



**Convention against Torture
and Other Cruel, Inhuman
or Degrading Treatment
or Punishment**

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Summary record of the 1111th meeting

Held at the Palais Wilson, Geneva, on Thursday, 8 November 2012, at 3 p.m.

Chairperson: Mr. Grossman

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Please recycle A recycling symbol consisting of three chasing arrows forming a triangle.

The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 19 of the Convention *(continued)*

Second periodic report of Tajikistan (continued) (CAT/C/TJK/2; CAT/C/TJK/Q/2 and Add.1)

1. *At the invitation of the Chairperson, the delegation of Tajikistan took places at the Committee table.*
2. **Mr. Salimzoda** (Tajikistan) said that article 143 of the Criminal Code established the penalties applicable in cases of torture, degrading treatment and ill-treatment. The two latter actions were often considered to be separate from torture and the penalty applicable for them was a prison sentence of between 2 and 5 years. The penalty for torture also established in that article was imprisonment for 5 to 15 years, depending on the seriousness of the offence. Severe penalties were, in any case, not always the most effective means of preventing crime.
3. The Supreme Court had defined detention as depriving a person of their freedom of movement and holding them in a specific place. Although the registration of a detainee might be completed at a later stage, detention started from the moment a person was placed in a cell. At the time of detention, a detainee was informed of his or her rights in writing and retained a copy of the relevant document. Detainees were guaranteed medical and legal assistance, their family was informed of their detention, and their lawyer was allowed access to all the relevant documentation, including the registration of the detainee. If an individual was being questioned but not officially held in custody, he or she nonetheless had the right to seek the services of a lawyer. Detainees who had been held for 72 hours were transferred to a pretrial facility in order to ensure that their rights were protected. If evidence enabling a detainee to be charged with an offence could not be gathered within 10 days of the start of the period of detention he or she was released
4. International standards were adhered to in cases of extradition from or to Tajikistan. His country not only provided diplomatic guarantees but also took other measures, such as permitting foreign officials to inspect detention conditions prior to extradition. Under the guarantees given by other countries detainees who had been extradited enjoyed all the rights afforded to detainees in Tajikistan. Furthermore, through the Optional Protocol to the International Covenant on Civil and Political Rights, extradited persons were able to access an international complaints mechanism. Guarantees to prevent torture were obtained from the receiving country prior to extradition. No information had been received indicating that persons who had been extradited in the previous five years had been subjected to torture.
5. New legislation had entered into force in 2011 on the conditions of detention of suspects, defendants and persons on trial. All those persons enjoyed the right to unlimited access to a lawyer and medical assistance from the moment of their detention, and were allowed to receive family visits. Measures were in place to safeguard detainees' rights; the Ministry of the Interior, in particular, kept two duplicate registers of detainees, which recorded every detail of their detention.
6. The maximum time during which a person could be held in detention was 2 months. To extend that period, the detainee must be brought before the prosecutor, who could file a request with the court. The court considered the request at an open session attended by the detainee and his or her lawyer. Approximately 80 per cent of criminal cases were concluded within the two-month period, although in complex cases a person could be held in detention for a maximum of 18 months.

