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Europe and Central Asia: Torture and ill-treatment Overview

All forms of torture or other ill-treatment are unequivocally prohibited at all times and in all circumstances under international human rights law. However, the practice of these human rights violations continues to be reported on a regular basis across Europe and Central Asia.

Throughout the region there continue to be serious obstacles to the eradication of torture including police cover-ups, fear of repercussions and the lack of an effective, properly resourced and independent system to investigate complaints.

Victims in cases monitored by Amnesty International in recent years describe a catalogue of abuses, including being beaten, stripped naked and threatened with death; electric shocks; cigarette and candle burns; being deprived of food, water and sleep; having plastic bags placed over their heads; and being subjected to threats against their family. In some countries, failure to conduct prompt, thorough and impartial investigations has led to an overwhelming climate of impunity.

In many countries, conditions in prisons, as well as in detention centres for asylum-seekers and irregular migrants, have been described as cruel and degrading.

The following briefing is an illustrative summary of the range of allegations of torture and ill-treatment by law enforcement officers across the Europe and Central Asia region, based on information Amnesty International has gathered from the countries the organization has researched in the past two years.

Albania

In over 140 incident, from the beginning of 2002 to the end of 2005, police are alleged to have tortured or ill-treated one or more people, minors included -- an average of 35 incidents a year. The conditions of detention in police stations, with poor ventilation, sanitation and diet, and no heating or access to television, radio or reading materials often can be considered as inhuman and degrading.

Rrok Pepaj was arrested in Shkodër in April 2005 and charged with trafficking explosives. He subsequently filed a complaint against a named judicial police officer whom he accused of torture, forgery and "abuse of office". He alleged that following his arrest he was repeatedly kicked and beaten with truncheons by masked police officers and that while his head was crushed between two tables he was forced to sign a document that he could not see. He suffered damage to his kidneys; in October he was reportedly still urinating blood and receiving medical treatment while in pre-trial detention.

Albania's record of alleged arbitrary arrests and detention, torture and ill-treatment in custody and impunity for the perpetrators was identified as a matter of concern in November 2004 by the UN Human Rights

Committee and in May 2005 by the UN Committee against Torture.

See report: *Albania: Obligations under the UN Convention against Torture - a gap between law and practice*, (AI Index: EUR 11/001/2005 <http://web.amnesty.org/library/index/engEUR110012005>)

Armenia

Excessive use of force by the police when dispersing demonstrations was reported on several occasions. Law enforcement officers allegedly ill-treated demonstrators in the process of arrest.

In August 2005, police allegedly removed by force and severely beat a resident who refused to leave his home in a neighbourhood of the capital Yerevan which was to be demolished under an urban renewal scheme. Vahe Grigorian, a lawyer representing several residents from the neighbourhood, was arrested on 10 October, reportedly on fabricated fraud charges. The father of one of his clients told the Ombudsperson's Office that he had been ill-treated and forced to incriminate Vahe Grigorian.

Scores of people were injured and forcibly detained when special police units reportedly armed with truncheons used water cannons and stun grenades to break up a peaceful opposition demonstration in the capital Yerevan in the early hours of 13 April 2004. Four journalists who were covering the demonstration were reportedly severely beaten by police officers. Dozens more opposition activists and supporters, including women, were reportedly beaten and ill-treated during unsanctioned armed police raids on the head offices of the main opposition parties launched that same night.

On 28 April 2004 the Parliamentary Assembly of the Council of Europe condemned the use of force by police and called on the authorities to investigate any alleged human rights violations and to release those opposition members still in detention. In July 2004, the Council of Europe's Committee for the Prevention of Torture or Inhuman or Degrading Treatment or Punishment published a report on its 2002 visit to Armenia. The report stated that people detained ran a significant risk of being ill-treated, that prisons were overcrowded, and that conditions of detention for people sentenced to life imprisonment were poor.

Azerbaijan

Human rights violations including ill-treatment and the use of force were recorded during the pre-election campaign and again after the parliamentary elections in November 2005. Between May and December 2005, security forces reportedly used excessive force to break up both authorized and unauthorized demonstrations in Baku, kicking demonstrators and journalists, and beating them, sometimes around the head, with truncheons. Scores of demonstrators were detained and reportedly beaten and ill-treated in custody.

