



КОАЛИЦИЯ
ПРОТИВ ПЫТОК



КОАЛИЦИЯ ПРОТИВ
ПЫТОК В КЫРГЫЗСТАНЕ



Briefing paper for European Union–Central Asia Ministerial Meeting to be held in Brussels on 4-5 October 2016

KAZAKHSTAN

The situation of civil society

This spring the Kazakhstani authorities resorted to **repressive measures to thwart unprecedented wide-scale peaceful protests on land reforms and broader issues**, which peaked on 21 May when people gathered in cities across the country to voice discontent. Hundreds of protestors, civil society activists and journalists were detained, and dozens of activists were fined or locked up for up to 15 days for participating or planning to participate in protests.

Several **well-known civil society activists have been charged with criminal offenses** in apparent retaliation for their participation in the land reform protest movement. Among these are Maks Bokaev and Talgat Ayan who remain in pre-trial detention and Makhambet Abzhan who was recently sentenced to one year's restricted freedom, during which time he will be subjected to court-imposed restrictions. There has also been a **number of other recent cases where activists, social media users and journalists have been charged with criminal offenses because of their civic and professional activities**, in particular under broadly worded Criminal Code provisions on “inciting” national and social discord and “deliberately spreading false information”. Among others, activists Ermek Narymbaev, Serikzhan Mambetalin and Bolatbek Blyalov are subject to court-imposed bans on their civic engagement after being convicted of “inciting discord” earlier this year. Political opposition leader Vladimir Kozlov, who was convicted of “incitement” and other charges in 2012, was finally released on parole in August 2016 after four years in prison.

New NGO legislation adopted in 2015 provides for **increased government oversight of NGO activities** and requires NGOs to **submit information to a new government database** at the threat of fines or suspension of their activities. The NGO International Legal Initiative, which has challenged the new reporting requirement in court and declined to comply with it, was subjected to an unscheduled tax inspection in August 2016. It linked this to its opposition to the new legislation. According to recent Tax Code amendments, all individuals and organizations receiving foreign funding for the provision of legal



assistance, public opinion study or information gathering/analysis/dissemination are required to report this information and a public database containing such information will be created. It is not clear how exactly these provisions will be applied, but there are concerns that this will mean **yet another reporting obligation** for NGOs engaged in the types of activities concerned and that the publication of details specifically on foreign funding **may stigmatize and endanger individuals and groups.**

Torture and ill-treatment

Since January 2016 the NGO Coalition against Torture in Kazakhstan has registered **115 new cases involving allegations of torture/ill-treatment**. This figure **reflects only the tip of the iceberg** since many victims and their relatives refrain from lodging complaints for fear of reprisals or because they have no hope to attain justice. **Impunity is the norm**. Below are two concerns that the NGO Coalition has identified as particularly pressing.

1) Failure to conduct effective investigations

The **new Criminal Procedure Code (CPC)** that came into force in January 2015 **stipulates that reporting a crime – of torture or other – should trigger an immediate investigation**, not just preliminary checking. However, in practice cases are only forwarded for investigation once they are registered in the Unified Register of Pre-Trial Investigations and we are **aware of many cases involving allegations of torture and ill-treatment where law enforcement duty officers have refused to record complaints** in the Register. Officers often use a provision contained in the CPC that allows law enforcers to subject the information contained in crime reports to preliminary checks if it lacks clarity and detail, which is often the case with statements of torture. The checking is routinely carried out by the same body whose staff are implicated in the complaint of torture.

When a criminal case is opened into an allegation of torture or ill-treatment the investigation is supervised by Special Prosecutor Units (SPU) which operate under the Prosecutor General. There have been several cases where SPUs conducted investigations effectively, **but in most cases investigations lacked effectiveness**. While SPUs lead investigations, in many cases investigative activities are actually carried out by the Criminal or Financial Police. Even in cases where the Coalition is aware of strong evidence that torture took place, investigations have been terminated for “lack of evidence of a crime”. Other investigations into torture allegations have been suspended indefinitely because the police claimed not to be able to establish the identity of the perpetrator/s.

