The Secretary-General of the United Nations has the honour to refer to the provisions of articles 5 to 9 of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Optional Protocol) relating to the election of members of the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Subcommittee on Prevention), the text of which is reproduced in Annex I attached.

The third meeting of the States parties to the Optional Protocol will be convened by the Secretary-General at the United Nations Office at Geneva on Thursday, 28 October 2010. States parties will elect five members to the Subcommittee on Prevention to fill the vacancies of those members whose terms of office will expire on 31 December 2010 (Annex II), and will elect fifteen additional members in compliance with article 5(1) of the Optional Protocol, according to which the Subcommittee on Prevention should expand to twenty-five members after the fiftieth ratification.

Pursuant to articles 6 and 7 of the Optional Protocol, the Secretary-General has the honour to invite Your Excellency’s Government to submit its nomination(s) of candidate(s) for membership in the Subcommittee on Prevention. All documents relating to the elections will be available on the website of the Office of the High Commissioner for Human Rights, http://www2.ohchr.org/english/bodies/cat/opcat/index.htm.

Nominations and biographical data should be submitted, using the attached form (Annex III), to the Secretary-General, c/o Office of the High Commissioner for Human Rights, United Nations Office at Geneva, 1211 Geneva 10, Switzerland, and in electronic Word document version to mkierulf@ohchr.org, with copy to evaldiviandefyfe@ohchr.org, by 11 August 2010 at the latest. The biographical data of nominated candidates should not exceed 38 lines.

In accordance with article 6(3) of the Optional Protocol, the Secretary-General shall prepare a list, in alphabetical order, of all the persons nominated, with an indication of the States parties which have nominated them, and shall submit the list to Your Excellency’s Government, together with further information concerning the third meeting of the States parties.

Annexes enclosed

13 May 2010
Annex I

OPTIONAL PROTOCOL TO THE CONVENTION AGAINST TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT

PART II

Subcommittee on Prevention

Article 5

1. The Subcommittee on Prevention shall consist of ten members. After the fiftieth ratification of or accession to the present Protocol, the number of the members of the Subcommittee on Prevention shall increase to twenty-five.

2. The members of the Subcommittee on Prevention shall be chosen from among persons of high moral character, having proven professional experience in the field of the administration of justice, in particular criminal law, prison or police administration, or in the various fields relevant to the treatment of persons deprived of their liberty.

3. In the composition of the Subcommittee on Prevention due consideration shall be given to equitable geographic distribution and to the representation of different forms of civilization and legal systems of the States Parties.

4. In this composition consideration shall also be given to balanced gender representation on the basis of the principles of equality and non-discrimination.

5. No two members of the Subcommittee on Prevention may be nationals of the same State.

6. The members of the Subcommittee on Prevention shall serve in their individual capacity, shall be independent and impartial and shall be available to serve the Subcommittee on Prevention efficiently.

Article 6

1. Each State Party may nominate, in accordance with paragraph 2 of the present article, up to two candidates possessing the qualifications and meeting the requirements set out in article 5, and in doing so shall provide detailed information on the qualifications of the nominees.

2.

(a) The nominees shall have the nationality of a State Party to the present Protocol;

(b) At least one of the two candidates shall have the nationality of the nominating State Party;

(c) No more than two nationals of a State Party shall be nominated;
(d) Before a State Party nominates a national of another State Party, it shall seek and obtain the consent of that State Party.

3. At least five months before the date of the meeting of the States Parties during which the elections will be held, the Secretary-General of the United Nations shall address a letter to the States Parties inviting them to submit their nominations within three months. The Secretary-General shall submit a list, in alphabetical order, of all persons thus nominated, indicating the States Parties that have nominated them.

Article 7

1. The members of the Subcommittee on Prevention shall be elected in the following manner:

(a) Primary consideration shall be given to the fulfilment of the requirements and criteria of article 5 of the present Protocol;

(b) The initial election shall be held no later than six months after the entry into force of the present Protocol;

(c) The States Parties shall elect the members of the Subcommittee on Prevention by secret ballot;

(d) Elections of the members of the Subcommittee on Prevention shall be held at biennial meetings of the States Parties convened by the Secretary-General of the United Nations. At those meetings, for which two thirds of the States Parties shall constitute a quorum, the persons elected to the Subcommittee on Prevention shall be those who obtain the largest number of votes and an absolute majority of the votes of the representatives of the States Parties present and voting.