7. Defamation had been decriminalized; any person accused of defamation was now subject to civil proceedings. The release of a police officer following a conviction for torture had no bearing on the legal situation of the victim of the torture.
8. Ratification of the Optional Protocol to the Convention against Torture was not currently possible due to financial difficulties. Work on the abolition of capital punishment continued.
9. A number of measures had been taken with the cooperation of NGOs to provide information and training on torture to medical personnel and law enforcement officials. The topics addressed in various courses and seminars included the role of the prosecutor, individual rights, the consequences of torture and rape, and dealing with torture. Books had been published on human rights and medical experts had taken part in specially organized seminars on the application of the Istanbul Protocol. A number of events had been held in cooperation with other States and officials had attended seminars on various topics relating to torture and human rights in other countries.
10. A special decree had been issued with the aim of strengthening the rights of persons in pretrial detention. A telephone line had been set up to allow any citizen to report torture, including acts of torture committed by the police. A special prosecutor's office was responsible for monitoring the application of the law in places of detention; all places of detention, including pretrial detention, were monitored regularly. In the period from 2008 to 2012, the prosecutor's office had received over 100 complaints of torture or ill-treatment, leading to several criminal investigations and court cases. A number of officials had been convicted and lengthy prison sentences had been handed down. The Ombudsman also played an active part in the prevention of torture in places of detention. Measures had been introduced to improve the processing of complaints of torture or ill-treatment, and confidentiality was guaranteed to complainants. A special complaints mechanism was in place in prisons.
11. Regarding allegations that doctors performed too many medical assessments in a short period of time, he said that the information before the Committee seemed to refer to a specific appeal based on allegations of torture against a sentence handed down in December 2011. In the case in question, the Supreme Court had considered the facts and in 2012 had amended the original sentence.
12. Bahromiddin Shodiev, who had died after sustaining serious injuries, had jumped from a first-floor window in an apparent suicide attempt. An investigation into possible dereliction of duty by law enforcement officials was under way.
13. Abdulvosi Latipov had been released from custody in the Russian Federation in October 2012 and was currently wanted for serious offences. In the last six months a number of police officers involved in deaths had been given prison sentences and one senior official had been found guilty of dereliction of duty.
14. **Mr. Zafar** (Tajikistan) said that, since gaining independence, his country had taken measures to promote the rights and freedoms of its people; they were recognized and protected in the Constitution as the country's highest values. The judiciary was independent and administered justice on behalf of the State. Since independence, reforms had been implemented to improve the judicial system and strengthen its role in protecting human rights. In particular, steps were taken to train judges and the staff of various judicial bodies, and an independent council had introduced measures to improve judges' pay and conditions. Various international partners had played an important role in implementing judicial reforms.
15. Statistics on the number of cases before the courts indicated that public confidence in the judicial system had increased as the situation in the country had stabilized, since

there had been an increase in the number of persons approaching judicial bodies to protect their rights. Citizens could, and regularly did, bring to court cases relating to the protection or violation of their rights in all areas; if they disagreed with the decision issued at first instance, they could file an appeal with a higher court. His country's legislation was aimed at protecting rights through the judicial system and providing access to justice in both law and practice.

16. If evidence of torture was presented before a court, the court was obliged to examine it; if it did not do so, any sentence handed down could be rescinded. The court was also required to take appropriate measures to examine allegations of torture or, if necessary, refer the case to the prosecutor for investigation. Confessions made under duress or obtained through ill-treatment were not admissible in court and all sentences handed down must be based on evidence rather than conjecture. A confession could only be taken into account by the court when it was supported by all other evidence.

17. One example of a case involving allegations of the use of torture to secure a confession had occurred in March 2012. The judge concerned had referred the matter to experts, who had stated that no evidence of torture had been observed on the body of the accused. In another example, the judge had accepted that torture had taken place; the accused had been found not guilty and been released. If a court failed to treat allegations of torture appropriately, higher courts were obliged to take action.

18. The special procedures and conditions for minors who came into contact with the justice system were clearly established in legislation. Minors were only detained if they had committed a particularly serious offence. The presence of a lawyer was required during all proceedings involving minors. Specific legislation on the criminal liability and punishment of minors provided that, if a minor's first offence was not serious, he or she was fined or ordered to perform community service. Sentences imposed on minors were generally less severe than those for adults.

19. **Mr. Alizoda** (Tajikistan) said that the question of visits to places of detention had been studied thoroughly and was a priority for the period from 2011 to 2015. The Ombudsman would be visiting places of detention throughout that period, accompanied by representatives of NGOs and the media. Monitoring was also carried out in psychiatric institutions, medical centres, hospitals and other places to document cases of torture and check the application of the law in practice. A special report would be prepared on the outcome of the monitoring activities. The Ombudsman and his staff were authorized by law to visit any place of detention without prior notice. The Danish Institute for Human Rights had prepared guidelines on human rights monitoring in places of detention; they were used by the Ombudsman's staff and other monitoring organizations. Complaints of torture filed with the Ombudsman were investigated by the prosecutor's office; one case had already precipitated the initiation of criminal proceedings.

