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Contact: Clare Ovey  
Tel: 03 88 41 36 45

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Meeting: 1310<sup>th</sup> meeting (March 2018) (DH)

Item reference: Action plan (25/01/2018)

Communication from Romania concerning the cases of REZMIVES AND OTHERS and BRAGADIREANU v. Romania (Applications No. 61467/12, 22088/04)

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Réunion : 1310<sup>e</sup> réunion (mars 2018) (DH)

Référence du point : Plan d'action

Communication de la Roumanie concernant les affaires REZMIVES ET AUTRES et BRAGADIREANU c. Roumanie (Requêtes n° 61467/12, 22088/04) (**anglais uniquement**)

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DGI

25 JAN. 2018

SERVICE DE L'EXECUTION  
DES ARRETS DE LA CEDH

## MINISTRY OF FOREIGN AFFAIRS

AGENT OF THE GOVERNMENT  
BEFORE THE EUROPEAN COURT OF HUMAN RIGHTS

**Ms Genevieve Mayer**  
**Head of the Department**  
**Department of Execution of Judgements**  
**of the European Court of Human Rights**

*Bucharest, 25<sup>th</sup> of January 2018*

L1/ 759

**Case of Rezmiveş and others v. Romania (application no. 61467/12+)**  
**4468 R/AG/39**

Dear Madam,

Further to the Court's pilot judgment of 25 April 2017 in the case of *Rezmiveş and others v. Romania*, final on 25 July 2017, the Romanian Government have the honour to address their „**Timetable for the Implementation of measures 2018 – 2024 to resolve the issue of prison overcrowding and conditions of detention with a view to executing the pilot-judgment Rezmiveş and others against Romania delivered by the ECHR on 25 April 2017**”, translated in both English and French. The abovementioned document was adopted by the Romanian Government **on 17 January 2018**.

**The translations cover only the text of the timetable itself**; they are accompanied by three annexes, in original, appended to the French and English versions (Annex no. 1: Timetable of measures concerning investments in the infrastructure of the National Prison Administration, Annex no. 2: Detailed investment plan, human resources plan for the Ministry of Internal Affairs and assessment of the financial impact and Annex no. 3: Timetable of actions – National Directorate for Probation).

With regards to the recommendations and suggestions received by national authorities following the meeting of 17 January 2018 in Strasbourg, between the Romanian delegation and representatives from the Court's Registry, the Department for the Execution of Judgments of the ECHR and the Committee for

31 Alexandru Alley 1<sup>st</sup> district  
011822 Bucharest, Romania

Tel: + 40 21 431 13 47 Fax: + 40 21 219 22 29

E-mail : [dag@mae.ro](mailto:dag@mae.ro)

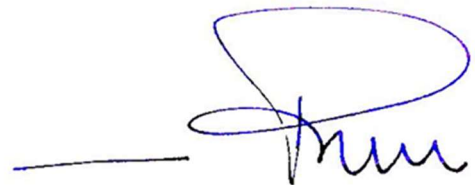
the Prevention of Torture, the Government wish to inform that **they intend to supplement the Timetable with the following elements:**

- **Three analyses**, concerning the following aspects: **the impact of the new criminal policies that entered into force in 2014**, especially with regards to the impact of alternative measures to detention; **the average duration of time spent by individuals in pre-trial detention**; **the effectiveness of the preventive remedy** (which shall also contain an analysis of the detention facilities and of the repair and modernization works undertaken by the National Prison Administration and a presentation of the situation concerning **the enforcement of judgments issued by national courts in proceedings concerning the preventive remedy**).
- An analysis of the opportunity to introduce **two new legislative measures** in Chapter B 3.3.1 of the Timetable: **the first concerning the rules establishing the compensatory remedy** (so as to cover all the situations which may lead to the introduction of new applications against Romania, concerning inadequate detention conditions, before the Court) and **the second in order to address the situations** identified by the ECHR in paragraph no. 117 of the pilot judgment in the case of *Rezmiveş and others v. Romania*, of 25 April 2017.

After finalizing the said internal analysis, these recommendations will be submitted to the Government for approval, and the new amended Timetable shall be transmitted to the Department of Execution of Judgments of the ECtHR as soon as possible.

The English and French versions of the documents, accompanied by a letter providing similar information – as the one contained in the present letter – on the intention to supplement the Timetable were transmitted to the Section Registrar of the Fourth Section of the ECtHR.

I am taking this opportunity, Ms Mayer, to assure you of my highest consideration.



**p. Catrinel Brumar**  
**Agent of the Government**



MINISTERUL JUSTIȚIEI

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25 JAN. 2018

SERVICE DE L'EXECUTION  
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**TIMETABLE FOR THE IMPLEMENTATION OF MEASURES 2018 - 2024 TO RESOLVE THE ISSUE OF PRISON  
OVERCROWDING AND CONDITIONS OF DETENTION WITH A VIEW TO EXECUTING THE PILOT-JUDGMENT  
REZMIVES AND OTHERS AGAINST ROMANIA DELIVERED BY THE ECHR ON 25 APRIL 2017**

# MINISTERUL JUSTIȚIEI

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### A. CASE DESCRIPTION

1. The source of the case is represented by four applications (nos. 61467/12, 39516/13, 48231/13 and 68191/13) against Romania, by which four Romanian nationals, namely Daniel Arpad Rezmiveș, Laviniu Moșmonea, Marius Mavroian, Iosif Gazsi (in what follows „the applicants”), lodged to the Court on 14 September 2012, 6 June 2013, 24 July 2013 and 15 October 2013, relying on Article 34 of the *Convention for the Protection of Human Rights and Fundamental Freedoms* (in what follows „the Convention”).
2. The case concerned, especially, the violation of Article 3 of the Convention concerning the conditions of detention in various prisons and in detention facilities attached to police stations - police detention facility Baia Mare and the prisons Gherla, Aiud, Oradea, Craiova, Târgu-Jiu, Pelendava, Rahova, Tulcea, Iași, Vaslui (the applicants complained, among other things, of overcrowding in their cells, inadequate sanitary facilities, lack of hygiene, poor-quality food, dilapidated received equipment as well as the presence of rats and insects in the cells).
3. On 15 September 2015 a Chamber within the Third Section of the Court informed the parties that, given the fact that it was a structural deficiency, the Court intended to apply Article 61 of the Regulation and invited them to provide observations in this respect. In accordance with Article 41 and Article 61 § 2 let. c) of the Regulation, the Court also decided to examine the above mentioned applications with celerity. Both the Government and the applicants provided observations concerning the application of the pilot-judgment procedure.
4. In its pilot-judgment of 25 April 2017 the Court held that, within six months from the date on which the judgment became final, the Romanian State had to provide, in cooperation with the Committee of Ministers of the Council of Europe, a precise timetable for the implementation of the appropriate general measures to solve the problem of prison overcrowding and of poor detention conditions, in line with the Convention principles as stated in the pilot-judgement. The Court also decided to adjourn the examination of similar applications that had not yet been communicated to the Romanian Government pending the implementation of the necessary measures at domestic level.
5. The Court found that, despite the fact that the measures taken by the authorities up to that date could contribute to the improvement of the living and sanitation conditions in Romanian prisons, coherent and long term efforts, such as the implementation of additional measures, had to be put in place in order to ensure the full compliance with Articles 3 and 46 of the Convention. The Court also held that, in order to comply with the obligations emerging from its previous judgments in similar cases, an appropriate and efficient system of internal means of redress had to be created.
6. When the judgement was delivered, the Court found that the applicants' situation was part of a general problem originating in a structural dysfunction specific to the Romanian prison system which affected and can affect in the future numerous persons. Despite the legislative, administrative and budgetary measures taken at domestic level, the systemic character of the problem identified in 2012 persisted, so the situation found represents a practice which is not compatible with the Convention.

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### B. GENERAL MEASURES

#### *B.1 Official assessment of the source of the violation of the provision of the Convention for the Protection of Human Rights and Fundamental Freedoms*

7. On 8 January 2017 there are 23,491 detainees housed in prisons, whereas the prison capacity as per 4 square meters space per each detainee is 18,790, not including the spaces of the hospital prisons, which means in average 121.54% over capacity;
8. Following the semi-pilot-judgment Iacov Stanciu against Romania (application no. 35972/05), various control measures were imposed against Romania. As a result of the controls conducted by the Department for Prison Inspection within the National Prison Administration, between 2012-2017 the presence of overcrowding and / or degraded conditions of detention in the following penitentiary units was found: Bistrița, Botoșani, Educational Centre Buziaș, Mărgineni, Giurgiu, Hospital Rahova, Timișoara, Vaslui, Youth Detention Centre Craiova, Craiova Prison, Educational Centre Tg. Ocna, Gherla, Târgșor, Tulcea, Slobozia, Hospital Tg. Ocna, Tg. Mureș, Prison Jilava, Detention Centre Tichilești, Aiud, Giurgiu, Oradea, Drobeta Turnu Severin, Codlea, Poarta Albă, Baia Mare, Craiova, Găești, Satu Mare, TG. Jiu.
9. Optional Protocol to the Convention Against Torture (OPCAT) - the National Preventive Mechanism was established within the Romanian Ombudsman based on the Government's Emergency Ordinance no. 48/2014.
10. The Romanian Ombudsman - the section for the prevention of torture in detention facilities - conducted in 2015 54 visits in detention facilities, carrying out 48 investigations concerning conditions of detention in Romanian prisons, thus covering all prisons managed by the National Prison Administration. Also, in 2016, the representatives of the Romanian Ombudsman - the section for the prevention of torture in detention facilities - conducted 85 visits in detention facilities, carrying out investigations concerning conditions of detention in Romanian prisons in the following prisons under the National Prison Administration: Aiud, Găești, Satu Mare, Iași, Mărgineni, Timișoara, Colibași, Arad, Craiova, Drobeta Turnu Severin, Hospital Colibași, Bucharest-Jilava, Bârcea Mare, Codlea, Bucharest-Rahova, Hospital Poarta Albă, Poarta Albă Prison, Botoșani and Oradea.

In most of the cases the recommendations included the two components: increasing prison capacity and reducing the number of detainees.

The Report is not indicative of any case of abusive investigation and ill treatments committed by prison staff. This reveals the fact that, despite the challenges faced by the prison system, the National Prison Administration and the prison administrations succeeded in implementing the legal provisions, applicable regulations in the field of enforcement regime and detention safety, without any case of torture to be reported. In most of the cases the recommendations included the two components: increase of housing capacity and reduction of the number of detainees.