2) Implementing UN treaty body decisions on individual cases

The Committee against Torture and the Human Rights Committee both **found Kazakhstan guilty of breaching its international obligations to prevent or not to permit torture or ill-treatment in nine of out of a total of 12 admitted cases** that involved allegations of such treatment or that highlighted the risk of torture. In **two cases** Kazakhstan has taken steps to partly implement the treaty bodies’ recommendations: two men – Alexander Gerasimov and Rasim Bayramov – **were awarded compensation for moral harm suffered through torture**, but the **payments were inadequate** and the **perpetrators have still not been brought to justice**. Kazakhstan should urgently set up a mechanism tasked with promptly and effectively implementing all decisions issued under the individual complaints procedures of UN treaty bodies in relation to cases from Kazakhstan.

Recommendations to the authorities of Kazakhstan:

- Reverse the pattern of repression in response to peaceful protests and, as a matter of priority, reform legislation and law enforcement practice on the conduct of assemblies to bring them into line with international human rights standards.
- Stop prosecuting civil society activists, social media users and journalists in relation for their civic and professional activities; drop all charges against those prosecuted or convicted on such grounds; and revoke or revise the broadly worded Criminal Code provisions on “inciting” national, social and other discord and “deliberately spreading false information.”
- Ensure that implementation of the new NGO legislation from last year and the recent Tax Code amendments requiring individuals and organizations to report on foreign funding are not implemented in violation of the right to freedom of association and other internationally protected rights.
- Ensure that allegations of torture and other ill-treatment are investigated promptly, thoroughly, impartially and independently and that all investigative activities are carried out by Special Prosecutors.
- Promptly set up a mechanism tasked with ensuring that all decisions issued to Kazakhstan under the individual complaints procedures of UN treaty bodies are swiftly and consistently implemented.

KYRGYZSTAN

The situation of civil society

The May 2016 vote by Kyrgyzstan’s parliament to reject the Russia-inspired “foreign agents” draft law was a victory for civil society, which had been campaigning against this bill since it was introduced in 2014. However, it cannot be ruled out that similar legislation will resurface and **the discussion surrounding the draft law has reinforced negative and suspicious attitudes toward NGOs, with long-lasting implications.**

Public figures and media continue to make **discrediting statements about human rights groups and activists**, with President Atambaev setting the tone in a speech delivered shortly after the rejection of the “foreign agents” draft law. In this speech, he accused leading human rights defenders Aziza Abdirasulova and Tolekan Ismailova of “working off their foreign grants” in support of a movement bent on toppling the government. He has failed to retract his accusations and a defamation lawsuit filed by the two human rights defenders has been rejected by court.

Human rights defender **Azimjan Askarov continues to serve a life sentence** for his alleged role in the 2010 inter-ethnic violence in southern Kyrgyzstan, although the UN Human Rights Committee called for his immediate release and for quashing his conviction in a much-anticipated decision on his case issued in April 2016. The Committee concluded that Askarov had been arbitrarily detained, tortured and denied fair trial rights in violation of the International Covenant on Civil and Political Rights. Kyrgyzstan’s Supreme Court subsequently reconsidered Askarov’s case, but **failed to comply with the key requests of the Human Rights Committee:** instead of cancelling his conviction and releasing him, it sent the case back for re-trial. The new trial is scheduled to begin in early October 2016.

Torture and ill-treatment

Since January 2016, the NGO Coalition against Torture in Kyrgyzstan has registered **86 new cases involving allegations of torture/ill-treatment.** This figure only reflects **the tip of the iceberg** since many victims and their

relatives refrain from lodging complaints for fear of reprisals or because they have no hope to attain justice. Impunity is the norm. Below are three concerns that the NGO Coalition has identified as particularly pressing.

1) Detainees particularly vulnerable at the onset of detention

The neighbouring countries of Kazakhstan and Tajikistan amended their legislation in 2014 and 2016 respectively to strengthen legal safeguards that detainees are entitled to as of the moment of apprehension. The Criminal Procedure Code of Kyrgyzstan **does not provide detainees with basic safeguards from the moment of de facto apprehension**, such as notification of family, access to a lawyer of their choice and to independent medical examination. The Code only considers a person to be detained when he/she is admitted to a detention facility run by the Interior Ministry. Before placing detainees in a detention facility police often hold them in basements, police cars or offices of police stations and subject them to torture or ill-treatment in order to force them to sign a confession.

2) Failure to conduct effective investigations

When Kyrgyzstan was last reviewed by the UN Committee against Torture in 2013, the Committee **recommended the authorities establish an independent mechanism tasked with conducting prompt, thorough and impartial investigations** into allegations of torture/ill-treatment. No such mechanism has yet been set up and the NGO Coalition continues to document many cases where no effective investigation has been conducted.