Fourteen journalists were reportedly severely beaten at an unauthorized demonstration organized by the opposition coalition bloc Azadlig (Freedom) on 9 October. Idrak Abbasov, a journalist with the independent Zerkalo (Mirror) newspaper, was reportedly hit on the head repeatedly with baseball bats by several men, including a plainclothes police officer, until he lost consciousness.

In February 2005, the Organization for Security and Co-operation in Europe published its findings on the monitoring that it had conducted into the trials of all 125 people charged in relation to the October 2003 post-election violence. The report concluded that most of the trials fell well short of international fair trial standards, that the courts admitted evidence reportedly obtained through the use of torture, and that defendants were denied the right to presumption of innocence and the right to prepare an effective defence.

Belarus

The Belarusian authorities remained defiant in the face of international criticism of violations of human rights. Police often resorted to violence in dealing with peaceful demonstrators.

On 26 April 2005, police special forces (OMON) reportedly beat and detained peaceful demonstrators who had gathered in Minsk to commemorate the 19th anniversary of the Chernobyl nuclear disaster. Special

forces are said to have kicked and beat the peaceful demonstrators with truncheons, and dragged people into police vans. A 14-year-old boy was reportedly severely ill-treated by members of OMON; he was pulled into a police van where he was insulted and threatened. It was later established that he had torn ligaments in his hand.

In November 2004, the UN Working Group on Arbitrary Detention published a report on its visit to Belarus from 16 to 26 August. The report expressed concern about the use of pre-trial detention as a means to repress freedom of expression, and made a number of recommendations to the government concerning the independence of judges and lawyers, the use and conditions of pre-trial detention and respect for the presumption of innocence, and expressed concern about those held in detention centres under the responsibility of the State Security Service (KGB).

Bulgaria

There were reports of ill-treatment by law enforcement officials that in some instances amounted to torture. Many of the incidents took place when the authorities failed to respect other rights of detainees, including the right to be questioned in the presence of a lawyer. Investigations into most complaints of police ill-treatment were not prompt, thorough and impartial.

In March 2004, when Boris Daskalov refused to make a statement without his lawyer present, police at the Second Police Station in Plovdiv reportedly handcuffed his arms around his legs, inserted a wooden stick between his arms and knees, and suspended him between two chairs. According to reports, Boris Daskalov was gagged and beaten on the soles of his feet with rubber truncheons. He subsequently signed a statement written by the police and was released. In April it was reported that the Ministry of the Interior Inspectorate had initiated disciplinary proceedings against four police officers involved.

In November 2005, Angel Dimitrov died allegedly as a result of the excessive use of force by police officers in Blagoevgrad. According to some witnesses, he was subjected to a sustained beating by the police during an attempt to arrest him. Post-mortem examination showed that he died due to a blow to his head which caused a fatal haemorrhage. Although the Interior Minister publicly accepted responsibility for the wrongful actions of the police, the Prosecutor's Office announced that there was insufficient evidence against the police officers.

In May 2004, the UN Committee against Torture expressed concern about "numerous allegations of ill-treatment of persons in custody that may amount to torture, in particular during police interviews, which disproportionately affect the Roma, and the lack of an independent system to investigate complaints ...".

Estonia

In April 2005, the Council of Europe's Committee for the Prevention of Torture and Inhuman and Degrading Treatment (CPT) published a report based on findings from a visit to Estonia in 2003. The report was generally positive but did raise a few areas of concern:

Allegations of ill-treatment at the time of apprehension -- "being punched, kicked or struck with batons";

Allegations of ill-treatment in prisons -- consistent reports from the Tartu prison regarding "alleged beatings by masked members of a special squad during an intervention in the block for sentenced prisoners in May 2003";

Poor material conditions and unsatisfactory regime at the Kohtla-Järve and Narva detention centres amounting to inhuman and degrading treatment - detainees locked up for 24 hours a day in cells that were generally dirty, badly lit and overcrowded.