In 2015, the Romanian Ombudsman issued the *Special Report on conditions of detention in prisons and detention facilities attached to police stations, determining factors in respecting human dignity and the rights of people deprived of their liberty.*

Following the visits and the special report, the recommendations included two components: increase of housing capacity and reduction of the number of detainees.

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### B.2 Analysis of options

11. Following the in-depth prison reform conducted in Romania it can be ascertained, on the one hand, that the deficit of places of detention decreased from 18,000 - necessary as established in 2012 to 4,300 - necessary as established in 2017, whereas cases under the management of the probation system increased fivefold, from 20,000 cases registered in 2012 to an estimated number of 100,000 for 2017.
12. The 1st of February 2014 was the date of entry into force of the new criminal, procedural and enforcement of criminal sentences legislation in Romania, which involved the adoption of some fully new, modern framework regulations, namely a new Criminal Code, a new Code of Criminal Procedure, as well as three pieces of legislation in the field of enforcement of criminal sentences: Law no. 253/2013 on the enforcement of penalties, educational measures and other non-custodial measures ordered by judicial bodies within the criminal proceedings, Law no. 254/2013 on the enforcement of penalties and custodial measures ordered by judicial bodies within the criminal proceedings, respectively Law no. 252/2013 on the organization and functioning of the probation system. Various other legal acts emerged which were meant, on the one hand, to ensure the proper implementation of the new provisions of substantive law, and on the other hand, to adjust the new institutions to the practical or constitutional or conventional requirements as ascertained after their entry into force.
13. Within this significant legislative effort which was made throughout an extensive period of time, exceeding 10 years, all steps identified at national level as being necessary for a legislative reform were taken, including the issue of reducing the prison population.
14. Through the analysis of these provisions and bearing in mind the recommendations in paragraph 116 of the Court's judgment which refers among other things to paragraph 57 concerning the provisions of the White Paper on Prison Overcrowding, the following can be ascertained:
  - i. decriminalising those crimes which do not entail the social danger necessary for a criminal sanction and at the same time cause prison overcrowding* - this was conducted when all crimes included in the Romanian legislation were subject to review on occasion of the elaboration of the new Criminal Code, but also of all pieces of special legislation which contained crimes (hundreds of them);
  - ii. establishing sufficient instruments for the determination of penalties* - this was dealt with by re-shaping the entire general part of the Criminal Code, of the system of aggravating and mitigating circumstances and by the introduction, apart from the suspension of a sentence on probation, of two new institutions: waiver of sentence enforcement and postponement of penalty enforcement;
  - iii. facilitating the diversion from the penitentiary system including by institutions such as suspension of a sentence on probation* - this was upheld in the Criminal Code and made more efficient, the application of the waiver of prosecution and of the guilty-plea were encouraged - new institutions in the Romanian criminal proceedings;
  - iv. providing for alternatives to pre-trial detention* - the Code of Criminal Procedure provides for the house arrest and the institutions of the judicial control and of the judicial control on bail were rendered more efficient;
  - v. replacing in some cases the imprisonment penalty with alternative sanctions and providing for sufficient alternative measures* - the entire Criminal Code was re-shaped to this effect, namely to encourage the application of alternative sanctions to custodial measures, whereas the Code of Criminal Procedure also contains significant changes in this respect as presented further below;



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*vi. extending the possibility for conditional release* - it was accomplished indirectly by actual decreasing of the period necessary for the application of this institution by virtue of Law no. 169/2017 on the amendment and supplementation of Law no. 254/2013 on the enforcement of penalties and custodial measures ordered by judicial bodies within the criminal proceedings;

*vii. alternatives measures to imprisonment, the provisions of the Criminal Code concerning the waiver of sentence enforcement and postponement of penalty enforcement* - new institutions, *suspension of a sentence on probation*, the criminal fine and *the conditional release* allow for a better determination of the penalty and offer a viable alternative to the imprisonment penalty which is not always needed taking into consideration the offender's personality or the crime committed and its consequences.

*viii. as regards sanctioning of minors*, deprivation of liberty has become absolutely exceptional, the criminal provisions containing 4 non-custodial educational measures: civic traineeship, supervision, curfew on weekend, assistance on a daily basis versus the 2 custodial ones: confinement in an educational centre and confinement in a detention centre. At the same time, the alternatives to deprivation of liberty in the Code of Criminal Procedure - judicial control, judicial control on bail and house arrest, as well as the successful application of alternative methods for resolving a criminal case - especially the waiver of prosecution or the guilty-plea.

15. The Memorandum published by the Committee of Ministers in 2015, mentioned in paragraph 47 in the Court's judgment, concerning the general measures taken or which shall be taken by Romania to deal with the issues of overcrowding and poor conditions of detention recommends 4 lines of action to achieve: *i) extension of the range of alternative measures to deprivation of liberty, ii) relaxation of the prerequisites for the conditional release, iii) good functioning of the probation system and iv) continuation of the projects for the modernization of prison capacity*. In the timetable of measures drafted for the period 2018-2024, the proposed measures are based on these lines of actions.

### **B.3 MEASURES WHICH SHALL BE CONSIDERED WITH A VIEW TO EXECUTING THE PILOT-JUDGMENT**

#### **B.3.1 Context and justification**

16. In July 2012 the European Court of Human Rights (ECHR or the Court) rendered a semi-pilot judgment in the case of *Iacov Stanciu* in which it pointed out that, despite efforts made by the Romanian authorities to improve the situation of the conditions of detention, there is a structural problem in this field. The Court did not imposed a time limit to remedy the deficiencies found.
17. Thus, following the judgment in the *Iacov Stanciu* case, the Romanian Government adopted in 2012 a Memorandum by which the main lines of action were approved with a view to remedy the issues acknowledged.
18. At the beginning of 2016, the Romanian Government approved the Memorandum with the topic *ECHR's intention to apply the pilot-judgment procedure in cases dealing with detention conditions*, followed by the elaboration of the *Plan of Measures attached to Recommendation no. 2 of the Memorandum which aims at improving the conditions of detention and reducing the overcrowding*. Against this background, the National Prison Administration initiated measures for increasing and modernization of the accomodation capacity, according with the timetable approved, and the National

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Probation Directorate took measures for strengthening the probation system in order to allow for the implementation of community measures and sanctions.

19. Furthermore, in the *Government Programme 2017-2020, Justice Chapter*, section *Fundamental rights, measure no. 20* provides as follows: „*Continuation of the project for investments in prisons and of modernization and extension where allowed by location*”. As stated in the governmental programme document, the need for this measure originated in the reality of an obsolete prison system in terms of infrastructure, a system which cannot fulfil its role of accommodation and social reintegration in compliance with standards in the field of human rights. In the same governmental document measure no. 22 aims at „*Strengthening the probation system as a form of decreasing the number of prison population*”.
20. According with the Court’s Judgment of 25 April 2017, the measures expected from Romania shall be structured on two levels as follows:
  - i. *administrative measures to reduce overcrowding and improve the material conditions of detention,*
  - ii. *legislative measures to ensure an efficient remedy for the damage caused such as a preventive remedy and a specific compensatory remedy.*
21. According with the information made available by the Ministry of External Affairs, on 30 October 2017 there were about 8,000 applications the violation of Article 3<sup>1</sup> of the *Convention for the Protection of Human Rights and Fundamental Freedoms* pending with the European Court of Human Rights in relation with material conditions of detention in Romanian prisons. Out of the above mentioned number of applications, 2,427 were communicated to the Romanian Government<sup>2</sup>.

### B.3.2 MEASURES IMPLEMENTED AFTER THE APPROVAL<sup>3</sup> BY THE ROMANIAN GOVERNMENT OF THE MEMORANDUM WITH THE TOPIC "APPROVAL OF THE TIMETABLE OF MEASURES NECESSARY FOR THE IMPROVEMENT OF CONDITIONS OF DETENTION AND OF THE PROBATION SYSTEM"

22. Following the above mentioned Memorandum, a number of actions were initiated and continued concerning the improvement of the conditions of detention and reducing the prison overcrowding which took the shape of administrative and legislative measures presented in brief further below:

#### B.3.2.1 Administrative measures

##### B.3.2.1.1 Administrative measures put in place up to the date on which the pilot-judgment was delivered

23. In 2016 a number of 672 new places were created by refurbishment of some existing spaces. In 2017, following the continuation of the measures established, a number of 170 new places were created (by refurbishment of some existing spaces) and a number of some 200 places were modernized via the Norwegian Financial Mechanism (Bacău Prison);

<sup>1</sup>Article 3 – Prohibition of torture: No one shall be subjected to torture or to inhuman or degrading treatment or punishment.

<sup>2</sup> In about 500 of them, the ECHR registry conveyed to the Romanian Government the invitation to draft declarations for amicable solving (for the compensation of applicants in accordance with the period spent in conditions of detention which do not comply with European standards)

<sup>3</sup> on 26 April 2016

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24. Between 2016-2017 investments were initiated for the creation of new places of detention in the following prisons: Deva, Codlea, Giurgiu and Găești and rooms were arranged within some detention sections for persons with serious mental disorders in the following prisons: Arad, Bistrița, Botoșani, București-Jilava, Craiova, Focșani, Găești, Giurgiu, Iași, Mioveni, Oradea, Constanța-Poarta Albă, Slobozia, Hospital Mioveni, Hospital Dej, Hospital Constanța-Poarta Albă. Arrangements are currently in progress in the following prisons: Aiud, Bacău, Rahova, Deva, Drobeta Turnu Severin, Galați, Gherla and Timișoara;

