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|  | United Nations | CAT/C/KGZ/QPR/3[[1]](#footnote-2)\* | |
| _unlogo | **Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment** | | Distr.: General  11 January 2016  Original: English  English, French, Russian and Spanish only |

**Committee against Torture**

List of issues prior to submission of the third periodic report of Kyrgyzstan[[2]](#footnote-3)\*\*

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| The Committee against Torture, at its thirty-eighth session (A/62/44, paras. 23 and 24), established an optional procedure which consists in the preparation and adoption of a list of issues to be transmitted to the State party concerned prior to the submission of its periodic report. The replies of the State party to this list of issues will constitute its report under article 19 of the Convention. |
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Specific information on the implementation of articles 1-16 of the Convention, including with regard to the Committee’s previous recommendations

Articles 1 and 4

1. With reference to the Committee’s previous concluding observations (see CAT/C/KGZ/CO/2, para. 10),[[3]](#footnote-4) please provide information on:

(a) Any further amendments to the Criminal Code in order to bring it in line with all the elements contained in article 1 of the Convention, including extending criminal responsibility in the definition of torture contained in article 305 (1) not only to public officials but also to persons acting in an official capacity;

(b) Any amendments to legislation in order to bring it in line with article 4 (2) of the Convention that would make the specific offence of torture punishable by appropriate penalties commensurate with the gravity of the offence;

(c) Any amendments to legislation ensuring that the prohibition of torture is absolute, that there is no statute of limitations for acts of torture and on steps taken to ensure that amnesty is not applied to acts of torture and ill-treatment.[[4]](#footnote-5)

Article 2[[5]](#footnote-6)

2. With reference to the Committee’s previous concluding observations (para. 11), please provide information on any measures taken by the State party to raise awareness among judges, lawyers and prosecutors about the Convention and the direct applicability of its provisions in domestic law[[6]](#footnote-7) in order to ensure its de facto applicability.

3. With reference to the Committee’s previous concluding observations (para. 9), please provide information on steps taken to ensure thatpersons deprived of their liberty, especially those held in pretrial detention, are afforded from the very outset of their deprivation of liberty all the fundamental legal safeguards, such as:

(a) Prompt access to an independent lawyer of their choice, as established in article 24 (5) of the Constitution[[7]](#footnote-8) and, if necessary, to legal aid from the moment of apprehension; the ability to communicate privately with their lawyers; proper remuneration; and information on the current status of the draft law on the Bar Association;[[8]](#footnote-9)

(b) The possibility of having a relative or other person of their choice informed of their detention;[[9]](#footnote-10)

(c) Access to a medical examination by an independent doctor, if possible a doctor of their choice;

(d) Information about their rights as detainees and the reasons for their arrest and detention, including the charges brought against them;

(e) The possibility of being brought before a judge within 48 hours of their deprivation of liberty;

(f) For all detainees, including minors, inclusion in a central register of persons deprived of their liberty[[10]](#footnote-11) that can be accessed by the lawyers and family members of those detained and others, as appropriate.

4. Also with reference to the Committee’s previous concluding observations (para. 9), please provide information on:

(a) Steps taken by the State party to monitor the provision of safeguards to persons deprived of their liberty, including the compliance of public officials throughout the country with registration requirements; whether information on the rights of detainees is systematically posted in all police stations and temporary holding facilities, in the relevant languages;[[11]](#footnote-12) and the adoption of any measures that would allow detained persons to exercise the right to effectively challenge the legality of their detention;[[12]](#footnote-13)

(b) Any measures taken to ensure that lawyers do not need special permission from investigators to gain access to their clients;

(c) Measures taken to discipline and prosecute those public officials who deny fundamental legal safeguards to persons deprived of their liberty;

(d) Specific steps taken to ensure that police officers do not forcibly extract confessions from persons deprived of their liberty in the early stages following apprehension, before formal detention or arrest.