No special provisions for juveniles in detention, and juveniles often placed in the same cells as adults.

No legal right for detainees to notify a third party of their custody;

No out-of-cell activities for remand prisoners.

France

Complaints about torture and ill-treatment in police custody increased by 18.5 per cent in 2004. The excessive and sometimes lethal force used against suspects appears to be racially biased. A large number

of cases of torture and ill-treatment never reach the courtroom. When they do, convictions are rare, and sentences often nominal. Public prosecutors are reluctant to pursue cases against police officers.

Moroccan and Netherlands national Ahmed Selmouni was arrested by judicial police for a drug trafficking offence in November 1991 and held in police custody for three days. Ahmed Selmouni was subject to repeated punchings, kickings, beatings with a baseball bat and truncheon and hair-pulling. He was also urinated on and threatened with a syringe and a blow lamp. His case came to court in February 1999 only about six weeks before the case was heard by the European Court in Strasbourg. The European Court of Human Rights found that Ahmed Selmouni had endured repeated and sustained assaults over a number of days of questioning and stated that the physical and mental violence, considered as a whole, committed against the applicant's person caused 'severe' pain and suffering and was particularly serious and cruel. Such conduct must be regarded as acts of torture.

In February 2005, the European Commission against Racism and Intolerance, a Council of Europe body, noted regarding the situation as of June 2004 that complaints persist concerning ill-treatment inflicted by law enforcement officials on members of minority groups. They allege acts of physical violence, humiliation, racist verbal abuse and racial discrimination.

See report *France: the Search of Justice - The effective impunity of law enforcement officers in cases of shootings, deaths in custody or torture and ill-treatment*, (AI Index: EUR 21/001/2005), <http://web.amnesty.org/library/index/engneur210012005>

Georgia

When coming to power following the "Rose Revolution" in November 2003 the government inherited a system in which torture and ill-treatment were widespread and perpetrators routinely went unpunished. Since 2004, the Georgian authorities have introduced or implemented a number of measures to tackle the issue of torture and ill-treatment. These have included legal amendments and extensive monitoring activities of detention facilities under the jurisdiction of the Ministry of Internal Affairs conducted in particular by the office of the Public Defender of Georgia (Ombudsman); and at least ten perpetrators of crimes amounting to torture or ill-treatment are serving prison terms handed down since the "Rose Revolution".

However, Amnesty International has continued to receive reports about torture and ill-treatment. Many cases still do not come to light because police cover up their crimes and detainees are often afraid to complain or identify the perpetrators for fear of reprisal. Impunity for torture and ill-treatment is still a big problem as procurators did not open investigations into all potential torture and ill-treatment cases in a systematic manner.

Zaali Akobia was detained in his house by at least a dozen masked officers of the special police unit early on 18 April 2005. He told Amnesty International: " They started beating me when they detained me; they continued on the way to their office and then in the office. There at first I was standing but because of the beatings I fell on the floor. While they were beating and kicking me they put some cloth into my mouth so that I was unable to shout. Then they placed the barrel of a gun into my mouth threatening to kill me unless I signed a 'confession' and that they would fabricate another case against me if I managed to get out of this one."

After having submitted the case to the General Procuracy, Amnesty International was informed on 10 November 2005 that on 3 October the same year the procuracy in Zugdidi had initiated a preliminary investigation into the allegations; on 1 November 2005 a former representative of the Special Operative Department of the Abkhazian Division of the Ministry of Internal Affairs was detained and charged with "Exceeding official authority" in connection with the allegation of police ill-treatment. The investigation was reportedly still ongoing.

See report: *Georgia: Torture and ill-treatment -- still a concern after the "Rose Revolution"*, (AI Index: EUR 56/001/2005) <http://web.amnesty.org/library/index/engneur560012005>

Italy

Italy has still failed to make torture, as defined in the UN Convention against Torture, a specific crime within its penal code. It has no independent body to monitor and take action against law enforcement officers accused of torture and ill-treatment.

Chronic overcrowding and understaffing persisted in prisons, along with high rates of suicide and self-harm. There were many reports of poor sanitary conditions and inadequate medical assistance.

