

(English version)

**Question for written answer E-001008/25
to the Commission
Sander Smit (PPE)
(7 March 2025)**

Subject: Prison capacity shortage

There is a serious prison capacity shortage in the Netherlands; and neither detention centres nor police stations have sufficient space to accommodate newly arrested or detained individuals. In December 2024 the Netherlands Government decided — by way of a temporary measure — that inmates would be released three days earlier than they should be. The capacity shortage is not improving; accordingly, the Government is working on a proposal to extend that period to two weeks. The Netherlands needs measures to be taken that help bring about a structural increase in prison capacity plus faster and more severe sentencing. Until a long-term structural solution is found, interim responses are still needed.

1. Can the Commission say in what way it is prepared to coordinate arrangements between Member States in which prison capacity is insufficient and Member States with surplus capacity in order to help mitigate capacity shortages in the Netherlands, among other countries?
2. What assistance did the Commission offer the Netherlands last year in this connection?

Submitted: 7.3.2025

**Answer given by Mr McGrath on behalf of the European Commission
(24 April 2025)**

Detention issues, including the management of detention capacity and arrangements between EU countries in this regard, are a Member State competence.

In the past, Norway and Belgium have rented detention spaces in the Netherlands to address overcrowding in their prisons. The experiment had mixed results ⁽¹⁾ and ultimately neither Norway nor Belgium extended their contracts with the Netherlands ⁽²⁾.

The Commission adopted a recommendation ⁽³⁾ that provides guidance to Member States on how to ensure, among other things, that detainees' fundamental rights are respected and that they are treated with dignity.

⁽¹⁾ See 'Where Two "Exceptional" Prison Cultures Meet: Negotiating Order in a Transnational Prison' Alison Liebling, Berit Johnsen, Bethany E Schmidt, Tore Rokkan, Kristel Beyens, Miranda Boone, Mieke Kox, An-Sofie Vanhouche, The British Journal of Criminology, Volume 61, Issue 1, January 2021, Pages 41-60. <https://academic.oup.com/bjc/article/61/1/41/5892706>

⁽²⁾ <https://prisonreformtrust.org.uk/blog-renting-foreign-prison-places-the-unanswered-question>. The Norwegian scheme ran for three years from 2015 to 2018 and the arrangements in Belgium for seven years from 2009 to 2016.

⁽³⁾ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32023H0681>