5. With reference to the Committee’s previous concluding observations (para. 6), in which the Committee expressed grave concern at the persistent failure of the State party to conduct prompt, impartial and full investigations into numerous allegations of torture and ill-treatment and to prosecute alleged perpetrators, which has resulted in impunity for the State officials who are allegedly responsible, please provide information on effective measures taken to prevent acts of torture and ill-treatment throughout the country, including by implementing policies that would eliminate impunity for perpetrators of torture and ill-treatment and ensure prompt, impartial, effective investigations into all allegations of torture and ill-treatment, prosecution of those responsible and the imposition of appropriate sentences on those convicted.

6. With reference to the Committee’s previous concluding observations (para. 12), please provide information on any steps taken to strengthen the independence and impartiality of the judiciary so that it can perform its functions in line with international standards.[[13]](#footnote-14) In particular, please provide information on steps taken with regard to the process of selecting judges, the criteria for reappointing judges, the attestation procedure for judges and dismissal. Please provide information on steps taken to increase the salaries and guarantee the security of tenure of judges and on whether re-evaluations continue to be carried out every seven years. In addition, please provide information on any other specific measure taken to deal with corruption in the judicial system with a view to eradicating impunity.

7. With reference to the Committee’s previous concluding observations (para. 14), please provide information on:

(a) Any legislative measures taken to strengthen the Office of the Ombudsman (*Akyikatchy*), including its independence and mandate, in particular in relation to monitoring places of detention, and to provide it with adequate resources for its operation. Please also provide information on any steps taken to bring the Office of the Ombudsman into compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles);[[14]](#footnote-15)

(b) Any amendments made to the Ombudsman (*Akyikatchy*) Act, which stipulates that the Ombudsman may be removed from his or her post if the annual report is not approved;

(c) Any modifications made to the process for selecting the Ombudsman and to his or her tenure since the adoption of the previous concluding observations.

8. With reference to the Committee’s previous concluding observations (para. 15), please provide information on:

(a) Whether the National Centre for the Prevention of Torture has begun operating as the country’s national preventive mechanism since the adoption of the previous concluding observations;

(b) Whether the National Centre for the Prevention of Torture has received the financial, human and material resources necessary to fulfil its mandate independently and effectively,[[15]](#footnote-16) whether it includes multidisciplinary expertise in torture prevention and whether it adequately represents the country’s key ethnic and minority groups;[[16]](#footnote-17)

(c) Specific steps taken to ensure that all persons involved in the administration of places of detention are aware of the rights of members of the National Centre for the Prevention of Torture.

9. With reference to the Committee’s previous concluding observations (para. 18), please provide updated information on:

(a) Progress in adopting a comprehensive approach to preventing[[17]](#footnote-18) and effectively combating violence against women, including domestic violence and bride-kidnapping, by implementing in practice the laws against domestic violence and bride-kidnapping;

(b) Specific steps taken to protect victims of such violence, establish appropriate and adequately resourced shelters[[18]](#footnote-19) across the country and provide victims with access to medical, psychosocial and legal services and adequate compensation;[[19]](#footnote-20)

(c) Measures taken since the adoption of the previous concluding observations to investigate complaints relating to violence against women, including domestic violence and bride-kidnapping, institute criminal proceedings against perpetrators and those aiding and abetting the kidnappings, even in the absence of a formal complaint, and punish those found guilty in accordance with the gravity of their acts;

(d) Any training provided to law enforcement officials and the judiciary in investigating such violence and prosecuting alleged perpetrators;

(e) Any campaigns conducted during the period under review to raise the awareness of men, women and law enforcement officers about the adverse impact of violence against women,[[20]](#footnote-21) including domestic violence, as well as about the illegality of bride-kidnapping;

(f) Any steps taken to establish an effective and independent complaints mechanism for victims of violence against women, including domestic violence and bride-kidnapping.