### *B.3.2.1.2 Administrative measures put in place after the date on which the pilot-judgment was delivered*

25. By virtue of the *Government's Decision no. 626/2017* the procurement of a feasibility study was approved in relation with the construction of a prison with a capacity of 1,000 places, that is P47-Berceni. The public procurement procedure is currently in progress in relation with the procurement of the Contract of design services for the elaboration of the feasibility study for P47-Berceni;
26. The Memorandum with the topic *Decision on the appropriateness of financing the physical infrastructure of the Romanian prison system by a project financed from external repayable funds by which the concept of national project is proposed - Investments in prison infrastructure*, adopted by the Romanian Government on 5 December 2017.
27. By virtue of the *Government's Decision no. 791/2017* the transfer of the properties called 1242 and 5075, identified with the numbers MFP 107051 and MFP 106972, in the state's public domain, from the administration of the Ministry of National Defence into the administration of the Ministry of Justice, for the National Prison Administration in order to turn them into a prison with a capacity of 900 places was approved. The procedure for the taking over of these properties from the Ministry of National Defence was completed, what follows are, depending on the date when the loan according with the Memorandum mentioned in para. 30 will be granted, the stages of design and construction works.
28. In the draft budget for 2018 funds were allocated for the beginning of the investments for the creation of 5,110 new places of accomodation between 2019-2023.
29. Permanent measures necessary for upholding the accomodation standards: the current repair and maintenance works conducted each year within the prison system aims at upholding the standards of the conditions of detention, both in respect of detention rooms and in terms of auxiliary spaces (sections' hallways, clubs, dining rooms, medical practices, classrooms, educational spaces etc.);

### *B.3.2.2 Legislative measures*

#### *B.3.2.2.1 Legislative measures put in place up to the date on which the pilot-judgment was delivered*

30. Justice Minister's Order no. 3848/C/2016 to approve the Rules on cleaning and personal and collective hygiene items provided by the administration of the detention facility;
31. Decision of the general director of the National Prison Administration no. 467/2016 on the equipment provided to persons deprived of their liberty housed in detention facilities under the National Prison Administration;

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32. Decision of the general director of the National Prison Administration no. 468/2016 on the contents of the hygiene items kit provided to persons deprived of their liberty upon admission into detention facilities under the National Prison Administration;
33. Decision of the general director of the National Prison Administration no. 704/2016 on the profiling of detention facilities under the National Prison Administration with a view to specialising detention facilities on the accommodation of certain persons deprived of their liberty and balancing the number of prison population, depending on the penalty enforcement regime;

### *B.3.2.2.2 Legislative measures put in place after the date on which the pilot-judgment was delivered*

34. Law no. 169/2017 on the amendment and supplementation of Law no. 254/2013 by which a compensatory remedy was created for granting a benefit, meaning 6 days to be considered served for a number of 30 days of confinement in improper spaces of detention.

Out of the total number of accommodation spaces, namely 187, the Justice Minister's Order established 156 as being improper, that is 83%.

Between 19 October and 30 December 2017 a number of 912 persons deprived of their liberty were released on term from the prisons managed by the National Prison Administration, following the application of the provisions of Law no. 169/2017. A number of 2,718 persons deprived of their liberty benefitted of conditional release according with court decisions, following the application of the provisions of Law no. 169/2017.

35. Justice Minister's Order no. 2772/C/2017 on the approval of the *Minimum mandatory rules on conditions of accommodation of persons deprived of liberty*, a legal act which reiterates the need for spaces dedicated to the accommodation of persons deprived of their liberty to respect human dignity and to be in line with minimum sanitation and hygiene standards, depending on the living area, air volume, light, sources of heating and ventilation, also taking into consideration the climate conditions and which correlates with the provisions of Law no. 169/2017 in the part which concerns the definition of improper conditions of detention;
36. Justice Minister's Order no. 2773/C/2017 on the approval of the *centralized situation of buildings which are improper in terms of conditions of detention*, a legal act based on which persons deprived of their liberty are calculated 6 days to be considered served in spaces of detention labelled to be improper for a number of 30 days of confinement in spaces of detention labelled to be improper. The status of these buildings is updated annually or any time changes occur which are likely to generate a re-labelling of spaces of detention;
37. *Draft law for the amendment and supplementation of the Government's Ordinance no. 26/1994 on the food rights in peace times of the staff employed in the national defence, public order and domestic security sector* adopted by the Romanian Government. The draft law has been adopted by the Government, having also undergone the stage of parliamentary debate (report of the competent committee - Committee for defence, public order and domestic security - submitted on 11 December 2017), whereas the draft law shall be registered on the agenda of the plenum of the Chamber of Deputies, which is the decision-making chamber in this case.

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The updating of the provisions of the *Government's Ordinance O.G. no. 26/1994* shall include among other things aspects such as: inclusion of the term „*persons deprived of their liberty*” in the title of the legal act; removal from the legal text of the term „*petty crime offender*”, given that in Romania deprivation of liberty cannot be based on a petty crime; equaling the calory intake provided for persons detained or on pre-trial detention with the calory intake of convicted persons; establishing some minimum calory intake scores for convicted persons etc. The draft law proposes to establish some minimum calory intake scores for persons deprived of their liberty based on determinations conducted by specialised nutritionists, concerning the daily calory intake needs of a person.

38. Between 2016-2017, several actions were taken, in accordance with the needs of the prison system in terms of staff, with a view to promoting a legislative initiative to amend Government's Decision H.G. no. 652/2009 which provides for the number of positions allocated to the National Prison Administration and subordinated units. The actions were solved favourably, so the allocation of some 1,000 positions to the staff scheme of the National Prison Administration was adopted in the Government's session on 14 December 2017.

### B.3.3 TIMETABLE OF MEASURES PROPOSED FOR REDUCTION OF PRISON CROWDING AND IMPROVEMENT OF CONDITIONS OF DETENTION

39. The timetable of actions proposed for implementation between 2018-2024 focuses on the improvement of the conditions of detention and reduction of prison overcrowding, starting from the situation existing in prisons on 8 January 2017 as follows:

In the **high security enforcement regime** there are 1,499 prisoners, whereas the accomodation capacity for this category of persons deprived of their liberty is 1,651 places as per 4 square meters per prisoner or 2,306 places as per 3 square meters per prisoner - for this category there is no deficit of places of accomodation so that the plan of actions shall focus exclusively on the improvement of the conditions of detention;

In the **closed enforcement regime** there are 6,324 prisoners, whereas the accomodation capacity for this category of persons deprived of their liberty is 5,237 places as per 4 square meters per prisoner or 7,057 places as per 3 square meters per prisoner - so it follows that for this category there is a deficit of 1,087 places of accomodation as per 4 square meters per prisoner, so that the plan of actions shall focus both on the reduction of overcrowding and on the improvement of the conditions of detention;

In the **half-open enforcement regime** there are 8,361 prisoners, whereas the accomodation capacity for this category of persons deprived of their liberty is 5,348 places as per 4 square meters per prisoner or 7,155 places as per 3 square meters per prisoner - so it follows that for this category there is a deficit of 3,013 places of accomodation as per 4 square meters per prisoner or a deficit of 1,206 places of accomodation as per 3 square meters per prisoner, so that the plan of actions shall focus both on the reduction of overcrowding and on the improvement of the conditions of detention;

In the **open enforcement regime** there are 3,554 prisoners, whereas the accomodation capacity for this category of persons deprived of their liberty is 3,603 places as per 4 square meters per prisoner or 4,810 places as per 3 square meters per prisoner - for this category there is no deficit of places of accomodation so that the plan of actions shall focus exclusively on the improvement of the conditions of detention;

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40. Against the background of the above mentioned objectives 5 lines of action have been identified as follows:

- i) legislative changes to reduce the prison population and improve the conditions of detention;
- ii) investments in the physical infrastructure of prisons to increase the number of places of accomodation and to modernize the existing ones;
- iii) efficient functioning of the probation system to facilitate the application of community sanctions and measures which shall contribute to the reduction of the prison population;
- iv) implementation of programmes and strategies for the insertion of persons released from prisons;
- v) legislative measures to ensure an efficient remedy for the damage caused, such as the preventive remedy and the specific compensatory remedy.

### B.3.3.1 LEGISLATIVE CHANGES TO REDUCE THE PRISON POPULATION AND IMPROVE THE CONDITIONS OF DETENTION

41. *Introduction of the electronic monitoring as a measure to reduce prison population* - Romania is looking at the adoption of some legislative changes (including the Criminal Code and the Code of Criminal Procedure) to regulate the electronic monitoring of persons sentenced based on a final court decision. According with the provisions of Article 27 of the *Law no. 254/2013 on the enforcement of penalties and custodial measures ordered by judicial bodies within the criminal proceedings* and Article 31-33 of the *Regulation for the implementation of Law no. 254/2013 on the enforcement of penalties and custodial measures ordered by judicial bodies within the criminal proceedings*, approved by virtue of the *Government's Decision no. 157/2016*, prisoners can be monitored electronically remotely; the systems can be used with prisoners who are involved in work, educational, psychological assistance, social assistance activities outside the prison; go to hospitals/medical practitioners' offices outside the prison for health care related reasons; may leave the prison etc. What is also under scrutiny is the extension of the legal possibility for a judge to order the electronic monitoring measure as a form of determination of the penalty enforcement, following the model of the institution of suspension of a sentence on probation or a form of conditional release, respectively **deadline: 2nd semester 2018**
42. *Analysis of the suitability to promote a referral in the interests of the law in the field of applications for conditional release* - the National Prison Administration communicated to the Ministry of Justice a number of court decisions delivered in cases dealing with applications for conditional release. They were looked at by the Department for Drafting Legislation and, given that they found them not sufficient to promote a referral in the interests of the law, on 5 December 2017 the courts of appeal were requested to communicate the final decisions delivered in cases dealing with the above mentioned subject matter in order to examine the way in which courts interpret the provisions of Article 55<sup>1</sup> para. (1), Article 59 para. (1) and Article 59<sup>1</sup> para. (1) of the former Criminal Code, and of Article 99 para. (1) letter d) and Article 100 para. (1) letter d) of the currently applicable Criminal Code, concerning the prerequisite for the conditional release namely „convincing the court that the convicted person has improved and can reintegrate in society”. So far a number of 6 courts of appeal out of 15 reacted to the request of the Ministry of Justice, forwarding court decisions in the field of applications for conditional release **deadline: 1st semester 2018**.

