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THE SYSTEM OF EXECUTION OF CRIMINAL SANCTIONS IN THE FUNCTION OF CRIME PREVENTION

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Introduction

- Basic terms:

The execution of criminal sanctions achieves the general and individual purpose of their imposition in order to successfully reintegrate the convicted into society.

Crime prevention je širok koncept koji obuhvata različite strategije, programe i politike usmjerene na smanjenje kriminala i poboljšanje javne bezbjednosti.

- ❖ The goal of crime prevention is to reduce the likelihood of criminal behavior and create a safer community by :
- ❖ Adressing the root causes of crimese baviti osnovnim uzrocima kriminala
- ❖ Provide people with the resources and support they need to avoid involvement in criminal activity



Strategic goal in Montenegro

The system of execution of criminal sanctions in Montenegro is a complex network of independent, but at the same time mutually dependent institutions. The Government of Montenegro adopted the first Strategy for the Execution of Criminal Sanctions in 2017 for the period 2017-2021. Significant strides have been made in terms of public policy implementation, which is confirmed by findings funded by the Council of Europe.

Strengthening the existing legislative framework

Strengthening of the mechanism for realization and protection of human rights of persons deprived of liberty

Improving conditions in prisons

Smanjenja zatvorske populacije

Education reforms and resocialization of prisoners with opportunities for work and employmente

Promotion of the system of execution of criminal sanctions

Improvements in working conditions for employees in the criminal sanctions enforcement system

Improvements in human resource management and employee training in the entire system

STRATEGIC GOAL: Building a system of execution of criminal sanctions based on the highest international standards of respect for human rights and freedoms of persons deprived of liberty and developed institutional and human capacities of competent authorities. It is important to point out the following legal acts:

Law on execution of prison sentences, fines and security measures

Law on execution of suspended sentences, community service

Law on treatment of minors in criminal proceedings

Analysis of the situation based on the areas of the strategic document

Strengthening prevention and protection against abuse and respect for human rights

Resocialization of detained persons and convicts

Strengthening the institutional capacities of UIKS

Strengthening the institutional capacity of the Parole Directorate



In relation to the criminal offense, we can classify persons who are serving a prison sentence or who have been punished for an offense as follows



Of the total number of persons deprived of liberty at the end of 2021, there were 529 convicted persons of which (476 citizens of Montenegro and 53 foreign citizens) and 391 detained persons of which (291 citizens of Montenegro and 100 foreign citizens). The primary condition for the quality functioning of the prison system is the existence of developed institutional and human resources in **the Administration for the Execution of Criminal Sanctions**. Within the UIKS there are the following prison units:

- Prison for long sentences Podgorica
- Prison for short sentences Podgorica
- Investigation prison Podgorica
- Prison in Bijelo Polje

CRIMINAL OFFENSES	NUMBER
Against life and body	67
Against sexual freedom	15
Against marriage and family	83
Against property	167
Against people's health	144
Against the safety of public transport	22
Against state authorities	35
Against public order and peace	139
Against the general safety of people and property	13
Against the freedom and rights of man and citizen	23
Against payment transactions	19
Against the judiciary	4
OFFENSES	NUMBER
From the Law on Road Traffic Safety	130
From the Law on Public Order and Peace	42
From the Law on Protection from Domestic Violence	86
Substitution of a fine for a prison sentence	196

Strengthening of the institutional and human capacities of the Administration for the Execution of Criminal Sanctions will be provided:



Further fulfillment of the recommendations of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, in the part related to the implementation of the strategy to combat violence among prisoners



The CPT's recommendation related to increasing the number of employed prison staff and reviewing their current deployment



Establish a plan for the development of human resources through the adoption of a policy of continuous employment of interns



Continue training for UIKS officers who work in the security service and perform highly responsible and risky jobs.



Special emphasis should be placed on the prohibition of discrimination and torture, conflict prevention, the treatment of juveniles deprived of their liberty and the implementation of valid legal regulations.

The European Union establishes a legal basis for crime prevention with the entry into force of the Treaty of Amsterdam in 1999. The Council in Tampere qualified certain types of criminality into three broad groups:
juvenile
urban
drug-related crime

In 2000, the European Union adopted instruments that would help more effective crime prevention.

EUCPN is a network that connects experts at the local, national and European level, providing knowledge and support in the field of crime prevention. This network establishes cooperation with the European Drug Monitoring Center from Lisbon and EUROPOL.

Two instruments that support the cooperation of member states: the Hippocrates project established in 2001 and AGIS in 2002.

Alternative criminal sanctions are standardized as independent sanctions.

Application of alternative measures:

- Surety
- Prohibition of leaving the place
- Police supervision
- Temporary confiscation of the travel document

The mechanism for monitoring and reporting on the implementation of the Strategy for the Execution of Criminal Sanctions 2022-2026 will have the character of an operational body, which will be composed of representatives:

- Ministry of Justice,
- Administration for the Execution of Criminal Sanctions,
- Directorates of parole,
- Protector of human rights and freedoms,
- Ministry of Health,
- Representatives of the judiciary and prosecution,
- Representatives of NVO organizations



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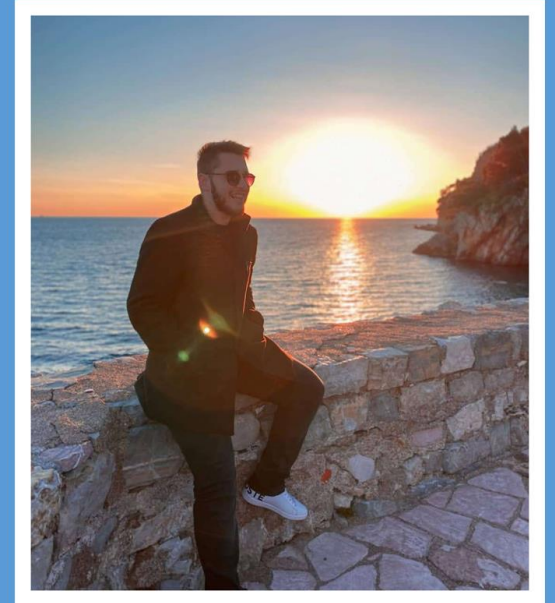
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