

Spain

1) Judgements and, where applicable, probation decisions entering into the scope of this Framework Decision (Article 2)

a) Member States are asked to describe the judgments and, where applicable, probation decisions, as defined in Article 2, which have to be recognised by a Member State.

In this regard, Member States are asked to make a separated table for **each** judgement and **each** probation decision, entering into the scope of the Framework Decision and indicate for each one the following information.

CONDITIONAL RELEASE	
Name of the judgement or the probation decision	Conditional release
Classification of this judgement or the probation decision	Conditional release, Articles 2.6 and 2.7 of the Framework Decision 2008/947/JHA
Legal basis of this judgement or the probation decision	Articles 90, 91, 92, 93 and 94 of the Penal Code
Definition of this judgement or the probation decision	Judgement, as a consequence of a proposal formulated by the Penitentiary Administration, establishing the early release of a sentenced person, after having served part of his or her custodial sentence.
Legal Conditions of this judgement or the probation decision	<ul style="list-style-type: none"> - Being classified in third degree of treatment. - Having served the ¾ parts of the custodial sentence. - Having a good behaviour and a positive prognosis on his or her rehabilitation, as stated in the final report (Art. 67 General Penitentiary Organic Law).
Type of probation measures	<ol style="list-style-type: none"> 1. Obligation not to enter certain localities, places or defined areas. 2. Obligation to avoid contact with the victim or with some of his or her relatives or other persons. 3. Obligation containing limitations on travelling and staying away without authorization of the local Judge or Court. 4. Obligation to report personally to the Court or Administration Service, informing about his or her activities. 5. Obligation to follow certain professional training, educational, cultural, driving or sexual programs. 6. Obligation to comply the duties that the Judge or Court considers indispensable for the social rehabilitation of the convict. 7. Prohibition of carrying out a specific professional task. 8. Expulsion from the national territory for foreigners lacking legal residence in Spain.

	<p>9. Obligation to reside in a certain place.</p> <p>10. Prohibition to reside in a certain place or area. In this case, the person has to inform of any change of residence.</p> <p>11. Prohibition of going to certain places or entering certain areas, sports events, cultural events, liquor stores, bars, gambling establishments, etc.</p> <p>12. Family Custody. The person placed under this measure has to remain under the custody and care of a designated relative, in coordination with the Penitentiary Surveillance Judge.</p> <p>13. Obligation not to drive motor vehicles and motorcycles.</p> <p>14. Prohibition of keeping and using fire arms.</p> <p>15. Prohibition of approaching the victim or some of his or her relatives or other persons designated by the Judge.</p> <p>16. Prohibition of communicating with the victim or some of his or her relatives or other persons designated by the Judge.</p> <p>17. To undergo a therapeutic treatment in an external health centre or social-health establishment.</p> <p>18. To take part in professional training, educational, cultural, driving or sexual education programs.</p>
<p>Combination of sanctions or measures</p>	<p>Yes, Conditional Release can be combined with one or more of the following measures:</p> <p>1. Obligation not to enter certain localities, places or defined areas.</p> <p>2. Obligation to avoid contact with the victim or with some of his or her relatives or other persons.</p> <p>3. Obligation containing limitations on travelling and staying away without authorization of the local Judge or Court.</p> <p>4. Obligation to report personally to the Court or Administration Service, informing about his or her activities.</p> <p>5. Obligation to follow certain professional training, educational, cultural, driving or sexual programs.</p> <p>6. Obligation to comply the duties that the Judge or Court considers indispensable for the social rehabilitation of the convict.</p> <p>7. Prohibition of carrying out a specific professional task.</p> <p>8. Expulsion from the national territory for foreigners lacking legal residence in Spain.</p> <p>9. Obligation to reside in a certain place.</p> <p>10. Prohibition to reside in a certain place or area. In this case, the person has to inform of any change of residence.</p> <p>11. Prohibition of going to certain places or entering certain areas, sports events, cultural events, liquor stores, bars, gambling establishments, etc.</p> <p>12. Family Custody. The person placed under this measure has to remain under the custody and care of a designated relative, in coordination with the Penitentiary Surveillance Judge.</p> <p>13. Obligation not to drive motor vehicles and motorcycles.</p> <p>14. Prohibition to keep and use fire arms.</p> <p>15. Prohibition to approach the victim or some of his or her relatives or other persons designated by the Judge.</p> <p>16. Prohibition of communicating with the victim or some of his or her relatives or other persons designated by the Judge.</p> <p>17. To undergo a therapeutic treatment in an external health centre or social-health establishment.</p> <p>18. To take part in professional training, educational, cultural, driving or sexual education programs.</p>
<p>Authority responsible for taking such a decision</p>	<p>Penitentiary Surveillance Judge</p>