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B.3.3.2 INVESTMENTS IN THE PHYSICAL INFRASTRUCTURE OF PRISONS AND DETENTION FACILITIES ATTACHED TO POLICE STATIONS TO INCREASE THE NUMBER OF PLACES OF ACCOMODATION AND TO MODERNIZE THE EXISTING ONES;

### *B.3.3.2.1 Investments in the physical infrastructure of prisons*

43. On 19 January 2016 the Romanian Government approved the Memorandum with the topic *ECHR's intention to apply the pilot-judgment procedure in cases dealing with detention conditions*, a document in which Romania's Government undertook to communicate within 2 months from approval the *Timetable of measures* to be adopted in this field. Against this context the *Plan of measures* attached to the Recommendation no. 2 of the Memorandum was elaborated - elaboration by the Ministry of Justice, Ministry of Internal Affairs and Ministry of Public Finances of a *Timetable of measures, including their budgetary impact, with a view to avoiding the application by the ECHR of the pilot-judgment in cases concerning the conditions of detention provided by the Romanian state. This Timetable was approved by the Romanian Government on 26 April 2016.* The timetable of actions provides for measures and financial impact both for (i) the development of infrastructure by creating new places of accomodation and modernizing the existing ones and (ii) for human resources. The modernization of the places of accomodation is conducted both by refurbishing some spaces and by current repair works.
44. The *current repair and maintenance works* which are conducted annually within the prison system aims at upholding the conditions of detention in line with the standards both in detention rooms and in auxiliary spaces (section hallways, clubs, dining rooms, medical practices, educational spaces etc.). For this purpose, starting 2015, the National Prison Administration awarded to prisons the budget necessary for the improvement of the conditions of detention by *painting, repair of installations, replacement of sanitation items, repair of floors etc.* Following these actions, a number of about 3,832 places of accomodation were refurbished/repared.
45. The new places of accomodation comply with the values stated by the ECHR in the pilot-judgment in cases dealing with conditions of detention and shall provide a detention space of at least 4 square meters. Starting January 2016 all spaces of accomodation within the prison system have been evaluated concerning their potential in terms of aligning them with the European standards by refurbishing, modernization or even the construction of some new wings within the existing facilities.
46. Despite the fact that the deficit of places of accomodation had a decreasing trend and against the background of the application of *Law no. 169/2017 on the amendment and supplementation of Law no. 254/2013 by which a compensatory remedy was created for granting a benefit, meaning 6 days to be considered served for a number of 30 days of confinement in improper spaces of detention*, the current plan of measures (as attached) provides for increasing the accomodation capacity by a number of 8,095 new places of accomodation, given that several aspects were taken into consideration such as:
- i) the degree of wear and tear of some buildings which can cause improper conditions of accomodation for prisoners and which justifies their closing;*
  - ii) modernization of the places of accomodation involves re-partitioning of spaces according to European standards and leads inevitably to a reduction of the accomodation capacity;*

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*iii) the evolution of the number of prisoners accommodated in prisons cannot be forecast (for example: the new Criminal Code provides for more severe sanctions for re-offenders, the conditional release is a benefit which can be awarded only to prisoners serving in the open and half-open regime etc.).*

47. The application of the measures established in the plan involves the creation of a number of 8,095 new places of accommodation and the modernization of 1,351 places of accommodation, whereas the investments shall be funded from the following 3 sources as follows:

**Norwegian Financial Mechanism** - 1.400 new places of detention with an estimated value of 21,007,300.00 Euros and 100 modernized places of accommodation with an estimated value of 940,000.00 Euros;

**State Budget** - 4.795 new places of detention and modernization of 1,251 places of accommodation with an estimated value of 75,297,550.00 Euros. The state budget for 2018 already contains funds for starting the investments with a view to the creation of 5,110 places between 2019-2023.

**Loan from an International Financial Institution** according with the project initiative approved by the Romanian Government on 5 December 2017 by the Memorandum with the topic *Decision on the appropriateness of financing the physical infrastructure of the Romanian prison system by a project financed from external repayable funds by which the concept of national project is proposed - Investments in prison infrastructure* - 1,900 new places of detention by the construction and creation of two new prisons (Berceni Prison and Unguriu Prison).

48. The plan is structured for the period 2018-2024 as follows:

**Stage I: 2018** - new places of detention - 316, modernized places - 500

Took into consideration the identification of the spaces and places whose destination can be turned into places of accommodation by intervention works / current repair works / modernization, completion of the works started in the previous years. The new places of accommodation shall become operational at the following prisons: Giurgiu (30), Găești (96), Deva (70), Codlea (80), Târgu Jiu (40), and the modernized ones in Deva (500).

**Stage II: 2020** - new places of detention- 44

Took into consideration the continuation of the activities of creation of new places of accommodation, the initiation and completion of some investments started prior to 2020. The new places of accommodation shall become operational at Târgu Jiu Prison (44).

**Stage III: 2021** - new places of detention- 508, modernized places - 85

The new places of accommodation shall become operational at the following prisons: Craiova - External section Ișalnița (80), Focșani (118), Constanța-Poarta Albă - External Section Valu lui Traian (80), Ploiești - External Section Moara Nouă (80), Detention Centre Brăila-Tichilești (150), and modernized: Hospital Târgu Ocna (85).

**Stage IV: 2022** - new places of detention- 3,997, modernized places - 666

The new places of accommodation shall become operational at the following prisons: Aiud (200), Baia-Mare (420), Botoșani (400), Deva (250), Mioveni (120), Galați (186), Gherla (300), Găești (96), Pelendava (325), Ploiești - External Sections Movila Vulpilor (150), Târgu Mureș (210), Vaslui (210), Ploiești-Târgșorul Nou (90), Educational Centre Târgu Ocna (65), Hospital Târgu Ocna (75) and modernized Constanța-Poarta Albă (486), Mioveni (180) and Unguriu Prison (900).

**Stage V: 2023** - new places of detention- 2,730

The new places of accommodation shall become operational at the following prisons: Bistrița (600), Mioveni (190), Iași (600), Constanța-Poarta Albă (300), Timișoara - External Section Buziaș (300), Ploiești Târgșorul Nou (240) P47-Berceni Prison (500).

**Stage VI: 2024** - new places of detention- 500

P47-Berceni Prison (500).



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*The detailed investment plan, as well as the human resources plan for the National Prison Administration, as well as the financial impact are presented in Annex 1.*

49. With a view to the development of the administrative capacity of the prison system to respond to the challenges, the Romanian Government, by the Memorandum mentioned in paragraph 30, approved the project initiative for the funding of the National Institute of Prison Administration. Depending on the date when the external loan according with the provisions of the above mentioned Memorandum will be granted the works for the creation of the necessary infrastructure shall start.

### B.3.3.2.2 INVESTMENTS IN THE PHYSICAL INFRASTRUCTURE OF DETENTION FACILITIES ATTACHED TO POLICE STATIONS

50. The Romanian General Police Inspectorate has taken measures to increase and modernize the accomodation capacity of its detention facilities according with the timetable approved. The new places of accomodation comply with the values invoked by the ECHR in the pilot-judgment in cases dealing with conditions of detention and shall provide the detention space of at least 4 square meters. Starting January 2016 all spaces of accomodation within the detention facilities attached to police station have been evaluated concerning their potential in terms of aligning them with the European standards by refurbishing, modernization or even the construction of some new facilities.
51. Within the Ministry of Internal Affairs - Romanian General Police Inspectorate there are a number of 51 detention facilities located in each county and in Bucharest. As concerns the situation in detention facilities attached to police stations under the Ministry of Internal Affairs - Romanian General Police Inspectorate, statistical data indicated a significant reduction of the number of persons deprived of their liberty confined after the entry into force of the new criminal codes and application of alternative measures. In 2013 a number of 26,553 persons were confined, but starting 2014 a drop of up to 20.145 can be noted, in 2015 up to 20.067 persons, in 2016 up to 18.565 persons, wheras the trend was maintained in 2017 when a number of 18.489 persons were confined.
52. Following the application of alternative measures to pre-trial detention which were implemented starting with the entry into force of the new criminal codes, the following situation was noted between 2014 - 2017:

|                          | 2014  | 2015   | 2016   | 2017   |
|--------------------------|-------|--------|--------|--------|
| House arrest             | 1.497 | 3.301  | 3.214  | 3.344  |
| Judicial control         | 7.774 | 14.361 | 14.183 | 14.622 |
| Judicial control on bail | 50    | 93     | 112    | 98     |

53. Despite the fact that the deficit of places of accomodation had a decreasing trend and against the background of the application of the new criminal codes and the application of alternative preventive measures (house arrest, judicial control, judicial control on bail), the current plan of measures (as attached) provides for increasing the accomodation capacity by a number of 1,781 new/modernized places of accomodation, given that several aspects were taken into consideration such as:
- *the degree of wear and tear of some buildings which can cause improper conditions of accomodation for prisoners and which justifies their closing;*
  - *modernization of the places of accomodation involves re-partitioning of spaces according to European standards and leadd inevitably to a reduction of the accomodation capacity;*

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- *the evolution of the number of prisoners accommodated in detention facilities attached to police stations cannot be forecast.*

54. In 2016 the detention system within the Romanian Police implemented the Timetable approved by the Government by the construction/modernization/extension of 31 detention facilities attached to police stations and the renovation of 283 places of accommodation by current repair works. The identification of the spaces and places whose destination can be turned into places of accommodation by intervention works / current repair works / modernization, including via the Norwegian Financial Mechanism, as well as the completion of the works started in the previous years was taken into consideration.

55. The application of the measures proposed in the plan involves the creation of a number of 1,596 new places of accommodation and the modernization of 187 places of accommodation for which the estimated costs amount to a total of 81,344,098 Euros; the amount of 3.560.723 Euros is also required for the procurement of means of transport and 5.962.512 Euros/year are needed for additional staff.

56. The plan is structured for the period 2018-2023 as follows:

**Stage I: 2018**- new places of accommodation/modernized - 114

The new places of accommodation/modernized shall become operational at the following detention facilities attached to police stations: I.P.J. Galați (34), I.P.J. Maramureș (30) and I.P.J. Iași (50).

The continuation of the creation of new places of accommodation, the initiation and/or completion of investments started in 8 detention facilities attached to police stations are taken into consideration.

**Stage II: 2019-2021**- new places of accommodation/modernized - 153

The new places of accommodation/modernized shall become operational at the following detention facilities attached to police stations: I.P.J. Covasna (33), I.P.J. Alba (33), I.P.J. Vaslui (45), I.P.J. Teleorman (22) and I.P.J. Harghita (20).

The continuation of the creation of new places of accommodation, the initiation and/or completion of investments started in 20 detention facilities attached to police stations are taken into consideration.