Thousands of refugees and potential asylum seekers in temporary holding centres were subjected to physical assault by law enforcement officers and supervisory staff and to excessive and abusive administration of sedative and tranquillizing drugs. Many experienced difficulties in gaining access to the expert advice necessary to challenge the legality of their detention and of expulsion orders. The centres were often overcrowded, with unsuitable infrastructures, unhygienic living conditions and unsatisfactory medical care. In July 2005, 16 people were convicted on charges of physical assault and racial abuse of inmates of a temporary detention centre in the Puglia region in November 2002.

Italy: Temporary Stay -- Permanent Rights: The treatment of foreign nationals detained in 'temporary stay and assistance centres', <http://web.amnesty.org/library/index/engeur300042005>.

Kyrgyzstan

The authorities of Kyrgyzstan failed to provide with protection as many as 50 Kyrgyzstani men who fled Uzbekistan together with Uzbekistani refugees after the 13 May events in Andizhan when Uzbekistani troops killed hundreds of demonstrators. There was evidence in some cases that authorities fully assisted the government of Uzbekistan in pursuing them. In Kyrgyzstan they were put in a refugee camp; no notification was sent to their families; and there was no record of their arrival in search of protection or of their protection needs. The details of 37 out of the 50 men were included in the list of wanted criminal suspects published by the Uzbekistan authorities in June. To avoid being seized and forcibly transferred to Uzbekistan, where they would have been at serious risk of torture and ill-treatment, those on the list went into hiding.

While investigating a case on 13 June 2005, Southern Region Ombudsman staff found two Kyrgyzstani men imprisoned in the Kenesh detention centre outside Osh on an arrest warrant sanctioned by the Prosecutor of Andizhan in Uzbekistan. The two men were on the "wanted" list. One of the men showed signs of having been severely beaten. He said that after he had asked for a lawyer he had been taken down into the basement of the detention centre and beaten by Uzbekistani officials who said they were from the National Security Service.

Latvia

In May 2005, the Council of Europe's Committee for the Prevention of Torture and Inhuman and Degrading Treatment (CPT) published a report based on findings from a visit to Latvia in 2002. The report highlighted several worrying practices from that time:

Credible allegations of physical ill-treatment by law enforcement agencies throughout Latvia -- brutality in connection with apprehension, ill-treatment during police questioning. The forms of ill-treatment reported included "asphyxiation with a plastic bag, strangulation, very severe beating, infliction of electric shocks, submerging the head of the suspect in the water of a lake." Some of this ill-treatment was so severe that it could be considered to constitute torture.

Poor conditions of detention in police establishments, "particularly bad at Daugavpils, Liepaja and Ventspils Headquarters, where persons were being held 24 hours per day in overcrowded cells, which were humid, dirty, poorly lit and ventilated."

Hardly no out-of-cell activities for sentenced prisoners.

Moldova

Detainees are at risk of torture and ill-treatment at the hands of the police. They are kept in conditions

amounting to cruel and degrading treatment and are sometimes denied medical assistance.

Sergei Gurgurov was detained in Chisinau on 25 October 2005, accused of stealing a mobile phone. On 3 November, he was brought before the District Court in Ryshkan after the District Procurator requested he be detained for questioning for a further 30 days. A video recorded by his lawyer shows Sergei Gurgurov being brought into the court building by two officers, his feet dragging as they pull him, and clearly unable to walk or stand without support. Sergei Gurgurov told his lawyer that he had been tortured while in detention, including by being beaten and subjected to electric shocks, in order to force him to confess to the theft. Despite repeated appeals from his lawyer he was not allowed to be examined in a hospital that had the necessary equipment to diagnose his injuries. After intensive campaigning by Amnesty International Sergei Gurgurov was released on bail on 9 December by the Chisinau Appeal Court, with the condition that he is not to leave his town of residence.

Stela Dragich is being detained in connection with a charge of trafficking. She is blind and is registered with the Moldovan Association of the Blind, yet the staff of the detention facility made no arrangements for her disability when she arrived at the facility. Since she has been in detention she has not been offered any assistance to find her way to the shower and the toilets, and has been unable to look after her basic personal hygiene. She has been subjected to bullying from the other prisoners.