Authority responsible for supervising	Penitentiary Surveillance Judge and Penitentiary Administration
Authority responsible in case of infringement	Penitentiary Surveillance Judge

SUPERVISED RELEASE	
Name of the judgement or the probation decision	Supervised release
Classification of this judgement or the probation decision	Supervised release, Articles 2.5 b) and 2.7 of the Framework Decision 2008/947/JHI.
Legal basis of this judgement or the probation decision	<p>Article 7,1 H), of the Organic Law 5/2000, 12th of January, regulating the criminal responsibility of Juveniles. Among the restrictive measures that can be imposed by Juvenile Court Judges we find the Supervised Release.</p> <p>Article 15. When custodial measures are imposed to persons over twenty-three, or if they turn this age before having fulfilled the measure, the Juvenile Court Judge, having previously heard the Public Prosecutor, notwithstanding the articles 14 and 51 of the Law, will determine its fulfilment in a penitentiary institution, in an ordinary regime, as stated by the General Penitentiary Organic Law.</p> <p>Article 51. Replacement of measures. During the execution of the measures, the Juvenile Court Judge who has imposed them can, ex-officio or at the request of the Public Prosecutor, the defence lawyer or the competent Administration, having heard all parts (including the technical team and a representative of the juvenile foster or reform organization), replace them by other measures that he or she considers more adequate, for the remaining time, or less.</p>
Definition of this judgement or the probation decision	<p>This measure implies a tight control of the person's movements: his or her attendance to school, vocational training centre or work place, while trying to help him or her overcome the circumstances that lead him or her to commit the offence. This measure implies, in its case, the obligation to follow the socio-educative rules established by the public organization or the person in charge of controlling the execution of the measure. These rules have to be included in the individual intervention program and passed by the Juvenile Court Judge.</p> <p>The probationer has the obligation to hold the meetings established by the program with the controller, following the behaviour rules imposed by the Judge.</p>

<p>Legal Conditions of this judgement or the probation decision</p>	<p>The Supervised Release is a measure that applies only to juveniles, exclusively for the last part of their sentence fulfilment period.</p>
<p>Type of probation measures</p>	<ol style="list-style-type: none"> 1. To attend school regularly, if he or she is still following compulsory education, providing proof of the attendance to the Judge and justifying the absences, in its case. 2. To take part in vocational training, educational, cultural, driving or sexual education programs. 3. Prohibition of going certain places, entering certain establishments and attending certain events. 4. Prohibition of travelling and staying away without authorization. 5. Obligation to reside in a certain place. 6. Obligation to report personally to the Court or Administration Service, informing about his or her activities. 7. Any other obligation that the Judge, ex-officio or under request of the Public Prosecutor, considers indispensable for the sentenced person's social rehabilitation, as long as there is not harm for his or her dignity.
<p>Combination of sanctions or measures</p>	<p>The Juvenile Court Judge can apply one or several of the following measures:</p> <ol style="list-style-type: none"> 1. To attend school regularly, if he or she is still following compulsory education, providing proof of the attendance to the Judge and justifying the absences. 2. To take part in professional training, educational, cultural, driving or sexual education programs. 3. Prohibition of going to certain places, entering certain establishments and attending certain events. 4. Prohibition of travelling and staying away without authorization. 5. Obligation to reside in a certain place. 6. Obligation to report personally to the Court or Administration Service, informing about his or her activities. 7. Any other obligation that the Judge, ex-officio or under request of the Public Prosecutor, considers indispensable for the sentenced person's social rehabilitation, as long as there is not harm for his or her dignity.
<p>Authority responsible for taking such a decision</p>	<p>Juvenile Court Judge</p>
<p>Authority responsible for supervising</p>	<p>Juvenile Courts, Autonomic (Autonomous Regional Territories) Administration and Penitentiary Administration in certain cases.</p>
<p>Authority responsible in case of infringement</p>	<p>Juvenile Courts</p>

