatives in order to more effectively assist countries in reducing prison overcrowding; and

16. UNODC should continue to provide assistance and support to countries, upon their request, to address prison overcrowding.