***Answer by Romania to OHCHR request of information on death penalty***

Romania has completely abolished the capital punishment on January 7, 1990 by decree – law 6 and has been reconfirmed by 1991 Constitution.

Romania is party to the Second Optional Protocol to the International Covenant on Civil and Political Rights.

Romania is opposing firmly the use of death penalty, no matter of the circumstances and seeks for its abolition or, at least, for a moratorium on the death penalty as a first step to its abolition. Romania is actively engaged in the fight against death penalty, including within the international fora, at the regional level (European Union, Council of Europe), as well as at the international level (United Nations Organization).

Within the UN institutions, in Geneva and in New York, Romania follows very carefully this issue, supporting initiatives directly related to or including death penalty aspects.

According to Law 302 / 26 June 2004 (republished), on international judicial cooperation in criminal matters, published in the Official Monitor 411 (May 27, 2019), if for the crime for which extradition is requested death penalty is foreseen by the law of the requesting State, extradition can be granted only if the respective state gives assurances considered sufficient by the Romanian State, that the capital punishment will not be applied.