SUSPENDED SENTENCE	
Name of the judgement or the probation decision	Suspended sentence
Classification of this judgement or the probation decision	Suspended sentence, Articles 2.2 and 2.7 of the Framework Decision 2008/947/JHI
Legal basis of this judgement or the probation decision	Articles 80, 81, 82, 83, 84, 85, 86 and 87 of the Penal Code
Definition of this judgement or the probation decision	This measure implies the total suspension of the fulfilment of a prison sentence, with the obligation to follow one or more behaviour rules (supervised release measures).
Legal Conditions of this judgement or the probation decision	<ol style="list-style-type: none"> 1. The Judge or Court can suspend the execution of prison sentences of no more than 2 years of internment. The judge will take into account the potential risk posed by the offender, as well as the fact that there can be other criminal processes opened against him or her. 2. The suspension will be from 2 to 5 years if the prison sentence is less than 2 years, from three months to one year for minor sentences, having previously heard the parties and taking into consideration the personal circumstances of the offender, the facts and the length of the sentence. 3. The suspension will not apply to the civil liability. 4. The Judge or Court can suspend a sentence without any requirements if the offender suffers an incurable disease, unless if at the time of committing the offence the offender has another sentence suspended for the same reason.
Type of probation measures	<p>The suspension of the sentence is always conditioned to the offender not committing a new offence in the period of time that the Judge establishes. In suspended sentences the Judge can, if he or she considers it necessary, impose certain additional duties or obligations:</p> <ol style="list-style-type: none"> 1. Prohibition of going to certain places. 2. Prohibition of approaching the victim or some of his or her relatives or other persons, or prohibition of communicating with them. 3. Prohibition of travelling and staying away without authorization of the local Judge or Court. 4. To appear personally before the Court or Administration Service, in order to report and explain his or her activities. 5. To take part in professional training, educational, cultural, driving or sexual programs. 6. Any other obligation that the Judge considers indispensable for the sentenced person's social rehabilitation, with his or her previous consent, and as long as there is no harm for his or her dignity. <p>If the offence is related to domestic violence, the Judge or Court will</p>

	condition the suspension of the sentence, in any case, to the observance of rules 1, 2 and 5.
Combination of sanctions or measures	<p>The Judge can apply one or several of the following measures:</p> <ol style="list-style-type: none"> 1. Prohibition of going to certain places. 2. Prohibition of approaching the victim or some of his or her relatives or other persons, or prohibition of communicating with them. 3. Prohibition of travelling and staying away without authorization of the local Judge or Court. 4. To appear personally before the Court or Administration Service, in order to report and explain his or her activities. 5. To take part in professional training, educational, cultural, driving or sexual programs. 6. Any other obligation that the Judge considers indispensable for the sentenced person's social rehabilitation, with his or her previous consent, and as long as there is no harm for his or her dignity. <p>If the offence is related to domestic violence, the Judge or Court will condition the suspension of the sentence, in any case, to the observance of rules 1, 2 and 5.</p>
Authority responsible for taking such a decision	Sentencing Judge or Court
Authority responsible for supervising	Sentencing Judge or Court and Penitentiary Administration
Authority responsible in case of infringement	Sentencing Judge or Court

SENTENCE SUBSTITUTION	
Name of the judgement or the probation decision	Sentence substitution
Classification of this judgement or the probation decision	Sentence substitution, Articles 2.4 and 2.7 of the Framework Decision 2008/947/JHA
Legal basis of this judgement	Articles 88 and 89 of the Penal Code

