

9.b. Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment New York, 18 December 2002

Last update: 20 July 2007

Entry into force: 22 June 2006, in accordance with article 28 (1) which reads as follows: "1. The present Protocol shall enter into force on the thirtieth day after the date of deposit with the Secretary-General of the United Nations of the twentieth instrument of ratification or accession. 2. For each State ratifying the present Protocol or acceding to it after the deposit with the Secretary-General of the United Nations of the twentieth instrument of ratification or accession, the present Protocol shall enter into force on the thirtieth day after the date of deposit of its own instrument of ratification or accession."

Status: Signatories: 58, Parties: 34

Text: GA Resolution A/RES/57/199 of 9 January 2003.

Note: The above Protocol was adopted on 18 December 2002 at the fifty-seventh session of the General Assembly of the United Nations by resolution A/RES/57/199. In accordance with article 27 (1), the Protocol was opened for signature on 4 February 2003, the first possible date, by any State that has signed the Convention. In accordance with operative paragraph 1 of General Assembly resolution A/RES/57/199, the Protocol is available for signature, ratification and accession at United Nations Headquarters in New York.

| Participant | Signature | Ratification, Accession (a) |
|---------------------------|-------------|-----------------------------|
| Albania | . | 1 Oct 2003 a |
| Argentina | 30 Apr 2003 | 15 Nov 2004 |
| Armenia | . | 14 Sep 2006 a |
| Austria | 25 Sep 2003 | . |
| Azerbaijan | 15 Sep 2005 | . |
| Belgium | 24 Oct 2005 | . |
| Benin | 24 Feb 2005 | 20 Sep 2006 |
| Bolivia | 22 May 2006 | 23 May 2006 |
| Brazil | 13 Oct 2003 | 12 Jan 2007 |
| Burkina Faso | 21 Sep 2005 | . |
| Cambodia | 14 Sep 2005 | 30 Mar 2007 |
| Chile | 6 Jun 2005 | . |
| Costa Rica | 4 Feb 2003 | 1 Dec 2005 |
| Croatia | 23 Sep 2003 | 25 Apr 2005 |
| Cyprus | 26 Jul 2004 | . |
| Czech Republic | 13 Sep 2004 | 10 July 2006 |
| Denmark 1 | 26 Jun 2003 | 25 Jun 2004 |
| Ecuador | 24 May 2007 | . |
| Estonia | 21 Sep 2004 | 18 Dec 2006 |
| Finland | 23 Sep 2003 | . |
| France | 16 Sep 2005 | . |
| Gabon | 15 Dec 2004 | . |
| Georgia | . | 9 Aug 2005 a |

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| Germany | 20 Sep 2006 | . |
| Ghana | 6 Nov 2006 | . |
| Guatemala | 25 Sep 2003 | . |
| Guinea | 16 Sep 2005 | . |
| Honduras | 8 Dec 2004 | 23 May 2006 |
| Iceland | 24 Sep 2003 | . |
| Italy | 20 Aug 2003 | . |
| Liberia | . | 22 Sep 2004 a |
| Liechtenstein | 24 Jun 2005 | 3 Nov 2006 |
| Luxembourg | 13 Jan 2005 | . |
| Madagascar | 24 Sep 2003 | . |
| Maldives | 14 Sep 2005 | 15 Feb 2006 |
| Mali | 19 Jan 2004 | 12 May 2005 |
| Malta | 24 Sep 2003 | 24 Sep 2003 |
| Mauritius | . | 21 Jun 2005 a |
| Mexico | 23 Sep 2003 | 11 Apr 2005 |
| Moldova | 16 Sep 2005 | 24 Jul 2006 |
| Montenegro 2 | 23 Oct 2006 d | |
| Netherlands | 3 Jun 2005 | . |
| New Zealand | 23 Sep 2003 | 14 Mar 2007 |
| Nicaragua | 14 Mar 2007 | . |
| Norway | 24 Sep 2003 | . |
| Paraguay | 22 Sep 2004 | 2 Dec 2005 |
| Peru | . | 14 Sep 2006 a |
| Poland | 5 Apr 2004 | 14 Sep 2005 |
| Portugal | 15 Feb 2006 | . |
| Romania | 24 Sep 2003 | . |
| Senegal | 4 Feb 2003 | 18 Oct 2006 |
| Serbia | 25 Sep 2003 | 26 Sep 2006 |
| Sierra Leone | 26 Sep 2003 | . |
| Slovenia | . | 23 Jan 2007 |
| South Africa | 20 Sep 2006 | |
| Spain | 13 Apr 2005 | 4 Apr 2006 |
| Sweden | 26 Jun 2003 | 14 Sep 2005 |
| Switzerland | 25 Jun 2004 | . |
| The Former Yugoslav Republic of Macedonia | 1 Sep 2006 | . |
| Timor-Leste | 16 Sep 2005 | . |
| Togo | 15 Sep 2005 | . |
| Turkey | 14 Sep 2005 | . |
| Ukraine | 23 Sep 2005 | 19 Sep 2006 |
| United Kingdom of Great Britain and Northern Ireland | 26 Jun 2003 | 10 Dec 2003 |
| Uruguay | 12 Jan 2004 | 8 Dec 2005 |

Declarations and Reservations
(Unless otherwise indicated, the declarations and reservations
were made upon ratification or accession.)

Belgium

Declaration made upon signature:

This signature also engages the French community, the Flemish community, the German-speaking community and the Walloon region.

Notifications made under article 17 of the Protocol

**(Unless otherwise indicated, the notifications were made
upon ratification, accession or succession.)**

Slovenia

"In accordance with Article 17 of the Protocol, the Republic of Slovenia declares herewith that the competencies and duties of the national preventive mechanism will be performed by the Human Rights Ombudsperson and in agreement with him/her also by non-governmental organisations registered in the Republic of Slovenia and by organisations, which acquired the status of humanitarian organisations in the Republic of Slovenia."

NOTES

1. *With a territorial exclusion in respect of the Faroe Islands.*

Subsequently, on 29 August 2005, the Government of Denmark informed the Secretary-General of the following:

".....that Denmark withdraws its declaration made upon ratification of the said Protocol to the effect that until further notice the Optional Protocol should not apply to the Faroe Islands."

2. *See note 1 under "Montenegro" in the "Historical Information" section in the front matter of this volume.*

3. *With a territorial exclusion with regard to the Tokelau Islands, with the following:*

".....consistent with the constitutional status of Tokelau and taking into account the commitment of the Government of New Zealand to the development of self-government for Tokelau through an act of self-determination under the Charter of the United Nations, this ratification shall not extend to Tokelau unless and until a Declaration to this effect is lodged by the Government of New Zealand with the Depositary on the basis of appropriate consultation with that territory."