Portugal

Throughout recent years there has been a steady volume of substantive allegations of torture and ill-treatment and, in some instances, suspected illegal killings by law enforcement officers. There were continuous reports of ill-treatment and other forms of abuse by prison officers. Particular areas of concern are:

- Arbitrary use of force by the police, including lethal force, particularly when the use of firearms was unnecessary and/or disproportionate to the threat posed;
- Insufficient and incomplete police training and operational guidelines;
- Targeting of ethnic and other minorities by law enforcement officials;
- Lack of effective safeguards in prisons to prevent self-harm, including through the identification of vulnerable inmates, and inter-prisoners violence -- in the first six months of 2005, self-inflicted deaths were registered in Izeda, Alcoentre and Vale de Judeus prisons;
- Detention conditions amounting to cruel, inhuman and degrading treatment
- Poor conditions in disciplinary cells with some inmates being reportedly locked in their cells for up to 23 hours per day;
- Prison overcrowding - on 30 June 2005 the prison population in Setubal, C. Branco, Elvas, Guimaraes and Portimao was more than double these detention centres' maximum capacity.

Russian Federation

Incidents of torture and ill-treatment in prisons and detention centres throughout the Russian Federation as well as poor conditions there continue to be reported on a regular basis. Impunity remained the norm for serious human rights abuses in the context of the Chechen conflict, where authorities are implicated in the torture, abduction, secret detention and "disappearances" of civilians.

Adam Gorchkhanov reportedly "disappeared" from his home in the Republic of Ingushetia on 23 May 2005. According to reports, over 40 mainly Russian speaking members of an unknown security service, some masked, arrived at the home of the Gorchkhanov family in the village of Plievo, Nazran district. They beat Adam Gorchkhanov, demanding that he hand over weapons. The men searched the house without a court order. They stated they found two pistols, but no independent witnesses were present during the search. After the search, the unknown men reportedly took Adam Gorchkhanov away with them without telling his relatives where he was being taken. On 28 May, relatives reportedly learned that he was at the Central Republic hospital of North Ossetia in Vladikavkaz. Police officers allegedly stated that Adam Gorchkhanov had jumped from the fourth floor of the building of the Regional Department for the Fight against Organized Crime. He died on 30 May from serious head injuries.

Rasul Kudaev, a former Guantánamo detainee, was detained by Russian law enforcement officers on 23 October 2005, allegedly on suspicion of participation in an armed raid by gunmen on the town of Nalchik on 13 October. He was reportedly beaten in front of his family. His state-appointed lawyer told the family that when she went to see him, he had to be dragged into the room and was unable to speak normally. He reportedly was half conscious during several meetings she had with him. When she filed a complaint regarding his alleged torture, she was removed from the case. The lawyer had been the family's sole means of contact with him, so they now have no information about whether he has been charged, nor the state of his health. It is thought that he is being denied adequate medical treatment.

Mikhail Trepashkin, a lawyer and former security service officer, was convicted in 2004 of illegal possession of ammunition and revealing state secrets. He was sentenced to four years' imprisonment following a criminal investigation and trial that was marred by serious fair trial violations and during which he allegedly was ill-treated. Mikhail Trepashkin is in urgent need of medical attention which the prison colony at which he is imprisoned is not able to provide.

Measures against human rights violations are seldom taken and as a rule police and army act within a climate of impunity.

Serious human rights violations against the civilian population in Chechnya are mainly committed with complete impunity. Less than a dozen of cases have been taken to court. Sergei Lapin, a member of a special federal police unit (OMON), is the first and so far only member of the Russian federal forces who has stood trial in Chechnya itself for human rights violations against the civilian population. Sergei Lapin had been involved in the torture and "disappearance" of 26-year-old Zelimkhan Murdalov, who was detained on 2 January 2001 in Grozny. In March 2005 a court in the capital Grozny found Sergei Lapin guilty of intentional infliction of serious harm to health under aggravating circumstances, exceeding official authority under aggravating circumstances, and forgery by an official. He was sentenced to 11 years' imprisonment in a strict regime prison colony.