<p>or the probation decision</p>	
<p>Definition of this judgement or the probation decision</p>	<p>This measure implies the substitution of the execution of a complete prison sentence, imposing instead an obligation or an instruction.</p>
<p>Legal Conditions of this judgement or the probation decision</p>	<p>1. The Judge or Court can determine the substitution of a prison sentence of no more than one year, either by a fine or by community service. The parties will be previously heard. The Judge can impose this measure in the sentence or in a latter judgment, even if the law does not provide for the possibility of applying this measure for a certain offence, if the offender's circumstances, the nature of the offence, his or her behaviour and his or her efforts to repair the harm advice it. This measure is applicable only if the offender is not a regular offender. Each prison day will be substituted by two quotas of a fine or by a service day.</p> <p>Exceptionally the Judge can determine the substitution of a prison sentence of up to two years by a fine or by a fine and community service. This measure is applicable only if the offender is not a regular one, and if the fulfilment of the prison sentence may frustrate the aim of prevention and social rehabilitation.</p> <p>If the offence is related to domestic violence, the prison sentence can be substituted only by community service. In these cases, the Judge or Court will impose the obligation to observe certain behaviour rules, as well as the obligation to undergo rehabilitation and psychological programs.</p> <p>2. In case of non-compliance of the whole or part of the substitute measure, the initial prison sentence will be executed, deducting the period of time equivalent to the already satisfied fine quotas, following the conversion rule established above.</p> <p>3. Substitute measures cannot be substituted.</p> <p>Prison sentences of no more than six years imposed to non-legal residents will be substituted in the sentence by the expulsion of the national territory, unless the Judge or Court, having heard the Public Prosecutor, exceptionally considers that the offence's nature justifies the fulfilment of the prison sentence in a Spanish prison.</p> <p>Likewise, the Judge or Court, under proposal of the Public Prosecutor, will determine the expulsion of the national territory of the non-legal residents sentenced to more than six years or imprisonment if they are classified in third degree of treatment, or if they have already served the $\frac{3}{4}$ parts of the sentence, unless they exceptionally consider that the offence's nature justifies the fulfilment of the prison sentence in a Spanish prison.</p>
<p>Type of probation measures</p>	<p>The Judge or Court can impose certain additional duties or obligations:</p> <ol style="list-style-type: none"> 1. Prohibition of approaching the victim or some of his or her relatives or other persons, or prohibition of communicating with them. 2. Prohibition of travelling and staying away without authorization of the local Judge or Court. 3. To appear personally before the Court or Administration Service, in order to report and explain his or her activities. 4. To take part in professional training, educational, cultural, driving or sexual programs. 5. Any other obligation that the Judge considers indispensable for the sentenced person's social rehabilitation, counting with his or her previous consent, as long as there is no harm for his or her dignity.

	If the offence is related to domestic violence, the Judge or Court will condition the substitution of the sentence, in any case, to the observance of rules 1 and 2.
Combination of sanctions or measures	<p>The Judge or Court can impose certain additional duties or obligations:</p> <ol style="list-style-type: none"> 1. Prohibition of approaching the victim or some of his or her relatives or other persons, or prohibition of communicating with them. 2. Prohibition of travelling and staying away without authorization of the local Judge or Court. 3. To appear personally before the Court or Administration Service, in order to report and explain his or her activities. 4. To take part in professional training, educational, cultural, driving or sexual programs. 5. Any other obligation that the Judge considers indispensable for the sentenced person's social rehabilitation, counting with his or her previous consent, as long as there is no harm for his or her dignity. <p>If the offence is related to domestic violence, the Judge or Court will condition the substitution of the sentence, in any case, to the observance of rules 1 and 2.</p>
Authority responsible for taking such a decision	Sentencing Judge or Court
Authority responsible for supervising	Sentencing Judge or Court and Penitentiary Administration
Authority responsible in case of infringement	Sentencing Judge or Court