Often law enforcement agencies which are themselves implicated in complaints about torture carry out preliminary checks into the allegations. They usually conclude that the complaints are unsubstantiated and do not warrant a full investigation. When prosecutors lead investigations of torture they are often **not conducted effectively**. Prosecutors, like the police, have a vested interest in achieving a high crime resolution rate. In order to achieve this goal, they may be inclined to overlook human rights violations committed by police, such as torture. Investigators often **fail to engage in gathering evidence** to study the circumstances the alleged torture from all perspectives, such as interviewing witnesses or ordering a forensic medical examination; they do not interview the victims and they do not carry out confrontations of police and victims. Instead, they often rely on statements obtained from the alleged perpetrators and their colleagues.

3) Compensation for moral damages sustained through torture

While **courts in Kyrgyzstan have ruled in favour of compensating victims** for moral damages sustained through torture in several cases, **none of the victims has actually received any payment**. This includes several cases involving victims of torture from Kyrgyzstan where the UN Human Rights Committee decided under its individual complaints procedure that compensation should be provided. In Kyrgyzstan – contrary to the country's obligations under international human rights law – domestic legislation does not require the state, but the perpetrators, to provide compensation for torture.

Recommendations to the authorities of Kyrgyzstan:

- Closely consult with civil society on any new legislative initiatives affecting NGOs and ensure that such legislation is fully consistent with Kyrgyzstan's national and international human rights obligations.

- Refrain from using rhetoric that stigmatizes and discredits NGOs and activists, in particular by suggesting that their actions are threatening national security. Instead, publicly acknowledge the importance of their work, and ensure that they can carry out their work without hindrance.
- Fully implement the decision of the UN Human Rights Committee in the case of Azimjan Askarov, including by releasing him, quashing his conviction and granting him adequate compensation.
- Amend the legislation to provide access to fundamental legal safeguards in detention as of the moment of apprehension.
- Create and fund an independent mechanism endowed with sufficient authority and competence to conduct prompt, thorough and impartial investigations into all allegations of torture and ill-treatment.
- Fully implement all decisions issued to Kyrgyzstan under the UN Human Rights Committee's individual complaints procedure.
- Oblige the state to provide funds to compensate victims of torture/ill-treatment or their bereaved families for moral damages.

TAJIKISTAN

The situation of civil society

Recently tax and other authorities have carried out a **growing number of inspections and checks of NGOs** with reference to national security concerns. For example, NGOs have been subjected to excessive scrutiny when seeking to re-register with the authorities, which they are required to do e.g. when changing their legal address, and they have only been granted re-registration with consent by security services. **Several NGOs have been warned, fined and/or issued with lawsuits** because of their alleged failure to comply with registration and other technical requirements.

New legislation that entered into force in August 2015 **introduced a new scheme requiring NGOs to report information about foreign and international grants** for inclusion in a special government registry. Implementing regulations that were finally adopted this spring set out broad powers for the Ministry of Justice with respect to processing reported information and concerns remain that implementation of this legislation **may result in undue interference into the work of NGOs**. This has yet to be seen as NGOs have now only started reporting information about grants, using a government-approved reporting form.

Several prominent lawyers have been charged with criminal offenses in what appears to be retaliation for their professional activities. Among these are lawyers who have provided legal assistance to arrested members of the Islamic Renaissance Party of Tajikistan (IRPT), including Buzurgmehr Yorov and Nuriddin Mahkamov (who were arrested last autumn and whose trial on extremism and other charges began in May 2016; in late September 2016, the prosecutor requested lengthy prison sentences of 25 and 23 years for them, respectively) and Dzhamshed Yorov (who was arrested on charges of disclosing state secrets in August 2016). At the beginning of September 2016, it was announced that Shukhrat Kudratov, another lawyer working on high-profile cases who was imprisoned in 2015, is due to be released under a general amnesty proclaimed in connection with the 25 years' anniversary of Tajikistan's independence.

Torture and ill-treatment

Since January 2016 the NGO Coalition against Torture in Tajikistan has registered **60 new cases**. It is believed that this figure **only reflects the tip of the iceberg** since many victims of torture and their relatives refrain from lodging complaints for fear of reprisals or because they have no hope to attain justice. **Impunity is the norm**. Below are three concerns that the NGO Coalition against Torture has identified as particularly pressing.