In November 2005, two Russian police officers were convicted for crimes relating to the torture of Aleksei Mikheev in detention in September 1998. A court in Nizhnii Novgorod found that Igor Somov and Nikolai Kosterin had driven Aleksei Mikheev to attempt suicide by their participation in torture, including electric shocks and beatings, aimed at making him confess to a crime that he did not commit. The conviction is a rare case of police accountability of acts of torture and ill-treatment. However, according to a local non-governmental organization, other police and procuracy officials who were also responsible for the torture have yet to be prosecuted. Aleksei Mikheev suffered serious injuries, including a broken spine, and was left needing to use a wheelchair. In January 2006 the European Court of Human Rights ruled that Russia had violated Aleksei Mikheev's rights under the European Convention for Human Rights. The Court found violations of Article 3 (prohibition of torture) and Article 13 (right to an effective remedy).

The Russian Federation is the only member state of the Council of Europe that still does not allow for the full publication of reports of the Council of Europe's Committee against Torture.

See report: *Russian Federation: Violations continue, no justice in sight. A briefing paper on human rights violations in the context of the armed conflict in the Chechen Republic, (AI Index: EUR 46/029/2005)*
<http://web.amnesty.org/library/index/engneur460292005>

Serbia and Montenegro

Two years after the assassination of Serbian president Zoran Djindjic and the subsequent clampdown, which saw the arrest of almost 10,000 people, the Serbian authorities have largely failed to investigate allegations of widespread torture and ill-treatment of detainees during "Operation Sabre" in 2003. In November 2004, the Committee against Torture found Serbia in violation of several articles of the Convention against Torture.

Spain

Law enforcement officers were involved in cases of ill-treatment and use of excessive force. Migrants and possible asylum-seekers were often victims of ill-treatment at the hands of the police and Guardia Civil. Poor conditions were reported in detention centres for minors.

On 24 July 2005, Juan Martínez Galdeano went to the local headquarters of the Guardia Civil to settle a quarrel with a man after their cars collided in Roquetas de Mar (Almeria). Guardia Civil officials said that, when Juan Martínez Galdeano was asked to undergo an alcohol test, he became aggressive. A Guardia Civil officer used a taser and an extendible baton to restrain him. He was arrested for public disorder and for resisting law enforcement officials and had both his hands and his feet handcuffed. According to official sources, several police officers had to restrain Juan Martínez Galdeano as he became aggressive again while they tried to transfer to the local detention facility. Eventually he experienced a seizure and died. An autopsy found marks consistent with reports of ill-treatment and the use of excessive force. The officers involved in the death of Juan Martínez Galdeano were indicted and suspended from using unauthorized weapons.

In September and October 2005, scores of people have been injured and at least 11 killed while trying to cross into the Spanish enclaves of Ceuta and Melilla in Northern Morocco when they were confronted by law enforcement officials of both countries. Hundreds more, including possible asylum-seekers, have been rounded up by the Moroccan authorities and placed in detention or forcibly removed.

J.P., a man in his twenties, fled extreme poverty in Cameroon and made his way to Morocco. The first time he entered the Spanish enclave of Melilla, he made it to the Commissariat where migrants can register and get legal assistance. However, J.P. was expelled immediately to Morocco. The second time he managed to enter Melilla, the Spanish Guardia Civil beat him and shot at him with rubber bullets from about two metres distance before turning him back. The third time he stormed the fence of the enclave with other migrants, but was expelled again back to Morocco from where the Moroccan authorities expelled him to an area at the border between Morocco and Algeria near the town of Oujda.

Turkey

Torture and ill-treatment by law enforcement officials continued to be reported. Detainees said they were beaten, stripped naked and threatened with death, deprived of food, water and sleep during detention, and beaten during arrest or in places of unofficial detention. This demonstrated the failure in many cases of law enforcement officials to follow lawful detention and investigative procedures and the failure of prosecutors to ascertain that law enforcement officials had complied with procedures. Police also regularly used disproportionate force against demonstrators, charging them with resisting arrest while their injuries were explained away as having occurred as police attempted to restrain them.