**Stage III: 2021 - 2023**- new places of accommodation/modernized - 1516

The new places of accommodation/modernized shall become operational at the following detention facilities attached to police stations: I.P.J. Arad, I.P.J. Giurgiu, I.P.J. Cluj, I.P.J. Călărași, D.G.P.M.B., I.P.J. Argeș, I.P.J. Brașov, I.P.J. Constanța, I.P.J. Dolj, I.P.J. Prahova, I.P.J. Botoșani, I.P.J. Brăila, I.P.J. Dâmbovița, I.P.J. Hunedoara, I.P.J. Neamț, I.P.J. Suceava, I.P.J. Mehedinți, I.P.J. Tulcea, I.P.J. Gorj, I.P.J. Olt, I.P.J. Bistrița Năsăud, I.P.J. Satu Mare and I.P.J. Vrancea.

*The detailed investment plan, as well as the human resources plan for the Ministry of Internal Affairs, as well as the financial impact are presented in Annex no 2.*

### B.3.3.3 EFFICIENT FUNCTIONING OF THE PROBATION SYSTEM TO FACILITATE THE APPLICATION OF COMMUNITY SANCTIONS AND MEASURES WHICH SHALL CONTRIBUTE TO THE REDUCTION OF THE PRISON POPULATION

57. The analysis of the evolution of the number of persons under the supervision of the probation services presented in graph no. 1 in the Annex - National Probation Directorate indicates a quantitative impact in terms of the massive application of community measures and sanctions in recent years as compared to the years prior to 2012. It has to be mentioned that the impact is not only a quantitative one, as there has also been an increase in terms of the obligations imposed by judicial authorities on convicted persons - for example, the proportion of the persons who had to get involved in at least one programme of social reintegration evolved from 6.39% in 2014 to 21.22%

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in 2016, the same as the evolution of the percentage of the persons who had to do community service increased from 10.09% in 2014 to 43.72% in 2016m, respectively the percentage of the persons who had to follow a school or vocational training programme increased from 9.06% in 2014 to 12.29% in 2016.

58. The package of legislative measures in 2014 has had, as already shown, a structural impact long term on the enforcement of criminal sanctions as emerging from graph no.2 in Annex no. 3 - National Probation Directorate, which aggregates information on the prison population and the population registered in the Romanian probation system between 2013-2017, prior and after the entry into force of the new criminal codes. It can be noted that the new legislation has led to a fulminant development of cases referred to the probation system (an increase of about 4 times of the number of persons on probation from 2013 to 2017) and to the reduction of the prison population.
59. The main measures refer to the probation staff, this being one of the main factors which influence the efficiency algorithm of these sanctions. There are considered measures for the completion of the legal framework in the field of probation, the provision of the human resources necessary for the application of the non-custodial sanctions, as well as measures which relate to the extension of the physical infrastructure (office spaces) and IT infrastructure, as well as measures for ensuring the support staff for the probation system.
60. *Legislative measures* - In order to ensure the sustainability of the process of strenghtening the probation system, the adoption of the law concerning the Statute of the probation staff, alongside other 8 measures proposed concerning the implementation of the instruments provided for in the general framework for the regulation of the new non-custodial sanctions; as well as the safeguards for the exercise of specific responsibilities in terms of balancing the relation between responsibilities and benefits and safety of the activity performed were considered of paramount importance **deadline: 2nd semester 2018**.
61. *Probation staff*: In In 2017 the probation system had about 100,000 cases under its supervision, managed by a number of 552 probation officers, whereas 187 probation officers were employed in the second half of 2017. Against this background, the measures concerning human resources refer to the funding and occupation of the probation officer positions within the approved budgetary limits.
62. *Support staff*: Support activities are ensured at this point in time by an extremely low number of persons employed with the central structure of the National Probation Directorate for all probation services country wide. This is why the following is proposed: funding and occupation in 2018 of some support staff positions within the approved budgetary limits.
63. Given that the newly employed probation staff, as well as the existing staff needs every year to be involved in various *forms of initial or continuous professional training*, it is necessary to provide the necessary funds that will be allocated from the state budget within the limit of the approved annual budgets also from the Norwegian Financial Mechanism.
64. *Measures concerning the physical infrastructure*: Having regard to the fact that the staff scheme within the probation system shall increase gradually, similarly the physical infrastructure was also planned to be extended (office spaces and conference rooms), whereas the minimum furniture for the newly employed staff was also planned.

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### B.3.3.4 IMPLEMENTATION OF PROGRAMMES AND STRATEGIES FOR THE INSERTION OF PERSONS RELEASED FROM PRISONS

65. The percentage of re-offenders within the general prison population is decreasing, however, it still is a source of entry into the prison system. If in 2012 and 2013 there were 45.78% relapse prisoners calculated in the total number of persons deprived of their liberty, this percentage has gradually decreased to 43.00% in 2014, reaching in 2015 40.33% and in 2016 38.37%.
66. After the entry into force of the Government Decision H.G. no. 389/2015 on the approval of the *National strategy for social reintegration of persons deprived of their liberty*, a number of actions have been implemented, 2015 - 2019 meant to reduce the relapse rate. The Interministerial commission for the coordination and implementation of the provisions of the National strategy for social reintegration of persons deprived of their liberty was created and is operational, 2015-2019. According with the provisions of Art. 6 para. (1) and para. (4) of the Government's Decision H.G. no. 389/2015, the Commission is made up of each one representative with managerial function from the Ministry of Justice, Ministry of Internal Affairs, Ministry of National Education, Ministry of Labour and Social Justice, Ministry of Health, National Probation Directorate and National Prison Administration, whereas the presidency of the Commission is held by the Ministry of Justice.
67. The Commission's activity in 2017 was focused on catching up with the delays in the performance of the activities provided in the National plan for the implementation of the Government's Decision H.G. no. 389/2015 and creation of the interministerial working groups in charge for the performance of the activities with urgent implementation deadlines.
68. As concerns the deliverables of the activities completed until the end of 2017 we would like to mention the following: creation of 4 interinstitutional working groups, of which 3 already completed their activity; elaboration of a system of diagnosis of the needs for professional training and lifelong learning of the staff employed with the 4 partners responsible and who have responsibilities in the field of the social reintegration of persons deprived of their liberty; a common data base of legal acts in the field of the social reintegration of persons deprived of their liberty was created and published on the webpages of responsible institutions; elaboration of a Report of analysis and inventory of proposals to amend or supplement the legal framework, elaboration of a Study report concerning the Inventory of the needs for extension of cooperation by the public institutions and authorities involved in the process of social reintegration within the National strategy for social reintegration of persons deprived of their liberty 2015-2019; elaboration of an Inventory of interinstitutional procedures necessary for the facilitation of social reintegration of persons subject to criminal sanctions.

### B.3.3.5 LEGISLATIVE MEASURES TO ENSURE AN EFFICIENT REMEDY FOR THE DAMAGE CAUSED SUCH AS A PREVENTIVE REMEDY AND A COMPENSATORY REMEDY

69. Law no. 169/2017 on the amendment and supplementation of Law no. 254/2013 on the enforcement of penalties and custodial measures ordered by judicial bodies within the criminal proceedings, which provides for a compensatory mechanism for persons deprived of their liberty accommodated in improper conditions of detention, in the sense of the penalty reduction as a general measure of relieving the prisons. Against this background, when the calculation of the penalty served is performed, also the enforcement of the penalty under improper conditions has to be taken into account, no matter the penalty enforcement regime, as a compensatory measure, in which case,

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for each period of 30 days served under improper conditions, no matter if they are not consecutive, additional 6 days shall be considered as served from the penalty imposed.

In the sense of this legal act the accomodation in any of the following situations shall be considered enforcement of the penalty under improper conditions:

- a) accomodation in a space which is smaller or equal to 4 square meters/prisoner, which shall be calculated excluding the area of the lavatories and food storage spaces, by dividing the total area of detention rooms to the number of persons accomodated in the respective rooms, no matter the setting of the respective rooms;
- b) lack of access to open air activities;
- c) lack of access to natural light or to sufficient air or ventilation availability;
- d) lack of proper room temperature;
- e) lack of the possibility to use the toilet in private and to comply with basic sanitation rules, as well as hygiene requirements;
- f) presence of infiltrations, wall dampness and mould on the walls of detention rooms.

These provisions apply correspondingly to the calculation of the penalty served as preventive measure or penalty in detention facilities attached to police stations under improper conditions. In accordance with the provisions of Article IV para. (7) of Law no. 169/2017, „the centralized status of the buildings which are improper in terms of conditions of detention shall be approved by virtue of a Justice Minister’s Order within 60 days from the entry into force of the present law.”

With a view to the application of the legal remedy for enforcement of the penalty under improper conditions the Justice Minister’s Order no. 2773/C/2017 on the approval of the Centralized status of buildings which are improper in terms of conditions of detention, published in the Official Gazette *Monitorul Oficial* no. 822 dated 18 October 2017, was adopted. For this purpose the buildings are established, identified through their inventory number, which were labelled as improper in terms of conditions of detention, based on the criteria established in Law no. 169/2017, but also the milestones introduced by this legal act which does not impose a centralization of the rooms which offer improper conditions of detention, but the elaboration of a centralized situation of buildings dedicated to the accomodation of persons deprived of their liberty. Their status is updated annually or any time changes occur which generate a re-labelling of the places of accomodation.

Within 90 days from the entry into force of this piece of legislation, the Office for the evidence and work organization within each prison opened a data sheet for each persons deprived of his/her liberty in which the buildings shall be noted in which it was accomodated during the penalty enforcement. (2) For persons deprived of their liberty who started serving the penalty prior to 24 July 2012 the data sheet under para. (1) shall include only the relevant information after this date. (3) Within the time mentioned under para. (1), the Office for evidence and work organization shall conduct the calculation of days earned in relation with the period in which the person served the penalty under improper conditions of detention as provided for in Article 55<sup>1</sup> para. (1) of Law no. 254/2013 with subsequent amendments and supplements.

70. The Ministry of Justice is looking thoroughly at the adoption of some legislative amendments with a view to *awarding a financial compensation to persons who have applications pending with the ECHR or who can legitimately lodge an application with the ECHR.*

The financial compensation in case of detention under improper conditions shall be awarded similarly to the compensations awarded to persons who are still serving a custodial sanction and which are already legally provided for: when the calculation of the penalty served is performed, also the enforcement of the penalty under improper conditions has to be taken into account, no matter the penalty enforcement regime, as a compensatory measure, in which case, for each period of 30 days served under

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improper conditions, no matter if they are not consecutive, additional 6 days shall be considered as served from the penalty imposed.