1) Excluding torturers from amnesty laws

The Criminal Code of Tajikistan **does not exclude perpetrators of torture from benefitting from amnesties**: each amnesty law provides a list of allegable criminal offences. The NGO Coalition against Torture is aware of **many cases where perpetrators of torture or ill-treatment were released from prison** in recent years following such amnesties or had their sentences reduced. The recent amnesty issued in August 2016 in connection with the 25th anniversary of Tajikistan's independence was the first amnesty in Tajikistan that explicitly stated that those convicted of "torture" (Article 143-1 of the Criminal Code) were not eligible. However, since in Tajikistan many perpetrators of torture/ill-treatment are convicted under other articles of the Criminal Code **many had their sentences reduced under the 2016 amnesty**. The NGO Coalition is aware of 25 people convicted of torture or ill-treatment in the army or their superiors who benefitted from the amnesty.

2) Failure to conduct effective investigations

When Tajikistan was last reviewed by the UN Committee against Torture in 2012, the Committee **recommended establishing an independent mechanism** tasked with conducting prompt, thorough and impartial investigations into allegations of torture and ill-treatment. No such mechanism has yet been set up and **the NGO Coalition continues to document many cases where no effective investigations are carried out**. For further information, refer to the section "Failure to conduct effective investigations" in the chapter on Kyrgyzstan since the information provided there also applies to Tajikistan.

3) Compensation for moral damages

In recent years the Coalition against Torture has pushed for progress in facilitating access to compensation for moral damages sustained through torture. So far **six victims or their bereaved families have received compensation payments for moral harm**. While these are **important precedents** we are concerned that the **amounts of compensation were neither fair nor adequate**. For example, Firdavs Rakhmatov died after being subjected to torture by fellow-soldiers of the Ground Forces of Tajikistan's army in June 2015. On 5 August 2016 the Military Court of Dushanbe Garrison granted the bereaved family compensation for moral damages of only 5 000 Somoni, the equivalent of approx. 560 EUR.

Recommendations to the authorities of Tajikistan:

- Refrain from undue interference into the work of NGOs and ensure that NGOs can operate without intimidation and hindrance.
- Ensure that the recent legislation requiring NGOs to report foreign grants is not implemented in violation of the right to freedom of association as protected by international standards.
- Ensure that no lawyer is arrested, charged or imprisoned in retaliation for his or her work; promptly release those held on such grounds.

- Ensure that no perpetrator of torture and other forms of ill-treatment benefits from amnesties;
- Ensure that all allegations of torture and ill-treatment are investigated and that the investigations are conducted promptly, thoroughly, impartially and independently.
- Ensure that victims of torture or their bereaved families receive fair and adequate amounts of compensation.

TURKMENISTAN

The situation of civil society

In its new Human Rights Action Plan for 2016-2020, Turkmenistan's government has undertaken to promote "favourable" conditions for the registration, development and operation of NGOs. In order to deliver on this commitment, the government **must take meaningful measures to enable independent NGOs working on human rights related issues to acquire registration and work without hindrance** in the country. Currently there is no space for such organizations to operate and the government focuses on promoting the work of GONGOs.

Turkmenistani **civil society activists, journalists contributing to foreign media and dissident voices continue to be subjected to intimidation and harassment** – both in- and outside the country. **Freelance journalist Saparmamed Nepeskuliev** was imprisoned on spurious charges of possessing narcotics in August 2015 and **remains behind bars**, in spite of calls for his release by among others the UN Working Group on Arbitrary Detention. **Former independent journalist Chary Annamuradov was arrested in Belarus in July 2016** on a Turkmenistani arrest warrant, which was issued after he fled his native country 16 years ago and was granted refugee status. Thanks to active interventions on his behalf by the EU and other international actors, Annamuradov was eventually released in mid-September 2016 and could return to Sweden, where he resides with his family. If he had been extradited to Turkmenistan, he would have been at serious risk of an unfair trial, torture and imprisonment in life-threatening conditions. Dozens of individuals imprisoned on politically motivated grounds in Turkmenistan have disappeared in prison.

Several Moscow-based Turkmenistani dissidents have recently reported being subjected to attacks and Austria-based TIHR Chairman Farid Tuhbatullin has faced renewed intimidation in relation to his work.