In October 2005 in Ordu, five teenagers all aged between 15 and 18 were detained at the opening of a new shopping centre. The five reported being beaten, verbally abused, threatened and having their testicles squeezed while being taken into custody and while in custody at the Ordu Central Police Station. They were later released. Other irregularities in the handling of the detained teenagers by the police and prosecutor demonstrated a failure to follow legal procedures at any point from the moment of detention onwards. In early January the Ordu prosecutor decided not to prosecute any of the alleged perpetrators.

While serving a four-year sentence in Sivas military prison in 2005, conscientious objector Mehmet Tarhan, 27, had allegedly undergone severe ill-treatment on at least two occasions. On 30 September 2005, a prison officer accompanied by at least three guards reportedly forcibly cut Mehmet Tarhan's hair and shaved his beard while he was held down by at least seven people. The incident reportedly left him in great pain in his neck, hands, left arm and left foot, and unable to turn his head fully. Following this incident, Mehmet Tarhan initiated a hunger strike in protest at the prison authorities' ill-treatment of him, and against the cramped, unhygienic conditions in which he was allegedly being held.

Turkmenistan

Torture and ill-treatment by police is believed to be widespread and has been used against dissidents,

members of religious minority groups and detainees accused of ordinary crimes. The perpetrators routinely go unpunished. The authorities have failed to respond to allegations that some of those imprisoned following unfair trials in connection with the alleged assassination attempt on President Saparmurad Niyazov died in custody as a result of torture and cruel and inhuman prison conditions.

Jehovah's Witnesses Durdygul Ereshova and Annajemal Tuylieva were detained by police on 7 October 2005 and taken to Niyazov district police station in Ashgabat. A senior officer allegedly insulted them, beat and kicked Annajemal Tuylieva, and threatened to rape them. Police were said to have accused them of "illegal religious activity" and "vagrancy", and to have confiscated the passport of Durdygul Ereshova's husband and threatened her with forcible resettlement to Lebap region in the east.

On 16 December 2005 the UN General Assembly adopted a resolution on Turkmenistan reiterating concerns raised in previous resolutions as well as in resolutions adopted by the UN Commission on Human Rights. Among others, it raised "grave concern" about "credible reports of torture and mistreatment of detainees".

Ukraine

Torture and ill-treatment at the hands of the police is widespread in Ukraine, but as a rule the perpetrators go unpunished, the victims do not receive reparation and statistics about prosecutions of police officers for torture and ill-treatment are not publicized. According to an independent study published in 2004, 62.4 per cent of those interviewed who had been in police detention were subjected to ill-treatment on arrest: 44.6 per cent had their arms, legs or necks twisted; 32.8 per cent were punched or kicked; and 3.8 per cent claimed to have been tortured and ill-treated using special equipment.

Gennadii Vladimirov and Valerii Vladimirov were detained for three days as suspects in January and February 2004, and were reportedly beaten to make them sign confessions. Gennadii required hospital treatment for injuries to his back and kidneys as a result of the alleged beating. Tatiana Doroshenko was detained, along with her 18-month old son, as a witness. Police separated her from her child once they arrived at the police station despite the fact that the child was ill with a temperature at the time, and told Tatiana Doroshenko that she would be reunited with her child only if she gave testimony against three suspects in the case. The child reportedly remained in the police station, separated from his mother and was not fed or given anything to drink until 6pm when he and his mother were allowed to go home. A further two other individuals were also ill-treated by police in connection with the same investigation.

Mikhailo Koval and his son were reportedly ill-treated by police in Chernihiv in August 2001 to force them to hand over a drill which belonged to Mikhailo Koval's son, Dmitrii Brik. They were allegedly beaten by police officers at the entrance to their flat and then detained in the Chernihiv police station where they were subjected to further beating. Dmitrii Brik suffered a burst eardrum and permanent loss of hearing as a result. Despite numerous complaints, at the time of writing no action had been taken in either case to prosecute the police officers allegedly responsible or to compensate the victims.

