

ORAL INTERVENTION

2015 OSCE Human Dimension Implementation Meeting Working Session 8 Rule of Law: Prevention of torture (25 September 2015)

Kazakhstan, Kyrgyzstan and Tajikistan need to do more to end torture

The NGO coalitions against torture in Kazakhstan, Kyrgyzstan and Tajikistan and the Civic Solidarity Platform members Helsinki Foundation for Human Rights (Poland), International Partnership for Human Rights (Belgium) and Norwegian Helsinki Committee would like to commend the authorities of **Kazakhstan, Kyrgyzstan and Tajikistan** for recently having pioneered several positive steps aimed at eradicating torture.

We urge the authorities of each of these countries to take note of their neighbours' positive steps and follow their example in those areas where they have made more progress. We also call on the **other OSCE participating States** to reiterate this call in bi-lateral meetings and human rights dialogues.

Kyrgyzstan and **Tajikistan** should follow Kazakhstan's example of having abolished the statute of limitations applicable to "torture" and of having excluded those charged or convicted of "torture" from amnesties. In addition, they should significantly strengthen the legal safeguards accessible to detainees, as Kazakhstan did in its new Criminal Procedure Code.

Kazakhstan should follow recent steps taken by Kyrgyzstan's and Tajikistan's Ministries of Health. They obliged medical personnel – when conducting examinations of detainees -- to document torture and other ill-treatment in line with the principles contained in the UN's Istanbul Protocol.

On the issue of compensation for moral damages resulting from torture **Kyrgyzstan** should follow Kazakhstan's and Tajikistan's example. In these two countries, several torture victims or their families have received compensation from the State in recent years.

The authorities of Kazakhstan and Kyrgyzstan are parties to OPCAT and national preventive mechanisms started functioning in 2014. **Tajikistan** should follow these countries' example.

Despite these positive steps, torture and ill-treatment continue in all Central Asian countries and impunity is the norm.

Since the beginning of 2015, the NGO Coalition against Torture in **Kazakhstan** registered 67 new cases of men, women and children who allege to have been subjected to torture and other ill-treatment. In the same period the NGO Coalition against Torture in **Kyrgyzstan** registered over 98 and the NGO Coalition against Torture in **Tajikistan** registered 32 new cases.

Political will is needed to push for further improvements.

I would like to take this opportunity to invite you all to a **side event** on the implementation of the standards of the Istanbul Protocol in Kazakhstan, Kyrgyzstan and Tajikistan that will take place at 13.00 today in the Plenary hall.

Thank you for your attention.