NON-CUSTODIAL SECURITY MEASURES	
Name of the judgement or the probation decision	Non-custodial security measure
Classification of this judgement or the probation decision	Supervised release, Articles 2.5 b) and 2.7 of the Framework Decision.
Legal basis of this judgement or the probation decision	Articles 80, 81, 82, 83, 84, 85, 86 and 87 of the Penal Code

<p>Definition of this judgement or the probation decision</p>	<p>This measure implies the total suspension of the fulfilment of a prison sentence, with the obligation to follow one or more behaviour rules (supervised release measures).</p>
<p>Legal Conditions of this judgement or the probation decision</p>	<ol style="list-style-type: none"> 1. The Judge or Court can suspend the execution of prison sentences of no more than 2 years of internment. The judge will take into account the potential risk posed by the offender, as well as the fact that there can be other criminal proceedings opened against him or her. 2. The suspension will be from 2 to 5 years if the prison sentence is to less than 2 years, from three months to one year for minor sentences, having previously heard the parties and taking into consideration the personal circumstances of the offender, the facts and the length of the sentence. 3. The suspension will not apply to the civil liability. 4. The Judge or Court can suspend a sentence without any requirements if the offender suffers an incurable disease, unless if at the time of committing the offence the offender has another sentence suspended for the same reason.
<p>Type of probation measures</p>	<p>The suspension of the sentence is always conditioned to the offender not committing a new offence in the period of time that the Judge establishes. In suspended sentences the Judge can, if he or she considers it necessary, impose certain additional duties or obligations:</p> <ol style="list-style-type: none"> 1. Prohibition of going to certain places. 2. Prohibition of approaching the victim or some of his or her relatives or other persons, or prohibition of communicating with them. 3. Prohibition of travelling and staying away without authorization of the local Judge or Court. 4. To appear personally before the Court or Administration Service, in order to report and explain his or her activities. 5. To take part in professional training, educational, cultural, driving or sexual programs. 6. Any other obligation that the Judge considers indispensable for the sentenced person's social rehabilitation, with his or her previous consent, and as long as there is no harm for his or her dignity. <p>If the offence is related to domestic violence, the Judge or Court will condition the suspension of the sentence, in any case, to the observance of rules 1, 2 and 5.</p>
<p>Combination of sanctions or measures</p>	<p>The Judge can apply one or several of the following measures:</p> <ol style="list-style-type: none"> 1. Prohibition of going to certain places. 2. Prohibition of approaching the victim or some of his or her relatives or other persons, or prohibition of communicating with them. 3. Prohibition of travelling and staying away without authorization of the local Judge or Court. 4. To appear personally before the Court or Administration Service, in order to report and explain his or her activities. 5. To take part in professional training, educational, cultural, driving or sexual programs. 6. Any other obligation that the Judge considers indispensable for the sentenced person's social rehabilitation, with his or her previous consent, and as long as there is no harm for his or her dignity. <p>If the offence is related to domestic violence, the Judge or Court will condition the suspension of the sentence, in any case, to the observance of rules 1, 2 and 5.</p>

Authority responsible for taking such a decision	Sentencing Judge or Court
Authority responsible for supervising	Sentencing Judge or Court and Penitentiary Administration
Authority responsible in case of infringement	Sentencing Judge or Court

COMMUNITY SERVICE	
Name of the judgement or the probation decision	Community service
Classification of this judgement or the probation decision	Substitute measure, Articles 2.4 and 4.1 I of the Framework Decision.
Legal basis of this judgement or the probation decision	Articles 33, 39, 40, 49, 53 and 88 of the Penal Code
Definition of this judgement or the probation decision	The sentenced person has the obligation to carry out different community activities in a non-remunerated way. These activities can consist, in relation with similar offences as the one committed by the offender, on harm restoration or victim support.
Legal Conditions of this judgement or the probation decision	<p>With a maximum of 8 hours a day. The requirements will be:</p> <ol style="list-style-type: none"> 1. Its execution will be controlled by the Penitentiary Surveillance Judge. 2. Its execution will be supervised by the Penitentiary Administration. 3. It won't harm the sentenced person's dignity. 4. The Administration has to provide the community service, establishing the necessary cooperation agreements. 5. The Community Service will enjoy the same level of protection as the one that Social Security penitentiary laws offer to penitentiary work. 6. It won't be conditioned by any economical interests. <p>Community Service will be imposed for: Certain gender related violence offences, domestic violence, car theft, traffic related offences, the non-compliance with familiar obligations, hazard, threat, slanderous allegations, damage to public or private</p>