20. He drew attention to the fact that in all cases torture was punishable by law. Negligence was a separate offence from torture, and officials responsible for negligence were liable to either criminal or disciplinary proceedings.

21. **Mr. Ashurov** (Tajikistan) said that in 2012 the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment had visited Tajikistan. His Government would continue to work actively with special procedures mandate holders, in keeping with its international commitments.

22. Staff of the law enforcement agencies and prisons had, since 2010, been given regular training seminars on national and international mechanisms to prevent torture. They were organized in cooperation with NGOs and international partners. The programme had

gradually been expanded and its seminars had been attended by staff from many government bodies, including the Ministry of the Interior and the prosecutor's office.

23. Regarding discussions with the International Committee of the Red Cross to allow the organization to visit places of detention in Tajikistan, no agreement had yet been reached.

24. In 2011, the agency responsible for construction and architecture had ordered that all new construction should conform to the latest legal standards, including standards to ensure that the needs of persons with disabilities were taken into consideration in the design of housing and public buildings.

25. **Mr. Oripov** (Tajikistan) said that national legislation provided for detainees' access to a doctor or medical services. In the context of preliminary investigations, detainees must undergo a medical examination and receive a medical certificate. The law in fact allowed detainees to ask their own doctor to conduct an examination, but examinations were usually conducted at Ministry of Health centres, which were independent of the Ministry of Interior, administered by Ministry of Health staff and governed by Ministry of Health standards.

26. Action had been taken under paragraph 7 of the State Programme Ensuring Equal Rights and Opportunities for Men and Women (2001 to 2010) to prevent domestic violence. A joint project aimed at combating domestic violence had been launched in 2007, with the cooperation of the Ministry of Interior and the Organisation for Security and Cooperation in Europe. Under that project, substantive measures had been taken to ensure that cases of domestic violence were investigated, penalties were imposed and victims were protected. The office of domestic violence inspector had been instituted by decree; four training sessions had been held and attended by over 500 staff working on gender issues and domestic violence. And lastly, five specialized surgeries dealing with violence against women and children had been opened.

27. Preventive measures had also been taken to counter domestic violence. In 2010 and 2011 the Ministry of the Interior had issued three separate decrees on systematic data collection to its subsidiary offices; the data so gathered was being analysed and a centralized report on domestic violence was being prepared. The preventive work of Ministry inspectors included numerous meetings in schools and villages. Through their work, 50 or so cases of domestic violence had been detected, some 35 of which had been brought before the courts. A number of other cases were being monitored. A working group on domestic violence against young people had been established, in addition to a special office for raising public awareness among vulnerable groups.

28. Since 2010, three cases in which minors had been tortured had been recorded. Those responsible had been convicted and sentenced, in addition to which preventive measures had been taken. Procedural changes had been introduced in the Ministry of the Interior to prevent further violations of the rights of minors and a special unit had been set up to serve their interests and rights. Under article 62 of the Criminal Code, the fact that the victim of an offence was a minor was an aggravating circumstance. The Government had ratified the Convention on the Rights of the Child in 2003 and had established a special commission on the rights of the child, which reported directly to the United Nations Committee on the Rights of the Child. Action was taken in cases where violence against children was detected, and a range of legislative measures and penalties had been introduced to address those situations. National policy was to continue to work to improve legislation and procedures, and to ensure that individual rights and dignity were protected, with the aim of conforming to international standards.

