



TREATY SERIES 2007
N° 56

**Protocol No. 2 to the European Convention for the
Prevention of Torture and Inhuman or Degrading
Treatment or Punishment**

Done at Strasbourg on 4 November 1993

**Ireland's instrument of ratification deposited with the Secretary General of
the Council of Europe on 10 April 1996**

Entered into force with respect to Ireland on 1 March 2002

Presented to Dáil Éireann by the Minister for Foreign Affairs

PROTOCOL NO. 2 TO THE EUROPEAN CONVENTION FOR THE PREVENTION OF TORTURE AND INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT

The States, signatories to this Protocol to the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, signed at Strasbourg on 26 November 1987 (hereinafter referred to as "the Convention"),

Convinced of the advisability of enabling members of the European Committee for the Prevention of Torture and Inhuman and Degrading Treatment (hereinafter referred to as "the Committee") to be re-elected twice;

Also considering the need to guarantee an orderly renewal of the membership of the Committee,

HAVE AGREED as follows:

Article 1

- 1) In Article 5, paragraph 3, the second sentence shall read as follows:

"They may be re-elected twice."
- 2) Article 5 of the Convention shall be supplemented by the following paragraphs 4 and 5:
 4. "In order to ensure that, as far as possible, one half of the membership of the Committee shall be renewed every two years, the Committee of Ministers may decide, before proceeding to any subsequent election, that the term or terms of office of one or more members to be elected shall be for a period other than four years but not more than six and not less than two years.
 5. In cases where more than one term of office is involved and the Committee of Ministers applies the preceding paragraph, the allocation of the terms of office shall be effected by the drawing of lots by the Secretary General, immediately after the election."

Article 2

- 1) This Protocol shall be open for signature by States signatories to the Convention or acceding thereto, which may express their consent to be bound by:
 - a) signature without reservation as to ratification, acceptance or approval; or
 - b) signature subject to ratification, acceptance or approval, followed by ratification, acceptance or approval.
- 2) Instruments of ratification, acceptance or approval shall be deposited with the Secretary General of the Council of Europe.

Article 3

This Protocol shall enter into force on the first day of the month following the expiration of a period of three months after the date on which all Parties to the Convention have expressed their consent to be bound by the Protocol, in accordance with the provisions of Article 2.

Article 4

The Secretary General of the Council of Europe shall notify the member States of the Council of Europe and non-member States Parties to the Convention of:

- a) any signature;
- b) the deposit of any instrument of ratification, acceptance or approval;
- c) the date of any entry into force of this Protocol, in accordance with Article 3;
- d) any other act, notification or communication relating to this Protocol.

In witness whereof, the undersigned, being duly authorised thereto, have signed this Protocol.

DONE at Strasbourg, this 4th day of November 1993, in English and French, both texts being equally authentic, in a single copy which shall be deposited in the archives of the Council of Europe. The Secretary General of the Council of Europe shall transmit certified copies to each member State of the Council of Europe.