The amount of money to be awarded to a person who served the penalty under improper conditions (and in relation to which the person did not earn any extra days according with Article 551 of Law no. 254/2013) shall be determined by multiplying these extra days earned with an amount which shall be established for each extra day earned - **deadline: 1st semester 2018.**

### B.4 MONITORING OF THE TIMETABLE OF MEASURES 2018 - 2024

71. The Timetable for the implementation of measures 2018 - 2024 to solve the issue of prison overcrowding and conditions of detention with a view to executing the pilot-judgment *Rezmives and others against Romania* delivered by ECHR on 25 April 2017 was drafted and agreed on within the Working group established in 2012 through the Memorandum with the topic "*Effects of acknowledging the violation by Romania of the prohibition of inhuman or degrading treatments in the case Iacov Stanciu against Romania*". The Working group is made up of representatives of the Ministry of Justice, Ministry of External Affairs - Governmental Agent for ECHR, Ministry of Public Finances, Ministry of Internal Affairs, National Prison Administration, National Probation Directorate.
72. The mechanism established by the Working group with a view to the monitoring and evaluation of the Timetable of measures involves the half-yearly organization of the evaluation of the action plans undertaken by each institution within some formal meetings. The Secretariat of the Working group shall be ensured by the Ministry of Justice.
73. The measures provided for in the Timetable also serve to unlock both the procedures for the execution of the European arrest warrants, issued by the Romanian judicial authorities and the facilitation of the transfer of the convicted persons, Romanian citizens detained in other EU Member States



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DGI

25 JAN. 2018

SERVICE DE L'EXECUTION  
DES ARRÊTS DE LA CEDH

ANEXA 1 - CALENDAR DE MĂSURI INVESTIȚII ÎN INFRASTRUCTURĂ ADMINISTRAȚIA NAȚIONALĂ A PENITENCIARELOR

1. Investiții noi și transformarea unor spații existente în noi locuri de deținere:

- Transformarea unor spații existente în noi locuri de deținere prin lucrări de intervenție
- Crearea de noi locuri de deținere prin investiții noi
- Schimbarea destinației unor spații existente în noi locuri de deținere prin lucrări de reparații curente

1.1. Anul 2018

| Măsură  | NUMAR<br>LOCURI | Responsabil     | Resurse necesare estimate în Euro   | Termen    | Regim de executare           |
|---|-----------------|-----------------|---|-----------|------------------------------|
| Transformarea unor spații existente în noi locuri de deținere prin lucrări de intervenție                               | 276             |                 |   |           |                              |
| 1.1.1 R113 - Transformare popotă și sală festivități în spații detenție - P. Giurgiu                                    | 30              | ANP, P. Giurgiu | 217.400,00 euro, sumă asigurată prin buget 2018   | Dec. 2018 | Regim deschis                |
| 1.1.2 Transformare Ateliere producție în spații detenție - P. Găești  | 96              | ANP, P. Găești  | 6.520,00 euro, sumă asigurată prin buget 2018   | Dec. 2018 | Regim deschis                |
| 1.1.2 Spații detenție - P. Deva   | 70              | ANP, P. Deva    | Locurile noi sunt rezultate din modernizarea celor 500. Sumele se regăsesc la modernizări | Dec. 2018 | Regim semideschis și deschis |
| 1.1.4 Pavilion 05 - P. Codlea   | 80              | ANP, P. Codlea  | 364.130,00 euro, sumă asigurată prin buget 2018   | Dec. 2018 | Regim semideschis și deschis |
| Schimbarea destinației unor spații existente pentru crearea de noi locuri de deținere prin lucrări de reparații curente | 40              |                 |   |           |                              |
| 1.1.4. Birouri administrativ în spații deținere - P. Tg. Jiu  | 40              | ANP, P. Tg. Jiu | 7.800,00 euro, sumă asigurată prin buget 2018   | Dec. 2018 | Regim semideschis și deschis |
| <b>TOTAL</b>  | <b>316</b>      |                 |   |           |                              |

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### 1.2. Anul 2020

| Măsură  | NUMAR<br>LOCURI | Responsabil     | Resurse necesare estimate în Euro | Termen    | Regimul de<br>executare      |
|---|-----------------|-----------------|-----------------------------------|-----------|------------------------------|
| Transformarea unor spații existente în noi locuri de deținere prin lucrări de intervenție | 44              |                 |                                   |           |                              |
| 1.2.1. Transformare magazie gospodărie agrozootehnică în spații deținere - P. Tg. Jiu     | 44              | ANP, P. Tg. Jiu | 170.000,00 euro                   | Dec. 2020 | Regim semideschis și deschis |
| TOTAL   | 44              |                 |                                   |           |                              |

### 1.3. Anul 2021

| Măsură  | NUMAR<br>LOCURI | Responsabil                   | Resurse necesare estimate în Euro   | Termen    | Regimul de<br>executare      |
|---|-----------------|-------------------------------|---|-----------|------------------------------|
| Transformarea unor spații existente în noi locuri de deținere prin lucrări de intervenție | 508             |                               |   |           |                              |
| 1.3.1 Pavilion detenție regim deschis - P. Focșani  | 50              | ANP, P. Focșani               | 474.000,00 euro, din care în anul 2018 este asigurată suma de 4.300,00 euro | Dec. 2021 | Regim deschis                |
| 1.3.2 Transformare atelier producție bugetară în spații deținere - P. Focșani             | 68              | ANP, P. Focșani               | 490.000,00 euro   | Dec. 2021 | Regim închis                 |
| 1.3.3 Transformare atelier producție în spații deținere - CD Brăila Tichilești            | 150             | ANP, CD. Brăila Tichilești    | 285.000,00 euro   | Dec. 2021 | Regim închis                 |
| 1.3.4. Pavilion detenție nou - Secția Ișalnița - P. Craiova                               | 80              | ANP, P. Craiova               | 1.045.000,00 euro   | Dec. 2021 | Femei - toate regimurile     |
| 1.3.5. Complex corecțional - Secția exterioară Valu lui Traian - P. Constanța-Poartă Albă | 80              | ANP. P. Constanța-Poarta Albă | 1.225.000,00 euro   | Dec. 2021 | Regim semideschis și deschis |
| 1.3.6. Pavilion nou Moara Nouă - P. Ploiești  | 80              | ANP, P. Ploiești              | 1.045.000,00 euro   | Dec. 2021 | Regim deschis                |
| TOTAL   | 508             |                               |   |           |                              |



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## 1.4. Anul 2022

| Măsura   | NUMAR<br>LOCURI | Responsabil                    | Resurse necesare estimate în Euro  | Termen    | Regimul de<br>executare              |
|--|-----------------|--------------------------------|--|-----------|--------------------------------------|
| <b>Transformarea unor spații existente în noi locuri de deținere prin lucrări de intervenție</b> | <b>776</b>      |                                |  |           |                                      |
| 1.4.1 Transformare spații gospodărire agrozootehnică în secție exterioară de deținere - P. Aiud  | 100             | ANP, P. Aiud                   | 1.030.000,00 euro  | Dec. 2022 | Regim deschis                        |
| 1.4.2 Transformare spații producție în spații deținere - P. Aiud                                 | 100             | ANP, P. Aiud                   | 739.000,00 euro  | Dec. 2022 | Regim închis                         |
| 1.4.3 Transformare gospodărie agrozootehnică în secție exterioară - P. Deva                      | 250             | ANP, P. Deva                   | 1.970.000,00 euro  | Dec. 2022 | Regim deschis                        |
| 1.4.4. Transformare administrativ în spații deținere - P. Găești                                 | 48              | ANP, P. Găești                 | 220.300,00 euro, din care în anul 2018 este asigurată suma de 3.300,00 euro    | Dec. 2022 | Regim deschis                        |
| 1.4.5. Transformare atelier producție în spații deținere - P. Găești                             | 48              | ANP, P. Găești                 | 170.000,00 euro, din care în anul 2018 este asigurată suma de 6.500,00 euro    | Dec. 2022 | Regim deschis                        |
| 1.4.6. Transformare magazie echipament în spații deținere - P. Ploiești Târgșorul Nou            | 90              | ANP, P. Ploiești Târgșorul Nou | 110.000,00 euro  | Dec. 2022 | Regim maxima siguranță               |
| 1.4.7. Transformare atelier producție și dormitor D5 în spații detenție - CE Tg. Ocna            | 65              | ANP, CE Tg. Ocna               | 460.000,00 euro, din care în anul 2018 este asigurată suma de 6.500,00 euro    | Dec. 2022 | Măsura internării în centru educativ |
| 1.4.8. Transformare Pavilion B în camere deținere - P. Spital Tg. Ocna                           | 75              | ANP, P. Spital Tg. Ocna        | 1.000.000,00 euro  | Dec. 2022 | Regim închis                         |
| <b>Crearea de noi locuri de deținere prin investiții</b>   | <b>2321</b>     |                                |  |           |                                      |
| 1.4.9. Pavilion detenție nou - P. Botoșani   | 320             | ANP, P. Botoșani               | 4.863.000,00 euro  | Dec. 2022 | Regim semideschis și deschis         |
| 1.4.10. Pavilion detenție nou - P. Botoșani  | 80              | ANP, P. Botoșani               | 1.900.000,00 euro  | Dec. 2022 | Regim semideschis și deschis         |
| 1.4.11 Secție detenție nouă - P. Mioveni   | 120             | ANP, P. Mioveni                | 1.558.000,00 euro  | Dec. 2022 | Regim de maxima siguranță, închis    |
| 1.4.12 Pavilion detenție nou - P. Gherla   | 300             | ANP, P. Gherla                 | 5.075.000,00 euro, din care în anul 2018 este asigurată suma de 12.000,00 euro | Dec. 2022 | Regim de maximă siguranță și închis  |
| 1.4.13. Pavilion deținere - P. Craiova-Pelendava   | 325             | ANP, P.                        | 6.500.000,00 euro  | Dec. 2022 | Regim semideschis și                 |

