

Summary for the general public

At present, there are about 500,000 prisoners in the European Union and over 1,500,000 prisoners in the member states of the Council of Europe. In the EU countries, imprisonment is the most severe sanction that can be imposed on an individual. As early as in 1992 the Council of Europe issued recommendations stating that the community sanctions and measures constitute important ways of combating crime and that they avoid the negative effects of imprisonment, further indicating that the deprivation of liberty should be regarded as a sanction or measure of last resort and provided only, where the seriousness of the offence would make any other sanction or measure clearly inadequate. Yet, there is a discrepancy in the application of detention between the East and the West of Europe. The average prison rate for the Western countries usually does not exceed 100 inmates per 100,000 inhabitants, while in Poland the rate is 190, whereas in Lithuania it reaches 232. The high prison rate is also noted in most other post-Soviet countries; for example, in Estonia it amounts up to 181, in Latvia – 183, in the Czech Republic – 202, in the Slovak Republic – 188, or in Hungary – 169. But in Romania the rate is much lower – 106. In West European states the prison rates are generally lower: the Netherlands – 56, Germany – 76, Italy – 99, France – 104.

Therefore, the general objective of the project is to provide an answer to the following two-fold question – why there is still such a difference between prison rates in the West and the East of the continent and how can we regulate sanctions and other measures in Central & East European countries in order to close this gap and comply with the European standards.

The in-depth comparative research will cover five national legal systems: Lithuania, Poland, Estonia, Romania, Slovak Republic. The analysis will be conducted in reference to the Council of Europe and European Union legal framework. In addition, when analyzing e-surveillance technologies in the penal context, other European national legal systems will be taken into account – as sources of inspiration for Central & East European countries.

The way we punish individuals is a testimony to the condition of modern societies. The issue of imprisonment and alternatives to detention is one of the most important problems of contemporary criminal law and criminal policy. The research planned in the project, focused on alternatives to deprivation of liberty, especially in the context of e-surveillance, does not intend to be just a pure legal comparison – the research team will adopt a comprehensive, multidisciplinary perspective in order to attempt to find ways to accommodate European standards with the Central & East European circumstances. The research will enrich our understanding of the criminal law systems. There has been no broader researches so far on the alternatives to deprivation of liberty in post-Soviet countries. The project will therefore deepen the reflection on the social and legal circumstances of criminal policy in these countries.

Lithuanian-Polish cooperation within the framework of the project will allow to obtain a broader research perspective and to identify common features of the criminal policy of countries in our region of Europe, sharing common historical experience. At the same time, Polish and Lithuanian teams have different social perspectives coming from countries of different sizes and populations. The shared common experiences, related to the Soviet heritage, accompanied by different social experiences, will provide a unique research perspective and allow to tackle the research problem from all angles. In addition, it will contribute to the strengthening of scientific relations and cooperation in the future.