2. If during the election process two nationals of a State Party have become eligible to serve as members of the Subcommittee on Prevention, the candidate receiving the higher number of votes shall serve as the member of the Subcommittee on Prevention. Where nationals have received the same number of votes, the following procedure applies:

(a) Where only one has been nominated by the State Party of which he or she is a national, that national shall serve as the member of the Subcommittee on Prevention;

(b) Where both candidates have been nominated by the State Party of which they are nationals, a separate vote by secret ballot shall be held to determine which national shall become the member;

(c) Where neither candidate has been nominated by the State Party of which he or she is a national, a separate vote by secret ballot shall be held to determine which candidate shall be the member.

Article 8

If a member of the Subcommittee on Prevention dies or resigns, or for any cause can no longer perform his or her duties, the State Party that nominated the member shall nominate another eligible person possessing the qualifications and meeting the requirements set out in article 5, taking
into account the need for a proper balance among the various fields of competence, to serve until the next meeting of the States Parties, subject to the approval of the majority of the States Parties. The approval shall be considered given unless half or more of the States Parties respond negatively within six weeks after having been informed by the Secretary-General of the United Nations of the proposed appointment.

Article 9

The members of the Subcommittee on Prevention shall be elected for a term of four years. They shall be eligible for re-election once if renominated. The term of half the members elected at the first election shall expire at the end of two years; immediately after the first election the names of those members shall be chosen by lot by the Chairman of the meeting referred to in article 7, paragraph 1 (d).
# Annex II

## Membership of the Subcommittee on Prevention

<table>
<thead>
<tr>
<th>Name of member</th>
<th>Country of nationality</th>
<th>Term of office expires on 31 December</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Mario Luis CORIOLANO</td>
<td>Argentina</td>
<td>2012</td>
</tr>
<tr>
<td>Mr. Malcolm EVANS</td>
<td>United Kingdom of Great Britain and Northern Ireland</td>
<td>2012</td>
</tr>
<tr>
<td>Ms. Marija DEFINIS GOJANOVIC</td>
<td>Croatia</td>
<td>2010</td>
</tr>
<tr>
<td>Mr. Zdenek HAJEK</td>
<td>Czech Republic</td>
<td>2012</td>
</tr>
<tr>
<td>Mr. Zbigniew LASOCIK</td>
<td>Poland</td>
<td>2012</td>
</tr>
<tr>
<td>Mr. Hans Draminsky PETERSEN</td>
<td>Denmark</td>
<td>2010</td>
</tr>
<tr>
<td>Mr. Victor Manuel RODRIGUEZ RESCIA</td>
<td>Costa Rica</td>
<td>2012</td>
</tr>
<tr>
<td>Mr. Miguel SARRE IGUINIZ</td>
<td>Mexico</td>
<td>2010</td>
</tr>
<tr>
<td>Mr. Emilio GINÉS SANTIDRÍAN</td>
<td>Spain</td>
<td>2010</td>
</tr>
<tr>
<td>Mr. Wilder TAYLER SOUTO</td>
<td>Uruguay</td>
<td>2010</td>
</tr>
</tbody>
</table>
Annex III

Biographical data form of candidates to human rights treaty bodies
(Please respect the specified amount of lines when completing this form, i.e. 38 lines maximum)

Name and first name:..................................................................................................................

Date and place of birth:................................................................................................................

Working languages:......................................................................................................................

Current position/function:
(5 lines maximum)
..............................................................................................................................................

Main professional activities:
(10 lines maximum)
..............................................................................................................................................

Educational background:
(5 lines maximum)
..............................................................................................................................................

Other main activities in the field relevant to the mandate of the treaty body concerned:
(10 lines maximum)
..............................................................................................................................................

List of most recent publications in the field:
(5 lines maximum)
..............................................................................................................................................

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