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|   |             | Craiova-<br>Pelendava |                   |           | deschis                                |
|---|-------------|-----------------------|-------------------|-----------|--|
| 1.4.14 Pavilion detenție nou - P. Galați                            | 152         | ANP, P. Galați        | 1.243.000,00 euro | Dec. 2022 | Regim de maximă<br>siguranța și închis |
| 1.4.15. Pavilion detenție carantina, infirmerie, PPD<br>- P. Galați | 34          | ANP, P. Galați        | 1.700.000,00 euro | Dec. 2022 | Regim de maximă<br>siguranța și închis |
| 1.4.16. Pavilion nou Movila Vulpilor - P. Ploiești                  | 150         | ANP, P.<br>Ploiești   | 153.000,00 euro   | Dec. 2022 | Regim semideschis                      |
| 1.4.17. Pavilion nou deținere - P. Tg. Mureș                        | 210         | ANP, P. Tg.<br>Mureș  | 3.600.000,00 euro | Dec. 2022 | Regim semideschis și<br>deschis        |
| 1.4.18. Pavilion nou deținere - P. Vaslui                           | 210         | ANP, P. Vaslui        | 2.862.000,00 euro | Dec. 2022 | Regim semideschis și<br>deschis        |
| 1.4.19. Pavilion detenție nou - P. Baia Mare                        | 420         | ANP, P. Baia<br>Mare  | 6.367.300,00 euro | Dec. 2022 | Regim semideschis și<br>deschis        |
| <b>TOTAL</b>  | <b>3097</b> |                       |                   |           |  |

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## 1.5. Anul 2023

| Măsură  | NUMAR<br>LOCURI | Responsabil                    | Resurse necesare estimate în Euro   | Termen    | Regimul de<br>executare                 |
|---|-----------------|--------------------------------|---|-----------|---|
| <b>Crearea de noi locuri de deținere prin investiții</b>  | <b>1400</b>     |                                |   |           |   |
| 1.5.1. Pavilion nou - P. Iași   | 600             | ANP, P. Iași                   | 10.000.000,00 euro, din care în anul 2018 este asigurată suma de 21.700,00 euro | Dec. 2023 | Regim închis                            |
| 1.5.2. Pavilion detenție nou - P. Bistrița  | 500             | ANP, P. Bistrița               | 6.700.000,00 euro, din care în anul 2018 este asigurată suma de 29.300,00 euro  | Dec. 2023 | Regim semideschis și deschis            |
| 1.5.3. Pavilion detenție nou - P. Constanța-Poarta Albă   | 300             | ANP, P. Constanta Poarta Albă  | 5.500.000,00 euro   | Dec. 2023 | Regim semideschis și arestați preventiv |
| <b>Transformarea unor spații existente în noi locuri de deținere prin lucrări de intervenție</b>  | <b>830</b>      |                                |   |           |   |
| 1.5.4. Ansamblu pavilion detenție gospodărie agrozootehnică - P. Bistrița                         | 100             | ANP, P. Bistrița               | 2.117.000,00 euro   | Dec. 2023 | Regim deschis                           |
| 1.5.5. Ansamblu dormitoare deținuți la gospodăria agrozootehnică - P. Mioveni                     | 190             | ANP, P. Mioveni                | 1.890.000,00 euro, din care în anul 2018 este asigurată suma de 37.000,00 euro  | Dec. 2023 | Regim deschis                           |
| 1.5.6. Transformare spații existente în spații deținere - Secția exterioară Buziaș - P. Timișoara | 300             | ANP, P. Timișoara              | 4.000.000,00 euro, din care în anul 2018 este asigurată suma de 21.700,00 euro  | Dec. 2023 | Regim semideschis și deschis            |
| 1.5.7. Transformare fabrica confecții în spații deținere - P. Ploiești Târgșorul Nou              | 240             | ANP, P. Ploiești Târgșorul Nou | 7.910.000,00 euro, din care în anul 2018 este asigurată suma de 7.600,00 euro   | Dec. 2023 | Regim maxima siguranță                  |
| <b>TOTAL</b>  | <b>2230</b>     |                                |   |           |   |



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### 2. Modernizarea spațiilor de cazare existente

(finanțare prin împrumut de la o Instituție Financiară Internațională conform Memorandumului adoptat de Guvernul României la data de 05 Decembrie 2017)

| Măsură  | NUMAR DE LOCURI | Responsabil                   | Resurse necesare estimate în Euro   | Termen    | Regim de executare                   |
|---|-----------------|-------------------------------|---|-----------|--------------------------------------|
| 2.1. Spații detenție - P. Deva                          | 500             | ANP, P. Deva                  | 1.140.000,00 euro, sumă asigurată prin buget 2018                               | Dec. 2018 | Regim semideschis și deschis         |
| 2.2. Modernizare Centru Educativ Tg. Ocna               | 100             | ANP, CE Tg. Ocna              | 940.000,00 euro   | Dec. 2020 | Măsura internării în centru educativ |
| 2.3. Modernizare Pavilion A - P. Spital Tg. Ocna        | 85              | ANP, P. Spital Tg. Ocna       | 1.697.400,00 euro, din care în anul 2018 este asigurată suma de 175.400,00 euro | Dec. 2021 | Regim închis                         |
| 2.4. Modernizare secții detenție III și IV - P. Mioveni | 180             | ANP, P. Mioveni               | 1.500.000,00 euro, din care în anul 2018 este asigurată suma de 23.900,00 euro  | Dec. 2022 | Regim maximă siguranță și închis     |
| 2.5. Secțiile IV-V - P. Constanța-Poarta Albă           | 486             | ANP, P. Constanța-Poarta Albă | 7.000.000,00 euro, din care în anul 2018 este asigurată suma de 169.000,00 euro | Dec. 2022 | Regim semideschis și arest preventiv |
| <b>Total</b>  | <b>1351</b>     |                               |   |           |                                      |

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### 3. Construirea unui penitenciar de 1000 de locuri cu regim de maximă siguranță și închis

*(finanțare prin împrumut de la o Instituție Financiară Internațională conform Memorandumului adoptat de Guvernul României la data de 05 Decembrie 2017)*

| Măsură   | Responsabil                           | Resurse necesare estimate în Euro | Termen              |
|--|---------------------------------------|-----------------------------------|---------------------|
| 1.2. P47 - Penitenciar 1000 de locuri cu regim de maximă siguranță și închis - Berceni                                   |                                       | 1.2. 144.256.650,00 euro          | 1.2. Decembrie 2024 |
| 1.2.1. Elaborarea studiului de fezabilitate  | 1.2.1. ANP, P. Ploiești               | 1.2.1. 435.000,00 euro            | 1.2.1. Sem. I 2018  |
| 1.2.2. Avizarea studiului de fezabilitate în Consiliu interministerial (CIM)   | 1.2.2. ANP, P. Ploiești, MJ, MFP, CIM | 1.2.2. Nu necesită fonduri        | 1.2.2. Dec. 2018    |
| 1.2.3. Promulgarea Hotărârii de Guvern de aprobare a indicatorilor tehnico-economici aferenți obiectivului de investiții | 1.2.3. ANP, MJ, Guvernul României     | 1.2.3. Nu necesită fonduri        | 1.2.3. Sem. I 2019  |
| 1.2.4. Elaborarea proiectului tehnic și a detaliilor de execuție   | 1.2.4. ANP, P. Ploiești               | 1.2.4. 2.174.000,00 euro          | 1.2.4. Dec. 2019    |
| 1.2.5. Contractarea și începerea lucrărilor de execuție  | 1.2.5. ANP, P. Ploiești               | 1.2.5. 4.783.000,00 euro          | 1.2.5. Dec. 2020    |
| 1.2.6. Efectuarea lucrărilor de execuție   | 1.2.6. ANP, P. Ploiești               | 1.2.6. 8.696.000,00 euro          | 1.2.6. Dec. 2021    |
| 1.2.7. Realizarea etapei I a obiectivului de investiții, respectiv 500 de locuri   | 1.2.7. ANP, P. Ploiești               | 1.2.7. 42.853.400,00 euro         | 1.2.7. Dec. 2022    |
| 1.2.8. Finalizarea etapei I și începerea etapei a II-a   | 1.2.8. ANP, P. Ploiești               | 1.2.8. 42.853.400,00 euro         | 1.2.8. Dec. 2023    |
| 1.2.9. Realizarea etapei a II-a a obiectivului de investiții, respectiv 500 de locuri                                    | 1.2.9. ANP, P. Ploiești               | 1.2.9. 42.461.850,00 euro         | 1.2.9. Dec. 2024    |



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### 4. Preluarea de noi imobile în vederea creșterii capacității de cazare

| Măsură   | NUMARUL DE<br>LOCURI | Responsabil  | Resurse necesare estimate în<br>Euro | Termen      |
|--|----------------------|--------------|--------------------------------------|-------------|
| <b>Penitenciarul UNGURIU</b>   | 900                  | ANP          | 49.090.000,00 euro                   | Dec. 2022   |
| 2.1. Întocmirea Notei conceptuale și a temei de proiectare și avizarea acestora în Consiliul Tehnico-Economic al ANP   |                      | ANP          | Nu necesită fonduri                  | Ian. 2018   |
| 2.2. Întocmirea și promovarea către MJ a proiectului de HG pentru autorizarea ANP în vederea achiziției SF   |                      | ANP, MJ, MFP | Nu necesită fonduri                  | Feb. 2018   |
| 2.3. Efectuarea expertizelor tehnice și a studiului de fezabilitate  |                      | ANP          | 240.000,00 euro                      | Sem. I 2018 |
| 2.4. Avizarea SF-ului în CTE și transmiterea la MJ pentru aprobarea indicatorilor tehnico-economici de către Consiliul Interministerial și întocmirea proiectului de HG pentru aprobarea indicatorilor tehnico-economici |                      | ANP, MJ, MFP | Nu necesită fonduri                  | Dec. 2018   |
| 2.5. Elaborarea și aprobarea documentației de atribuire a contractului de lucrări, derularea procedurii și elaborarea proiectului tehnic   |                      | ANP          | 842. 000,00 euro                     | Dec. 2019   |
| 2.6. Analiza proiectului tehnic în CTE, emiterea autorizației de construire și începerea lucrărilor de execuție  |                      | ANP          | 435.000,00 euro                      | Dec. 2020   |
| 2.7. Continuarea lucrărilor de execuție  |                      | ANP          | 4.348.000,00 euro                    | Dec. 2021   |
| 2.8. Finalizarea lucrărilor de execuție  |                      | ANP          | 43.225.000,00 euro                   | Dec. 2022   |



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### ANEXA 2 - PLANUL DE INVESTIȚII DETALIAT, PLANUL DE RESURSE UMANE PENTRU MINISTERUL AFACERILOR INTERNE, PRECUM ȘI IMPACTUL FINANCIAR AL ACESTORA

