



*Permanent Mission of Italy
to the International Organizations
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Geneva*

OHCHR REGISTRY

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Recipients : S.P.T.
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NOTE VERBALE

The Permanent Mission of Italy to the United Nations Office and other International Organizations in Geneva presents its compliments to the Office of the High Commissioner for Human Rights and the Subcommittee on Prevention of Torture, and, following the non-plenary working session held on 24 February and the Note Verbale n. 0869, 2 April 2014,, is honored to forward further information provided by the Italian Ministry of Justice on some of the issue raised by members of the Sub-Committee during the meeting.

The new Guarantor for the rights of persons detained or deprived of personal liberty, established by Law n.10/21 February 2014, will coordinate the net of local Guarantors, formed by institutions already in place or to be set up at regional and city levels. Local Guarantors may put forward recommendations to regional Authorities, while the national Guarantor will submit recommendations to the central Government. The whole system will constitute the National Preventive Mechanism pursuant to the Optional Protocol of CAT.

The text of the Law n. 10 was drafted after several consultations held with civil society, academics, representatives of relevant institutions, such as the local Guarantors. Civil society will continue to be involved in the process, also through the access to places of detention.

Subcommittee on Prevention of Torture
Office of the High Commissioner for Human Rights
Palais des Nations
1211 Geneva

The specific regulation of the Ministry of justice, implementing the law, will provide measures to guarantee the functional and financial independence of the National Preventive Mechanism and the independence of its personnel. It will also ensure the NPM's faculty to accede to all places of detention and the relevant information, as well as to have private interviews with persons deprived of their liberty. The regulation will be written once the three members of the Guarantor are appointed, in order to involve them in the drafting of the text.

Furthermore, the Ministry of Justice informed that it would designate a focal point to continue the dialogue with the Sub-Committee as soon as feasible.

The Permanent Mission of Italy to the United Nations Office and other International Organizations in Geneva avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights and the Subcommittee on Prevention of Torture the assurance of its highest consideration.



Geneva, 25 AVR. 2016