



# Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

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## Committee against Torture

### **Decision of the Committee against Torture, adopted at its forty-ninth session (29 October–23 November 2012), on the request of Romania, under article 24, paragraph 2, of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment**

1. Romania ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment on 18 December 1990 and the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment on 2 July 2009, with a declaration that it would postpone the establishment of a national preventive mechanism for three years, in accordance with article 24, paragraph 1, of the Optional Protocol.
2. The Committee received a request of Romania under article 24, paragraph 2, of the Optional Protocol, requesting for an extension of this postponement for an additional two years. The State party based its request on “the objective difficulty to finalise the adoption of the national legislation within this period”. The Committee notes with regret that this request was submitted after the respective deadline of 2 July 2012.
3. In addition, the Committee regrets that the second periodic report of the State party, due on 16 January 1996, has been overdue for more than 16 years and notes that the absence of periodic reports prevents the Committee from exercising its supervisory functions, therefore rendering it impossible to assist the State party with recommendations concerning its full implementation of the provisions of the Convention.
4. After consulting on the matter with the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment on 14 November 2012, the Committee decided to accept the request of the State party and extends the postponement of the State party’s obligations under part IV of the Optional Protocol for an additional two years, in accordance with article 24, paragraph 2, of the Optional Protocol, on the basis that the State party will establish the national preventive mechanism within this deadline and according to a precise schedule.
5. In application of this decision, the Committee invites the State party to meet with it during its fiftieth session from 6 to 31 May 2013, in order to present a status report on the measures taken to establish the national preventive mechanism and its precise schedule, as well as on the progress made to submit its long overdue second periodic report to the Committee within the shortest period of time.

6. This decision is made public after brought to the attention of the State party and the Subcommittee on Prevention.

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