



No. 1110

Geneva, 17 May 2010

Dear Sirs,

Following your letter dated 26 February 2010, I have the pleasure to send here attached the answer received from the Ministry of Justice concerning the progress in the setting-up of the National Preventive Mechanism (NPM), in conformity with the provisions of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment.

The Ministry of Justice agreed with the publication of its reply on the webpage of the Subcommittee on Prevention of Torture.

Please accept, dear Sirs, the assurances of my highest consideration.

Maria CIOBANU

Permanent Representative of Romania to
the United Nations Office and other
International Organizations in Switzerland



OHCHR REGISTRY

19 MAY 2010

Recipients: SPT

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Mr. Mario CORIOLANO

Vice-President and focal point for NPMs
Subcommittee on Prevention of Torture

Mr. Emilio GINÉS SANTIDRIÁN

SPT Member and focal point for NPMs
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cc. **Office of the United Nations High Commissioner for Human Rights**
Geneva

**Information on Romania's project entitled
"Support for setting-up an effective National Preventive Mechanism for an
increased promotion and protection of human rights in the places of detention"**

The implementation of the Twinning Light Project **Transition Facility 2007 IB/JH/21TL "Support for setting-up an effective National Preventive Mechanism for an increased promotion and protection of human rights in the places of detention"** started on December 15, 2010, having as beneficiaries the Ministry of Justice and the National Administration of Penitentiaries.

The project has an implementation period of 6 months and is carried out in co-operation with the **German Foundation for International Legal Co-operation (IRZ)**.

The purpose of this project is to identify the most suitable solutions for implementing one or more national prevention mechanisms in Romania for preventing torture and other cruel, inhuman or degrading treatment or punishment inflicted on persons deprived of their liberty, in all detention places, obligation undertaken by Romania through the ratification of the *Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment*, adopted in New York, on December 18, 2002.

The following activities will be carried out in the framework of the project:

1. Organising 2 round tables with representatives of the relevant institutions having a key part in the setting up of the national prevention mechanism, as well as in the further elaboration of the legal framework for establishing this mechanism (representatives of the Ministry of Justice, of the institutions which have "*detention places*" – as these are defined in article 4 of the *Optional Protocol* – under their subordination or coordination, of the institutions having competences in the field of guaranteeing the respect of human rights, of NGOs) in order to discuss all aspects that should be taken into consideration for the setting-up and well-functioning of the national prevention mechanism in Romania.
2. Elaboration of a report on the state of play in Romania, as regards the existing control mechanisms of the "*detention places*".
3. Elaboration of a written description of national preventive mechanisms functioning at the level of selected EU Member States, which had positive results after implementing the prevention mechanism.
4. Organising 2 workshops with representatives of the relevant institutions having a key part in the setting-up of the national prevention mechanism, as well as in the further elaboration of the legal framework for establishing this mechanism, in order to discuss possible solutions for the implementation in the Romanian system of the national prevention mechanism, considering also the previously elaborated written description of national preventive mechanisms functioning at the level of selected EU Member States.
5. Elaboration of a final report comprising recommendations on the most feasible solutions for implementing the national preventive mechanism in Romania, taking also into consideration the best practices existing in the selected EU Member States, which obtained positive results after implementing the prevention mechanism.