29. **Mr. Abdulhakov** (Tajikistan) said that a political decision had been taken to transfer responsibility for places of detention to the Ministry of Justice in the context of a

campaign to humanize those institutions. Various legislative measures had been introduced with a view to improving detention conditions and the situation of detainees, and bringing national standards into line with international standards. A working group established with the support of the Swiss Cooperation Office in Dushanbe had developed a set of standards and improved the quality of food in detention centres, and also lighting, flooring and services. The number of minors in detention centres had been reduced by some 65 per cent. In the context of the new standards and legislation that had been adopted, the number of minors sentenced to imprisonment in recent years had been reduced threefold.

30. Detention conditions and the legal situation of prisoners were clearly set out in the new Code of Criminal Procedure, and action was being taken to improve conditions. There was currently a debate on the relative merits of camps or detention centres in terms of the rehabilitation of prisoners. The law provided that women and young offenders should be separated from adult males. Pregnant women remained in the women's colony and received additional milk and other dairy products. Crèches were available for children under three years of age, although there were no specialized facilities for such children.

31. Professional staff were offered training in specialized mental health support as part of a preventive programme and in view of the psychological strains they suffered.

32. Access to medical services was guaranteed to detainees and the Government had taken action to ensure that medical and other health-related products were purchased and delivered to places of detention. A number of agreements had been signed with various international bodies, such as the Global Fund, the United States Agency for International Development (USAID) and the World Health Organization (WHO). In addition, the Government worked with a dozen NGOs with a view to improving detention conditions in line with international standards.

33. The media, international organizations and NGOs had been invited to visit places of detention, including administrative offices, cells, refectories and kitchens in order to dispel any misconceptions about those institutions.

34. **Mr. Salimzoda** (Tajikistan) said he wished to emphasize that a number of reports had been published in the media as a result of the four joint visits to detention centres by international organizations, individual experts, NGOs and the media during the previous two years.

35. Military premises were monitored and inspected by the Office of the Military Procurator on a regular basis to ensure that they were compliant with the law. Harsh treatment, including hazing, had been reported; such offences were subject to penalties. In order to eliminate hazing among military personnel, the Military Procurator's Office had set up a mobile unit and a hotline on military premises; criminal proceedings had been instituted in 2010 as a result of calls to the hotline. Reports of hazing were becoming less common year on year. Having studied the 125 cases in which criminal proceedings had been instituted since 2010, of which 114 had been referred to the courts, he could confidently assert that acts of hazing as reported to the Committee, including degrading treatment by officers, did not occur. On another note, considerable efforts had been made to improve living conditions in military barracks since 2000, inter alia through the provision of adequate sanitary facilities.

36. Relatives of persons who had died in places of detention had access to the bodies and were fully entitled to request a forensic pathologist to conduct an independent autopsy if they wished to do so.

37. **Mr. Azizov** (Tajikistan) said that the Association of Young Jurists (Amparo) had been disbanded as it had changed its legal address and was not properly registered, in contravention of the Organizations Act; in addition, it had violated the law by continuing to

operate and setting up unregistered regional offices. Since the case was currently before the Court of Cassation, any discussion could be construed as interference; it was appropriate to wait for a decision to be handed down.

38. **Mr. Tugushi** (Country Rapporteur) said that the State party had clearly made considerable progress with regard to the gradual improvement of existing legislation. The Committee had noted the State party's increased international commitments, the involvement of international partners and NGOs in improving national legislation, and also the State's decisive action to improve judicial performance in areas of concern to the Committee. The Committee was interested in both national legislation and empirical practices in assessing implementation of the Convention.

39. He asked the delegation to clarify article 88 of the Code of Criminal Procedure, which provided that evidence produced unlawfully was invalid; "invalid" did not in fact mean "inadmissible". In addition, there appeared to be no mechanism whereby evidence could be declared inadmissible, and no provision on measures to be taken by courts in cases where evidence had been produced through torture or ill-treatment. Moreover, the law would not appear to envisage the prosecution of suspects in such cases.

40. He asked whether the decision of the Supreme Court clarifying the meaning of article 143 (1) of the Code on torture and the concept of inadmissibility of evidence obtained unlawfully had been implemented in practice, and whether any such evidence had been rejected by the courts.