See report: *Ukraine: Time for action: Torture and ill-treatment in police detention*, (AI Index: EUR 50/006/2005) <http://web.amnesty.org/library/index/engeur500062005>

United Kingdom (UK)

In its report of June 2005, The European Committee for the Prevention of Torture (CPT) published a report on its March 2004 visit. It found that detention under the Anti-terrorism Crime and Security Act 2001 had caused mental disorders in most of those interned, and that detention had been even more detrimental to their health because of its indefinite character and the lack of knowledge about evidence against them. The CPT considered that the situation of some of them at the time of the visit amounted to inhuman and degrading treatment.

Uzbekistan

There were persistent reports of systematic torture and ill-treatment, as documented by the UN Special

Rapporteur on Torture on after a visit in 2002. Evidence reportedly obtained under torture was routinely admitted in court and there was no presumption of innocence. A presidential decree promised abolition of the death penalty in 2008; however, no moratorium on executions was imposed, and dozens of people were believed to have been sentenced to death and executed following unfair trials. Police used excessive force with impunity to break up largely peaceful demonstrations.

Alisher Khatamov, born 1978, was sentenced to death by Tashkent Regional Court on 16 March 2005 for murdering two people. According to his father, police officers beat the whole family of five and threatened to rape the daughter and mother unless Alisher "confessed" to having committed the crime. Reportedly, Alisher Khatamov's lawyer only got access to him two weeks after he was detained. The family complained about the beatings during the trial, but their allegations are said to have been ignored by the court. The UN Human Rights Committee lodged request with the Uzbek authorities on behalf of Alisher Khatamov in May 2005, to stay his executions while it establishes whether provisions of the International Covenant on Civil and Political Rights (ICCPR) were violated in his case. As a party to the Optional Protocol to the ICCPR, the Uzbek authorities are obliged to respect such requests, and have done so in some cases. However, they have blatantly ignored them in at least 15 cases.

On 12-13 May 2005, the security forces allegedly killed hundreds of people, including unarmed men, women and children, when they fired indiscriminately and without warning on a crowd of demonstrators in the eastern city of Andizhan in May. The government rejected international calls for an independent international investigation and attempted to block all but official reports of the killings. Hundreds of demonstrators were detained and reportedly ill-treated, and witnesses were intimidated. Journalists and human rights defenders were harassed, beaten and detained, and some held as prisoners of conscience on serious criminal charges. Following unfair trials, at least 73 people were convicted of "terrorist" offences and sentenced to between 12 and 22 years' imprisonment for their alleged participation in the unrest.

In response to Uzbekistan's refusal to allow an independent international investigation of the May killings in Andizhan, the European Union (EU) in November 2005 announced an embargo on EU arms sales and military transfers to Uzbekistan, and a one-year visa ban on 12 senior government ministers and officials. The UN General Assembly expressed deep regret over Uzbekistan's refusal to allow an international investigation and urged the authorities to stop their "harassment and detention of eyewitnesses".

See reports: *Uzbekistan: Questions of life and death cannot wait until 2008 -- A briefing on the death penalty* (AI Index: EUR 62/020/2005), <http://web.amnesty.org/library/index/engneur620202005>
Uzbekistan: Lifting the siege on the truth about Andizhan (AI Index: EUR 62/021/2005)
<http://web.amnesty.org/library/index/engneur620212005>

Amnesty International has also researched torture and ill-treatment by law enforcement officials against asylum-seekers and refugees. For more information please see:

Greece: Out of the spotlight: The rights of foreigners and minorities are still a grey area, (AI Index: EUR 25/016/2005) <http://web.amnesty.org/library/index/engneur250162005>

Italy: Temporary Stay -- Permanent Rights: The treatment of foreign nationals detained in 'temporary stay and assistance centres', <http://web.amnesty.org/library/index/engneur300042005>.

United Kingdom: SEEKING ASYLUM IS NOT A CRIME: Detention of people who have sought asylum, (AI Index: EUR 45/015/2005) <http://web.amnesty.org/library/index/engneur450152005>

Spain/Morocco: The authorities must be held accountable for the violation of migrants' rights (AI Index: EUR 41/016/2005) <http://web.amnesty.org/library/index/engneur410162005>

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