	property, environmental offences and animal cruelty.
Type of probation measures	Obligation to carry out a community service. In suspensions and substitutions of domestic violence offences the sentenced person will have to follow a domestic violence treatment program.
Combination of sanctions or measures	Obligation to carry out a community service and, for substitutions of domestic violence offences, to follow a domestic violence treatment program as well.
Authority responsible for taking such a decision	Sentencing Judge or Court
Authority responsible for supervising	Penitentiary Surveillance Judge and Penitentiary Administration
Authority responsible in case of infringement	Sentencing Judge or Court

2) Probation measures and alternative sanctions (Article 4)

In Article 4 of the Framework Decision types of probation measures and alternative sanctions are stated. Member States are asked to describe the probation measures and alternative sanctions attached to those judgements and probation decisions:

a) In the table below please describe how probation measures and alternative sanctions set out in Article 4.1 are reflected in your domestic law and please give a description of each of them.

Probation measures / alternative sanctions	Explanation
Obligation for the sentenced person to inform a specific authority of any change of residence or working place	<i>Conditional release, supervised release, sentence suspension, sentence substitution, non-custodial security measure and community service</i> Yes, the sentenced person has the obligation to inform the Penitentiary Authorities and the Judge or Court of any change of residence or working place, regardless of the nature of the offence.
Obligation not to enter certain localities, places or defined areas in the issuing or executing State	<i>Conditional release, supervised release, sentence suspension, sentence substitution, non-custodial security measure and community service</i> Yes, the sentenced person may have the obligation not to enter certain localities, places or defined areas in the issuing or executing State, regardless of the nature of the offence. This is compulsory for domestic violence offences.

<p>Obligation containing limitations on leaving the territory of the executing State</p>	<p><i>Conditional release, supervised release, sentence suspension, sentence substitution and non-custodial security measure</i></p> <p>Yes, the sentenced person may have certain obligations containing limitations on leaving the national territory, regardless of the nature of the offence.</p> <p><i>Community service</i></p> <p>No.</p>
<p>Instructions relating to behaviour, residence, education and training, leisure activities, or containing limitations on or modalities of carrying out a professional activity</p>	<p><i>Conditional release, supervised release, sentence suspension, sentence substitution and non-custodial security measure</i></p> <p>Yes, the sentenced person may have to follow certain instructions relating to behaviour, residence, education and training, leisure activities, or containing limitations on or modalities of carrying out a professional activity, regardless of the nature of the offence.</p> <p><i>Community service</i></p> <p>Yes, the person sentenced to community service may have to follow certain instructions relating to behaviour, residence, education, training and leisure activities, regardless of the nature of the offence. This is compulsory for the substitution of domestic violence sentences.</p>
<p>Obligation to report at specified times to a specific authority</p>	<p><i>Conditional release, supervised release, sentence suspension, sentence substitution, non-custodial security measure and community service</i></p> <p>Yes, the sentenced person may have the obligation to report at specified times to the Penitentiary Administration or to the Judge or Court, regardless of the nature of the offence.</p>
<p>Obligation to avoid contact with specific persons</p>	<p><i>Conditional release, supervised release, sentence suspension, sentence substitution and non-custodial security measure</i></p> <p>Yes, the sentenced person may have the obligation to avoid contact with specific persons, regardless of the nature of the offence. This is compulsory for domestic violence offences.</p> <p><i>Community service</i></p> <p>Yes, the person sentenced to community service may have the obligation to avoid contact with specific persons in domestic violence cases.</p>
<p>Obligation to avoid contact with specific objects, which have been used or are likely to be used by the sentenced person with a view to committing a criminal offence</p>	<p><i>Conditional release, supervised release, sentence suspension and sentence substitution</i></p> <p>Yes, the sentenced person may have the obligation to avoid contact with specific objects, regardless of the nature of the offence. This is compulsory for domestic violence offences in relation with fire arms, for persons that had a previous authorisation for using them, and, in traffic related offences, in relation to automobiles.</p> <p><i>Non-custodial security measure and community service</i></p> <p>Yes, the sentenced person may have the obligation to avoid contact with specific objects, regardless of the nature of the offence.</p>