Torture and ill-treatment

As previously, the **justice system in Turkmenistan lacks independence and transparency** and is **open to political abuse**. Dozens of individuals imprisoned after flawed and politically motivated trials remain **disappeared**, including individuals convicted in sham trials after the alleged assassination attempt on late President Saparmurat Niyazov in 2002. The exact number of these is not known. The UN Human Rights Committee has called on the authorities of Turkmenistan to **put an end to the practice of incommunicado detention and imprisonment**, to make known the whereabouts of those convicted for allegedly attempting to assassinate the former president and to grant them access to their lawyers and family members.

In a decision adopted in October 2014, the UN **Human Rights Committee found a series of violations** of rights protected by the ICCPR **in the case of former Foreign Minister Boris Shikhmuradov**, one of the most prominent of those who has disappeared in prison after being given a life sentence in connection with the alleged assassination

attempt on Niyazov. The Committee concluded that the Turkmenistani authorities had violated his rights to life, freedom from torture, liberty and security, and a fair trial and requested that they release him if he is still being detained or hand over his remains if he has died, and that they prosecute and punish those responsible for the violations of his rights. The Turkmenistani **authorities have not complied with this decision.**

More recently, **the UN Working Group on Arbitrary Detention declared unlawful the detention of freelance journalist Saparmamed Nepeskuliev**, who was sentenced to three years in prison on narcotics possession charges in August 2015, and called for his release. The Working Group has also deemed unlawful the detention of **opponent Gulgeldy Annaniyazov**, who was imprisoned on charges of illegally crossing the border when returning to Turkmenistan from exile in 2008, and called for his release.

Recent **presidential pardons are not now known to have benefited any political prisoners**, including those whose original sentences have ended.

Recommendations to the authorities of Turkmenistan:

- Take meaningful steps to deliver on the commitment to ensure “favourable” conditions for NGOs and enable independent NGOs to obtain legal status in a fair and transparent process and to carry out their activities without undue interference.
- Put an end to the persecution of independent journalists, civil society activists and others who criticize government policies, including exiled activists and their family members.
- Release all individuals who have been imprisoned on politically motivated grounds, including those convicted of involvement in the alleged assassination attempt in sham trials, end the practice of prolonged incommunicado detention, and disclose the faith of those who have disappeared in prison.
- Allow representatives of the international community to visit prisons, as agreed by Turkmenistan’s president and the German chancellor during their recent meeting in Berlin.

Uzbekistan

The situation of civil society

The sudden death of long-term dictator Islam Karimov in Uzbekistan has potentially created a window of opportunity for human rights change. However, **the system left in place by Karimov is an extremely repressive one** and reforming it will require huge effort and political determination to break with the legacy of his rule. It is imperative that Uzbekistan’s international partners makes systematic human rights reform a key priority in their relations with the post-Karimov leadership.

Currently most of so-called civil society in Uzbekistan is made up of GONGOs, while the few **independent NGOs working to promote human rights are marginalized and harassed**. It is virtually impossible for such NGOs to obtain legal status and a wide range of government regulations and requirements hamper the implementation of NGO activities.

There is a **well-established pattern of persecution of human rights activists, independent journalists and government critics**, who are subjected to surveillance, phone tapping, travel restrictions, questioning, arbitrary

arrests and prosecution in retaliation for their work. Numerous activists, journalists and dissidents remain **imprisoned on trumped-up charges**. Torture and ill-treatment are rampant in prison and **the sentences of those convicted on politically motivated charges are often extended** when nearing an end because of alleged violations of prison rules.

Among those currently imprisoned are human rights defenders Ganihon Mamathanov, Nuraddin Dzhumaniyazov, Fakhriddin Tillaev and Azam Farmonov, former UN employee Erkin Musaev and Muhammad Bekzhanov, one of the world's longest imprisoned journalists who is due to be released in the coming months after serving 17 years in prison. There are serious concerns about their health and well-being and the sentences of some of them have been arbitrarily prolonged.

Human rights **activists monitoring forced labour are at particular risk of harassment**. One of these activists, Uktam Parдав was given a three-year suspended sentence in January 2016. If he is considered to have violated the conditions of his probation, he may be imprisoned. Another activist and journalist monitoring forced labour, Dmitry Tikhonov was forced to flee Uzbekistan earlier this year due to persecution.