41. In connection with safeguards against torture and ill-treatment, the Committee had received reports that the 12-hour time limit within which the investigating authorities were required to notify a detainee's next-of-kin was not respected in practice. In addition, the time at which deprivation of liberty began should be clearly established as starting from the moment a person was required to remain with the police or other apprehending authority, not as the moment a person was brought into a detention facility. A person's rights should be explained to him in understandable language at the time when he was first detained.

42. Could detainees summon an independent forensic physician of their choosing to conduct a medical examination, rather than a doctor attached to the police facility?

43. He invited the delegation to comment further on the issue of impunity in view of the numerous allegations heard by the Committee that under article 143 (1) of the Criminal Code the perpetrators of torture often received penalties that were not commensurate with the offences they had committed.

44. The Committee would like to hear the Ombudsman himself speak about the operation of the recently established Ombudsman's Office and looked forward to using its reports as a starting point for discussion in the future, in particular those on the monitoring of places of detention. The delegation had informed the Committee about monitoring visits to prisons. However, it had not mentioned visits to police facilities or facilities run by the State security service. The Ombudsman's Office was empowered to conduct visits without prior notification and its representatives should be allowed by law to interview any person deprived of liberty in private, in a place of their choosing; trained forensic physicians should be among the personnel participating in preventive visits. Torture and ill-treatment in most countries usually took place in police custody. Independent monitoring should cover police institutions as a priority, but also include military and security facilities.

45. The delegation had indicated that the State party had not ratified the Optional Protocol to the Convention against Torture because there was insufficient funding for the establishment of the required national preventive mechanism. However, the Subcommittee on Prevention of Torture and a number of other bodies supported that work and had established a fund for that purpose.

46. Tajikistan was to be commended for declaring a moratorium on the death penalty, which it was hoped the authorities would abolish.
47. Although numerous positive steps had been taken to combat domestic violence, further action was needed as the problem appeared to be serious. The draft legislation on that issue should be adopted swiftly.
48. Lastly, he requested updated information on the criminal investigation into events in Khorog, where military operations that had affected some civilians had taken place.
49. **Ms. Sveaass** (Country Rapporteur) said she was aware of the training that had taken place with international organizations on forensic examinations, interviews and assessments of torture victims; the process was long, and she was confident that the training was good. How was that expertise used? Did the physicians concerned operate in accordance with the very specific requirements of the Istanbul Protocol? Were their reports used as a basis for evaluating redress, for further treatment or purely for the purpose of legal proceedings when a complaint was made? Had expert reports by fully equipped and trained forensic experts been used in the 130 cases mentioned by the delegation, in 39 of which sentences had been handed down? In the cases of the three minors who had been subjected to torture, had the physicians and psychologists evaluating the consequences of the torture submitted reports?
50. The delegation had stated that compensation was paid to victims even when a person convicted in a torture case was acquitted under amnesty laws. However, she wished to know why persons found guilty of torture were freed, since the Convention required penalties to be commensurate with the seriousness of the offence.
51. She asked whether the strict rules to ensure the confidentiality of complaints were respected on a routine basis in all places of detention, including psychiatric hospitals, and whether those who submitted claims were subjected to harassment, as indicated in the Amnesty report. Had such breaches of confidentiality been investigated?
52. The Committee took most seriously reports that some people who had wished to speak to the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment during his visit to the State party had been threatened and harassed. Human rights defenders and others who wanted to share their information should be protected.
53. She asked what steps had been taken to rectify the situation of the Association of Young Jurists (Amparo) if the reasons for its disbandment had been purely formal. In addition, she requested updated information on investigations into threats against journalists. The Committee would also appreciate further information on investigations and redress for victims of torture during the unrest of 1995 to 1999.
54. The information on improvements in conditions of detention was heartening and the Committee welcomed the delegation's frank admission that further problems remained to be addressed. In the context of juvenile law reform and the information provided in connection with the abuse of juveniles in police facilities, she wished to know what improvements were envisaged that would ensure that juveniles in detention centres were not subjected to violence.
55. In addition, the Committee would like to know whether follow-up and support had been provided to the 35 trafficking victims who had been returned to the State party and what action the State party took to prevent trafficking and to protect and assist trafficking victims.
56. Did the State party envisage adopting a law criminalizing violence against women? Could women and children, in practice, lodge complaints in cases of violence without being subjected to harassment or other dangers?

