



**PERMANENT MISSION OF THE REPUBLIC OF MOLDOVA
TO THE UNITED NATIONS OFFICE IN GENEVA**

No. 494/R-ONU-311

The Permanent Mission of the Republic of Moldova to the United Nations Office in Geneva presents its compliments to the Secretariat of the Subcommittee on Prevention of Torture (United Nations Office of the High Commissioner for Human Rights) and has the honour to forward herewith the response of Mr. Anatolie MUNTEANU, Parliamentary Advocate, Director of the Centre for Human Rights, addressed to the letter of Mrs. Silvia CASALE, Chairperson of the Subcommittee on Prevention of Torture.

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

Geneva, 3 April 2000



Attach. 2 pages

**SECRETARIAT OF THE SUBCOMMITTEE ON
PREVENTION OF TORTURE
UNITED NATIONS OFFICE OF THE HIGH COMMISSIONER
FOR HUMAN RIGHTS**

Geneva

CENTRUL PENTRU DREPTURILE OMULUI DIN MOLDOVA



ЦЕНТР ПО ПРАВАМ
ЧЕЛОВЕКА В
МОЛДОВЕ

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25.03.09 nr. 07-10/24
la nr. _____ din _____

Silvia CASALE

President of the U.N. Subcommittee on Prevention of Torture

Dear Mrs. President,

The cooperation between the Centre for Human Rights and the Advisory Council is governed by the Law on Parliamentary Advocates No. 1349 of 17.10.1997 and the Regulations on the organization and functioning of the Advisory Board of 31.01.2008, approved by the Centre's Director Order.

As you were informed during the workshop which took place from 27th till 29th of January 2009, the Centre for Human Rights created the Advisory Council in order to provide assistance to the Parliamentary Advocates in exercising the role of National Preventive Mechanism.

The members of the Advisory Council, in order to perform their competences have been granted by the law with very broad powers. Thus, they have the powers of Parliamentary Advocates regarding the free access to any institution to be visited, access to any information on the treatment and conditions of detention of persons deprived of liberty, the right to request and receive from the central and local public authorities and officials of all level information, documents and other necessary materials to exercise their attributions, the right to receive explanations on the issues to be clarified in the control process and the right to choose freely the places they intend to visit and people they wish to discuss.

To reaffirm the transparency and openness of the Centre for Human Rights for collaboration with civil society, the Advisory Council was formed exclusively from representatives of public associations that are activating in the human rights field. The Council has 11 members, one of whom is the Parliamentary Advocate responsible for activity of the National Preventive Mechanism in Moldova.

In selecting members of the Advisory Council of the Republic of Moldova the accent was made on NGOs representatives, primarily due to their experience held in monitoring the places of detention and eventual relations of trust that they possibly have established with some detainees. Also, the civil society is seen as a veritable source of information, which allows to National Preventive Mechanism to plan the monitoring visits and to respond promptly in emergency situations during the preventive visits. Not less important is the proven commitment of the civil society in protection of the fundamental human rights and freedoms and the independence of its functional and organizational bodies in relation with the public authorities' representatives.

Starting with November 2008, the position of Chairman of the Advisory Council is exercised by the Parliamentary Advocate Anatolie Munteanu. At the first meeting chaired by Mr. Munteanu, accents were made on the need to establish an effective cooperation between the Parliamentary Advocates and the members of the Advisory Council and to strengthen the efficiency of the National Preventive Mechanism.

The Advisory Council members have jointly agreed to conduct the meetings every Wednesday of the week, at 8³⁰, in the Centre for Human Rights office.

During the meetings, the Advisory Council members decide on the monitoring visits periodicity, on the eventual necessity to include specialists and experts to carry out the visits, on the reports preparation methodology, elaboration of recommendations to improve the treatment towards deprived of liberty persons and the detention conditions, examination of the responses received from authorities or officials and on other issues related to proper functioning of the National Preventive Mechanism in Moldova.

The convocation of the National Preventive Mechanism members is dictated by the necessity of granting the Council a rhythmic and organized activity, thus contributing to the good and effective functioning of the Mechanism in general and in attribution concerning the regular examination of the treatment of the persons held in places of detention, preventive arrest and medical institutions for people with mental deficiencies.

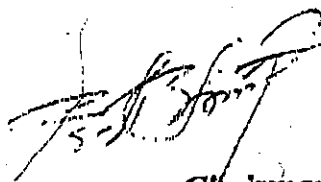
Also, on the basis reasoning from the powers of the Advisory Council members, currently the Parliamentary Advocate responsible for the activity of the National Preventive Mechanism and the Advisory Council members were divided into four mobile groups. Each group had the responsibility to carry out preventive visits and/or monitoring visits in certain institutions.

Thus, was established a schedule of visits according to which the preventive and/or monitoring visits will be conducted at least 2 times a week. Starting with the date when the workshop was held, the Parliamentary Advocate and the Advisory Council members have made about 25 preventive and monitoring visits, with corresponding reports.

Therefore, the cooperation with the civil society represents an important issue for the Centre for Human Rights activity, which is held through a permanent and dynamic dialogue established in order to achieve good results in the prevention of torture segment and in other segments of its activity.

Moreover, referring to the internal organization of the National Preventive Mechanism in Moldova, the transparent process of selection of the Advisory Council members, the activities held through weekly meetings, the existence of a timetable of visits and the presence of the representatives of four NGOs in the Council were appreciated as Mechanism's strong points.

Sincerely,



Anatolie MUNTEANU
Parliamentary Advocate, Director
Chairman of the National Preventive Mechanism