



Supporting victims of torture in Central Asia on International Anti-Torture Day

Almaty, Bishkek, Brussels, Dushanbe, Paris, Vienna, Warsaw, 24 June 2016

Continuing reports of torture indicate that the authorities of the five Central Asian states need to do much more to end torture and impunity, although victims of torture and local and international human rights defenders have reached important milestones in their joint struggle for justice in some of these countries in recent years. Please help us mark this year's United Nations (UN) International Day in Support of Victims of Torture (26 June) by joining our [online action](#) for torture victims in Central Asia (here).

In **Kazakhstan** and **Kyrgyzstan**, in the framework of the countries' national preventive mechanisms (NPMs), human rights defenders have access to detention and prison facilities. Since early 2015 the NGO Coalitions against Torture in Kazakhstan and Kyrgyzstan have recorded 241 and 132 new cases, respectively, of people with credible reports that they were subjected to torture or ill-treatment. The **Tajikistani** authorities allow human rights activists only limited access to detainees and prisoners in the framework of the Monitoring Group under the Ombudsman's Office and in many cases this country's NGO Coalition is approached by the victims' relatives. Since January 2015 it has registered 82 new cases.

"These figures reflect the tip of the iceberg. Many victims and their relatives prefer to keep silent about the abuse for fear of reprisals by law enforcement officers," said Roza Akyzbekova, head of the Coalition against Torture in Kazakhstan, on behalf of the groups jointly issuing this statement.

In **Turkmenistan** and **Uzbekistan** the repressive nature of the regimes means that independent human rights groups are unable to operate and it is therefore impossible to comprehensively study the situations of torture. Turkmenistan is the only Central Asian country that has never invited the UN Special Rapporteur on torture and Uzbekistan has allowed no visit since 2003. However, the NGOs-in-exile Association for Human Rights in Central Asia, Turkmenistan's Independent Lawyers Association and Turkmen Initiative for Human Rights receive regular and credible reports indicating that torture is pervasive and has become an integral part of the criminal justice systems. From January 2011 to date AHRCA received over 58 letters from prisoners and their relatives and 171 other reports alleging abuse during investigation and detention.

In recent years members of the Coalitions in **Kazakhstan**, **Kyrgyzstan** and **Tajikistan** have assisted



numerous victims in filing complaints and persistently pursuing their cases through the countries' legal systems. Several perpetrators have been brought to justice and convicted to prison terms as a result. NGOs have also assisted victims of torture from all five Central Asian states to apply to UN treaty bodies, which have issued decisions on dozens of cases urging the relevant authorities to conduct effective investigations into the allegations, bring the perpetrators to justice and adequately compensate the victims.

"In Central Asia, most perpetrators of torture continue to walk free, but thanks to the courage and persistence of survivors and their families and the professionalism of NGOs and lawyers, several perpetrators are currently serving prison terms. We will build on these successes and push for justice in further cases", said Nigina Bakhrieva, head of the anti-torture Coalition in Tajikistan, on behalf of the NGOs issuing this statement.

In recent years members of the Coalitions against Torture in **Tajikistan** and **Kazakhstan** have successfully supported five and six victims of torture respectively, in attempts to obtain compensation for moral harm. Although the compensation payments have not been adequate, these are important precedents. Member groups of the Coalitions have also provided hundreds of victims with rehabilitation services, such as medical and psychological support to heal injuries and trauma.

In recent years some Central Asian states significantly improved their legislation following recommendations by UN human rights bodies and local and international NGOs. For example, **Kazakhstan's** Criminal Code that came into force in 2015 excluded those charged or convicted of "torture" from prisoners amnesties and abolished the statute of limitations applicable to this crime. Legal safeguards protecting detainees from torture in detention were significantly strengthened in the new Criminal Procedure Code, although, in practice, detainees are often not given access to them. **Tajikistan** adopted legal amendments in May 2016 strengthening safeguards against torture in detention. In 2014 the Ministries of Health in **Kyrgyzstan** and **Tajikistan** obliged medical personnel – when conducting examinations of detainees – to document their findings based on standards of the UN Istanbul Protocol.

A major obstacle to achieving justice for all torture survivors in Central Asia is the lack of independent and transparent investigation mechanisms. Victims in **Turkmenistan** are in a particularly dire situation as the authorities blatantly deny that torture exists; no one is known to have been charged with "torture" since this crime was added to the Criminal Code in 2012. In **Uzbekistan** the lack of independent judges and independent complaints mechanisms results in impunity for many state actors guilty of torture. **In the other countries investigations are often not instigated either and when they are opened they are frequently not conducted promptly, thoroughly and impartially; in many cases the investigators are officials of the same Ministry whose employees reportedly perpetrated the abuse.**