57. **Mr. Bruni** asked about the specific dimensions of punishment cells as compared with normal prison cells.
58. He asked how the State party reconciled public access to prisons, in the form of visits by NGOs, for example, and the statement in the reply to the list of issues that information on the prison system, such as the number of prisoners, was a State secret.
59. **Ms. Belmir** requested further information on the independence of the judiciary and the role and powers of the Prosecutor General. She also requested clarification on the manual on interrogation best practice, including more specific information on the interrogation process.
60. **Mr. Domah** repeated his question on habeas corpus, stating that any legislative reforms should introduce that principle. No response had been received to date on the question of amnesty, which should not apply in cases of torture.
61. He asked what progress had been made in the implementation of reforms to the Code of Criminal Procedure.
62. He mentioned an NGO which campaigned for the rule of law but had been forced by the Government to discontinue its activities on a technical, registration-related point. He asked who had taken that decision and what were the grounds for it.
63. **Mr. Mariño Menéndez** asked at what point deprivation of liberty was formally registered following arrest. He requested further details concerning the use of solitary confinement as a punishment: under what circumstances it was used, how the punishment was served and the duration of the confinement period. He also asked whether military courts also tried cases involving offences against civilians.
64. Requesting further information on safeguards relating to extradition procedures and the appeals process, he said that in asylum cases the impression was that decisions were politically motivated and could not be appealed.
65. **Ms. Gaer**, referring to the case of Hamza Ikromzoda mentioned earlier, said that she had yet to receive a response from the delegation. There were further reasons to believe that witnesses in that case had been subjected to reprisals or ill-treatment.
66. She referred to BBC reports that, at the beginning of November 2012, over 50 prisoners had suddenly been transferred to another correction facility, including witnesses in the Hamza Ikromzoda case. The transferred prisoners had alleged that they had been beaten and that no reason had been given for the transfer. She asked for further information. If the State party did not have the information to hand, she asked for the matter to be investigated.
67. She asked about the current situation with regard to legislation on domestic violence. In view of the fact that a bill on the subject had been diluted and ultimately set aside, she asked whether new efforts were planned to pass a law on domestic violence, and whether gender-based violence was prosecuted as an offence.
68. **The Chairperson** requested further information on the moratorium on the death penalty and the activities of the working group on the subject. He asked whether autopsies were always performed in cases of suicide or death during interrogation. Was compensation paid to torture victims, even if the amnesty laws applied? He requested further information regarding the defamation laws and whether the State party planned to introduce civil liability.
69. He asked about the length of pretrial detention, and whether preliminary investigations were carried out in a timely manner. He requested clarification on corporal punishment in Tajikistan, particularly with regard to schools.

70. **Mr. Salimzoda** (Tajikistan) said that under the provisions of article 88 of the Code of Criminal Procedure, evidence obtained under duress was not valid. Thus, if a court ruled that evidence had been obtained under duress, the defendant would be released and compensated.

71. When a person was arrested, family members must be informed within 12 hours; otherwise, sanctions could be imposed. Deprivation of liberty was registered when a person was placed in detention. Judges had the power to recharacterize an offence. For example, in one recent case a charge of murder had been reduced to that of hooliganism.

72. With regard to the situation in Khorugh, the armed gangs had been disarmed and a criminal investigation was under way. Forensic reports were used to determine the cause of death or injury. Medical reports were mandatory in cases involving evidence of torture. The complaints process for cases of torture was covered by the legislation in force, and the State party was focusing attention on that subject. Measures taken had involved the establishment of a special unit and a hotline, and complaints were lodged anonymously.

