



### **PRISON OVERCROWDING AND ART. 3 ECHR: SOME CRITICAL REMARKS ON THE LINE BETWEEN “ORDINARY ADMINISTRATION” AND INHUMANE AND DEGRADING TREATMENT**

This study takes its cue from the problem of prison overcrowding, denounced by national and supranational case law, as well as by institutions and lawyers, also on the basis of the numerous requests of prisoners. The issues that most affect the execution of the punishment, such as, for example, the determination of the minimum available space for each prisoner, points out that a legally execution of the punishment is achievable not only through the reduction of the prison population, but also through a system of preventive and compensatory remedies, suitable for ending the detention *contra legem*, in the name of the rehabilitation principle and of the certainty of punishment.