<p>Obligation to compensate financially for the prejudice caused by the offence and/or an obligation to provide proof of compliance with such an obligation</p>	<p><i>Conditional release, supervised release, sentence suspension, sentence substitution and non-custodial security measure</i> Yes, the sentenced person has the obligation to compensate financially for the prejudice caused by the offence, and the obligation to provide proof of compliance with such an obligation, regardless of the nature of the offence.</p> <p><i>Community service</i> No.</p>
<p>Obligation to carry out community service</p>	<p><i>Conditional release, sentence suspension and non-custodial security measure</i> No.</p> <p><i>Supervised release</i> Yes, the person under supervised release may have the obligation to carry out community service, regardless of the nature of the offence.</p> <p><i>Sentence substitution</i> Yes, the person whose sentence has been substituted may have the obligation to carry out community service, regardless of the nature of the offence. This is compulsory for domestic violence offences.</p>
<p>Obligation to cooperate with a probation officer or with a representative of a social service having responsibilities in respect of sentenced persons</p>	<p><i>Conditional release, supervised release, sentence suspension, sentence substitution, non-custodial security measure and community service</i> Yes, the sentenced person has the obligation to cooperate with a probation officer or with a representative of a social service, regardless of the nature of the offence.</p>
<p>Obligation to undergo therapeutic treatment or treatment for addiction</p>	<p><i>Conditional release, supervised release, sentence suspension, non-custodial security measure and community service</i> Yes, the sentenced person may have the obligation to undergo therapeutic treatment or treatment for addiction, regardless of the nature of the offence. This is compulsory for domestic violence offences.</p> <p><i>Sentence suspension</i> Yes, the person whose sentence has been suspended may have the obligation to undergo therapeutic treatment or treatment for addiction.</p>

b) In your domestic law are there any probation measures and alternative sanctions which are not covered by Article 4.1?

c) Does your domestic law provide for a specific treatment regarding any category of offences (e.g. sexual offences, domestic violence)?

Yes, to take part in training, educational, cultural, driving or sexual programs.
To undergo a rehabilitation program or a therapeutic treatment program.

3) Electronic monitoring

Does your national law provide for the possibility to use Electronic Monitoring?

Yes, it does: Article 48.4 of the Criminal Code and Article 86.4 of the Penitentiary Rules.

Is Electronic Monitoring part of the classification provided for in Article 2 of this Framework Decision (suspended sentence, conditional sentence, conditional release or alternative sanction)?

Yes, as a way of controlling right-restriction sentences.

Is Electronic Monitoring considered as an execution modality of imprisonment, if other than conditional release?

Yes, just like permanent location.

Is Electronic Monitoring considered a way of applying a probation measure or as a probation measure in itself?

It is a modality of execution.

What are the technical means provided for in your Member State that enables the use of the Electronic Monitoring (e.g. GPS)?

GPS, Biometric Voice Control, Ethanol Level in Exhaled Air Control, Presence/Absence Control through RF transmitters.

Is Electronic Monitoring dependant on particular conditions?

Yes, on the penitentiary treatment classification degree, on the inmate's specific criminal profile, on the offence's aetiology, etc.

4) Formalities

Member States are invited to sum up the documents that the national competent authorities need in order to take at national level a judgement and, where applicable, a probation decision (e.g. criminal record, social inquiries, medical expertise).