73. There were legislative provisions in place, as well as training courses, to ensure that no illegal interrogation methods were used. He requested clarification on the Committee's question concerning the use of solitary confinement as a punishment.

74. The military courts examined cases in the same way as other courts, except that they had specialized judicial personnel. There were no special temporary courts.

75. With regard to the case of Hamza Ikromzoda, who had hanged himself in prison, a case had been brought against prison staff, and the investigation was continuing. An autopsy had been carried out, and relatives had been granted access to the body. The case was now before the Prosecutor General.

76. The incident in November referred to by Ms. Gaer had involved the transfer of prisoners to a facility with the necessary security level. A preliminary investigation was under way, but forensic examinations had confirmed that no injuries had been sustained.

77. The bill on domestic violence was currently before parliament.

78. Much work had been done to date on the issue of the death penalty. The moratorium of 2004 had been a pioneering legislative step in the region. There was currently less public resistance to the abolition of capital punishment, and although no definite time frame could be given, measures were being taken with a view to abolishing the death penalty at some stage.

79. He confirmed that autopsies were carried out in cases of violent death.

80. The provisions of the Code of Criminal Procedure stipulated that, in the case of allegations that evidence had been obtained under torture, the investigating judge would, within the framework of adversarial proceedings, rule on the validity of such evidence. Medical reports were used in court cases, including those relating to pretrial detention, and could provide grounds for an appeal.

81. Military courts handled cases involving offences against civilians under the provisions of the Code of Criminal Procedure.

82. The Council of Justice was responsible for the administration of justice, training, staff, organizational matters and material assistance to the courts.

83. **Mr. Alizoda** (Tajikistan) said that the Ombudsman visited police stations, psychiatric institutions and hospitals, as well as detention centres. Interviews were confidential. Work was continuing on the reporting and training system, and there were plans to draft a special report on the question of monitoring. With regard to the principle of habeas corpus, detainees had the right to appeal and access to a lawyer.

84. **Mr. Abdulhakov** (Tajikistan) said that there was one colony for young offenders in his country.

85. Under the previous regulations, the minimum size of punishment cells had been 2 m² for one person, while for normal prison cells it had been 2.5 m². Cells for women prisoners or in rehabilitation or labour colonies had been larger. Under the new rules, prison cells holding one detainee must measure at least 4 m².

86. **Ms. Sveaass**, referring to recommendations made in 2006, requested further information on investigation and compensation measures relating to the period 1995 to 1999, i.e. during the period of conflict. She asked why the monitoring of detention centres was a State secret.

87. **Mr. Bruni** asked why prison statistics were not available to the public.

88. **Mr. Tugushi** asked whether the State party had plans to do away with solitary confinement for prisoners serving life sentences, and to repeal legislation on contact with lawyers and family. He wished to know whether steps would be taken to improve access to legal representation for convicted prisoners.

89. **Mr. Salimzoda** (Tajikistan) said that information on prisons was indeed a State secret, but the matter was currently under discussion.

90. He stressed the progress made since independence, including the amnesty laws under which a large number of prisoners had been liberated. That was an example of efforts to protect rights and freedoms.

91. Provision had been made for life sentences only recently, and although there were currently no special facilities available, efforts were being made to create the best possible conditions for the few prisoners serving life sentences. The Supreme Court had reduced certain life sentences in some recent cases.

92. Convicted prisoners only had access to a lawyer if specific legal issues arose. Recently, the President had issued public statements on the question of torture and it had been given priority. Since 2002, the State party had been making progress towards the full implementation of democratic norms and principles.

93. The NGO mentioned by Ms. Sveaass and Mr. Domah had not been able to comply with the relevant legislative provisions and consequently had been obliged to cease its activities.

94. **The Chairperson** expressed satisfaction with the delegation's contributions and participation in the dialogue with the Committee.

The meeting rose at 6 p.m.