Human rights **defenders who have fled Uzbekistan also face intimidation and pressure** because of their engagement on behalf of victims of human rights violations in their native country.

Torture and ill-treatment

The **use of torture is pervasive** in Uzbekistan, and it is central to how the Uzbekistani authorities deal with dissent, combat actual or perceived threats to national security, and repress political opponents.

Torture and the threat of torture are **used routinely to obtain forced confessions; punish detainees, prisoners and their relatives; incriminate others; or extort money**. Security forces and prison guards routinely carry out torture and other ill-treatment, including during arrest and transfer to detention facilities, in police custody, pre-trial detention and in prisons.

From January 2011 to date the Uzbekistani NGO in exile “Association for Human Rights in Central Asia” received over 50 letters from prisoners and their relatives and over 170 other reports alleging abuse during investigation and detention. The most common reports concern **sexual violence**, including rape with objects such as truncheons. Reportedly, prisoners are often **deprived of food and water**, and some reports indicate that prison officials deprive prisoners of access to toilets as a punishment, and that those prisoners who are imprisoned on political or religious grounds are particularly targeted.

Arbitrary justice prevails in Uzbekistan: There are no independent judges and no independent complaints mechanisms, resulting in widespread **impunity** for torture.

The **practice of arbitrarily extending prison terms** even for minor alleged infractions of prison rules under Article 221 of the Criminal Code and Article 105 of the Criminal Procedural Code has led to many prisoners, especially those convicted of so-called anti-state offences, serving *de facto* indefinite sentences. Arbitrary extension of prison terms has been used in relation to imprisoned human rights defenders, journalists, political opponents and thousands of people convicted of crimes related to “religious extremism”. These extended sentences are typically handed down in unfair closed trials which violate international fair trial guarantees.

Prison conditions in Uzbekistan are reported to be **so substandard that they amount to torture and other cruel, inhuman and degrading treatment or punishment**. Cells in prisons and pre-trial detention centres (SIZOs) are reported to be severely overcrowded, with inadequate drinking water, food, medication, sanitation and ventilation.

Due to government-imposed restrictions, **no independent NGO or other monitoring body - domestic or international - carries out any form of regular, unannounced and unsupervised prison monitoring**. In April 2013, the International Committee of the Red Cross (ICRC) terminated all visits to detainees in Uzbekistan due to restrictions on their standard working procedures. According to the ICRC, those visits were “pointless”. Foreign diplomats, while granted access to some detention facilities, are usually accompanied by prison or law enforcement officials during their visits. The same applies to human rights defenders who were allowed some visits to prisoners in 2014 and 2016 but were accompanied by prison officials and were not allowed to speak to prisoners confidentially.

The Uzbekistani authorities have so far **refused to ratify the Optional Protocol to CAT (OPCAT)**, which requires states to accept a system of regular visits to all places of detention by independent “national preventive mechanisms” and by an international expert body.

Currently, there are 14 **pending requests for country visits by the Special Procedures of the UN Human Rights Council**, including the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment.

Recommendations to the authorities of Uzbekistan:

- Set out on a systematic program of human rights reform and cooperate with international human rights bodies and experts. This should include issuing a standing invitation to the Special Procedures of the UN Human Rights Council, and facilitating country visits in particular by the Special Rapporteurs on human rights defenders and torture.
- Allow independent NGOs to obtain legal status and to work without interference and invite them to take part in the elaboration and implementation of a new national human rights agenda.
- Put an end to persecution of human rights defenders, journalists and dissident voices; and immediately and unconditionally release all those who have been detained solely for peacefully exercising their rights to freedom of expression, association and assembly.
- Bring domestic law into full compliance with Uzbekistan's international obligations regarding the absolute prohibition against torture and other cruel, inhuman or degrading treatment or punishment. In particular, the Uzbekistani Criminal Code and Criminal Procedure Code must be amended to define torture as established in the UN Convention against Torture and explicitly prohibit any confession extracted under torture from being admitted as evidence in criminal and other proceedings;
- Establish an effective system of independent, unannounced inspection and supervision of all places of detention by competent, independent and impartial bodies.
- Initiate prompt, impartial and comprehensive investigations of all complaints of torture or other cruel, inhuman or degrading treatment or punishment of any person subjected to any form of arrest, detention or imprisonment, as well as when there are reasonable grounds to believe that the torture or ill-treatment has occurred even if no complaint has been made.