#### A. Planul de investiții și impactul financiar

| Nr. Crt.                                  | Unitatea / Responsabil | Măsura                                       |   | Valoare actualizată obiectiv - mii lei - | Detalii arest spații cazare |   | Termen finalizare estimat |
|---|------------------------|--|---|--|-----------------------------|---|---------------------------|
|   |                        |  |   |  | Număr total locuri reținere | S totală clădire (existent / propus) mp |                           |
| 0   | 1                      | 3  | 4 | 5  | 12                          | 13                                      | 14                        |
| <b>1. Investiții în curs de realizare</b> |                        |  |   |  |                             |   |                           |
| 1   | I.P.J.ALBA             | Extindere si Modernizare                     |   | 3.060,08                                 | 33                          | 781,96                                  | 2021                      |
| 2   | I.P.J.GALATI           | Consolidare si Modernizare                   |   | 4.367,24                                 | 34                          | 404,65                                  | 2018                      |
| 3   | I.P.J. MARAMURES       | Consolidare, extindere, modernizare          |   | 5.013,16                                 | 30                          | 1258,77                                 | 2018                      |
| 4   | I.P.J. COVASNA         | Construire arest suprateran nou Corp B arest |   | 12.000,00                                | 33                          | 1.410                                   | 2020                      |
| 5   | I.P.J.IASI             | Construire arest suprateran nou Corp C arest |   | 6.500,00                                 | 50                          | 530                                     | 2018                      |
| 6   | I.P.J.ARAD             | Construire arest suprateran nou              |   | 22.475,41                                | 50                          | 789,41                                  | 2023                      |
| 7   | I.P.J.GIURGIU          | Construire arest suprateran nou Corp C arest |   | 12.537,57                                | 50                          | 628,65                                  | 2022                      |
| 8   | I.P.J.CLUJ             | Construire arest suprateran nou              |   | 11.205,08                                | 60                          | 1.071,40                                | 2023                      |
| 9   | I.P.J. CALARASI        | Construire arest suprateran nou              |   | 16.230,37                                | 46                          | 1.011                                   | 2022                      |
| 10  | I.P.J. HARGHITA        | Modernizare                                  |   | 2.107,98                                 | 20                          | 425,58                                  | 2020                      |

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| Nr. Crt.  | Unitatea / Responsabil | Măsura                          |           | Valoare actualizată obiectiv - mii lei - | Detalii arest spații cazare |   | Termen finalizare estimat |
|---|------------------------|---------------------------------|-----------|--|-----------------------------|---|---------------------------|
|   |                        |                                 |           |  | Număr total locuri rețineri | S totală clădire (existent / propus) mp |                           |
| 0   | 1                      | 3                               | 4         | 5  | 12                          | 13                                      | 14                        |
| 11  | I.P.J.VASLUI           | Construire arest suprateran nou |           | 10.695,37                                | 45                          | 1.000                                   | 2021                      |
| <b>TOTAL TITLUL XIII (LEI)</b>  |                        |                                 |           |  |                             |   |                           |
|   |                        |                                 |           | 106.192,26                               | 451                         |   |                           |
| 106.192,26, echivalentul a 22.594.098 EURO (LA UN CURS DE 4,70 LEI/EURO)                        |                        |                                 |           |  |                             |   |                           |
| <b>2. Propuneri investiții construire centre de rețineri - arest noi, modernizare existente</b> |                        |                                 |           |  |                             |   |                           |
| 1   | D.G.P.M.B.             | Construire arest suprateran nou | 7,750,000 | 0  | 300                         | 7.000 ÷ 9.000                           | 2023                      |
| 2   | I.P.J.ARGES            | Construire arest suprateran nou | 3,500,000 | 0  | 100                         | 2.500 ÷ 3.000                           | 2023                      |
| 3   | I.P.J.BRASOV           | Construire arest suprateran nou | 3,500,000 |  | 100                         | 2.500 ÷ 3.000                           | 2023                      |
| 4   | I.P.J. CONSTANTA       | Construire arest suprateran nou | 3,500,000 | 0  | 100                         | 2.500 ÷ 3.000                           | 2023                      |
| 5   | I.P.J.DOLJ             | Construire arest suprateran nou | 3,500,000 | 0  | 100                         | 2.500 ÷ 3.000                           | 2023                      |
| 6   | I.P.J.PRAHOVA          | Construire arest suprateran nou | 4,000,000 | 0  | 100                         | 2.500 ÷ 3.000                           | 2023                      |
| 7   | I.P.J. BOTOSANI        | Construire arest suprateran nou | 2,000,000 | 0  | 30                          | 1000 ÷ 1.500                            | 2021                      |
| 8   | I.P.J.BRAILA           | Construire arest suprateran nou | 3,000,000 | 0  | 50                          | 1000 ÷ 1.500                            | 2022                      |
| 9   | I.P.J. DÂMBOVITA       | Construire arest suprateran nou | 3,000,000 | 0  | 50                          | 1000 ÷ 1.500                            | 2022                      |
| 10  | I.P.J. HUNEDOARA       | Construire arest suprateran nou | 3,000,000 | 0  | 50                          | 1000 ÷ 1.500                            | 2022                      |
| 11  | I.P.J. NEAMT           | Construire arest suprateran nou | 3,000,000 | 0  | 50                          | 1000 ÷ 1.500                            | 2022                      |
| 12  | I.P.J. SUCEAVA         | Construire arest suprateran nou | 3,000,000 | 0  | 50                          | 1000 ÷ 1.500                            | 2022                      |



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| Nr. Crt.             | Unitatea / Responsabil | Măsura  |           | Valoare actualizată obiectiv - mii lei - | Detalii arest spații cazare |   | Termen finalizare estimat |
|----------------------|------------------------|---|-----------|--|-----------------------------|---|---------------------------|
|                      |                        |   |           |  | Număr total locuri rețineri | S totală clădire (existent / propus) mp |                           |
| 0                    | 1                      | 3   | 4         | 5  | 12                          | 13                                      | 14                        |
| 13                   | I.P.J. TELEORMAN       | Modernizare arest situat la parter sediu I.P.J. | 1,000,000 | 0  | 22                          | 938                                     | 2020                      |
| 14                   | I.P.J. MEHEDINTI       | Construire arest suprateran nou                 | 2,000,000 | 0  | 30                          | 1000÷ 1.500                             | 2022                      |
| 15                   | I.P.J.TULCEA           | Modernizare                                     | 2,000,000 | 0  | 30                          | 1000÷ 1.500                             | 2023                      |
| 16                   | I.P.J.GORJ             | Construire arest suprateran nou                 | 2,000,000 | 0  | 30                          | 1000÷ 1.500                             | 2022                      |
| 17                   | I.P.J.OLT              | Construire arest suprateran nou                 | 2,000,000 | 0  | 30                          | 1000÷ 1.500                             | 2023                      |
| 18                   | I.P.J. BISTRITA-NASAUD | Construire arest suprateran nou                 | 2,000,000 | 0  | 30                          | 1000÷ 1.500                             | 2022                      |
| 19                   | I.P.J.SATU MARE        | Construire arest suprateran nou                 | 2,000,000 | 0  | 30                          | 1000÷ 1.500                             | 2022                      |
| 20                   | I.P.J. VRANCEA         | Construire arest suprateran nou                 | 3,000,000 | 0  | 50                          | 1000÷ 1.500                             | 2022                      |
| <b>TOTAL* (EURO)</b> |                        |   |           | <b>58,750,000</b>                        | <b>1.332</b>                |   |                           |

Întrucât România a suferit condamnări la CEDO și pentru tratamentul inadecvat aplicat persoanelor private de libertate sub aspectul condițiilor în care acestea au fost transportate, începând cu anul 2017 până în anul 2023 propunem completarea dotării structurilor de rețineri și arestare preventivă cu 150 de mijloace de transport necesare transportului persoanelor private de libertate, pentru care cheltuielile estimate sunt în valoare totală de 3.560.723 EURO\*.

\* Sumele vor fi asigurate de la bugetul de stat - Titlul XIII, fără a se exclude posibilitatea unor finanțări din fonduri externe nerambursabile, potrivit liniilor de finanțare ce permit astfel de operațiuni

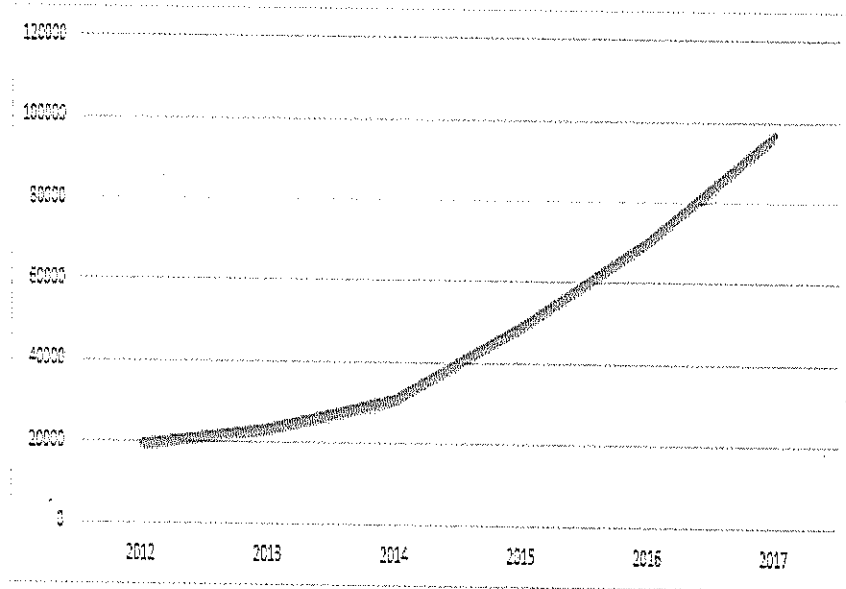


# MINISTERUL JUSTIȚIEI

## ANEXA 3 -CALENDAR DE ACȚIUNI - DIRECȚIA NAȚIONALĂ DE PROBAȚIUNE

DGI  
25 JAN. 2018  
SERVICE DE L'EXECUTION  
DES ARRÊTS DE LA CEDH

Graficul nr.1 - Evoluția numărului de supravegheri înregistrate în serviciile de probațiune la 31 decembrie



Graficul nr.2- Comparație cazuri DNP-ANP