10. Please provide information on:

(a) Measures taken by the State party to prevent and combat trafficking in persons, including by effectively implementing relevant legislation and harmonizing child adoption legislation with the requirements of international law;[[21]](#footnote-22)

(b) Measures taken to investigate, prosecute and punish those involved in trafficking in persons and related practices, including the collection of disaggregated data on the number of complaints, investigations, prosecutions and sentences handed down for acts of trafficking and on the difficulties experienced in preventing such acts;

(c) Measures taken to increase the protection of victims of trafficking by establishing mechanisms for identifying victims[[22]](#footnote-23) and referring them to services that provide redress, including legal, medical and psychological aid and rehabilitation, as well as adequate shelters and assistance in reporting incidents of trafficking to the police;

(d) Any specialized training provided to law enforcement officials, migration officers, prosecutors and judges on the effective identification, prevention and investigation of acts of trafficking and the prosecution and punishment of those responsible;

(e) Any nationwide awareness-raising campaigns on the criminal nature of human trafficking, including campaigns conducted through the media.

Article 3

11. With reference to the Committee’s previous concluding observations (para. 23), please provide information on:

(a) Measures taken to ensure compliance with article 3 of the Convention, including the principle of non-refoulement, by refraining from expelling, returning (*refouler*) or extraditing persons to another State where there are substantial grounds for believing that they would be in danger of being subjected to torture;

(b) Steps taken to ensure that all persons seeking asylum in the State party, including at its border crossing points, enjoy all procedural guarantees, including access to legal assistance and interpreters and the right of appeal against negative decisions;

(c) Steps taken to provide training in refugee law, in particular on the principle of non-refoulement, to officials working with persons in need of international protection;

(d) Measures taken to ensure that all persons who have been granted refugee status by the Office of the United Nations High Commissioner for Refugees are provided with non-refoulement assurances, permission for legal stay and access to fair and efficient asylum procedures, regardless of their country of origin;

(e) Steps taken to ensure that decisions concerning asylum can be appealed and have a suspensive effect in order to avoid the risk of *refoulement*;

(f) Steps taken to establish judicial mechanisms for the review of decisions concerning asylum and to provide sufficient legal defence for persons subject to extradition and on any measures taken to put in place effective post-return monitoring arrangements.

Articles 5, 7 and 8

12. Please provide information on whether the State party has rejected, for any reason, requests for extradition by another State of an individual suspected of having committed an offence of torture and has started prosecution proceedings as a result. If so, please provide information on the status and outcome of such proceedings.

Article 10

13. With reference to the Committee’s previous concluding observations (para. 24), please provide updated information on:

(a) Steps taken to provide more practical training, with a gender-sensitive approach, for all personnel involved in the custody, detention, interrogation and treatment of detainees, including law enforcement officers, prison personnel, guards and managers, as well as judges and prosecutors, on the provisions of the Convention, on the absolute prohibition of torture and on the prevention of torture and ill-treatment;[[23]](#footnote-24)

(b) Steps taken to ensure that all relevant personnel, including medical personnel and other public officials involved in work with persons deprived of their liberty and asylum seekers, receive training on how to identify, describe and assess signs of torture and ill-treatment and report them, in accordance with the principles set out in the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol);[[24]](#footnote-25)

(c) Any specific methodologies developed to evaluate the effectiveness and impact of the training programmes on the prevention of the offences of torture and ill-treatment.

Article 11

14. With reference to the Committee’s previous concluding observations (para. 20), please provide information on:

(a) Specific measures taken by the State party to improve[[25]](#footnote-26) the poor material conditions, funding and provision of health care in places of detention,[[26]](#footnote-27) including extremely harsh living conditions such as overcrowding, insufficient food and drinking water, lack of ventilation and hygiene, the prevalence of tuberculosis and poor health care, with a view to bringing them into line with international standards;[[27]](#footnote-28)

(b) Any specific steps taken to improve the deplorable conditions of detention of inmates sentenced to life imprisonment, with a view to treating such inmates without discrimination and on an equal basis with other detainees.[[28]](#footnote-29)

15. With reference to the Committee’s previous concluding observations (para. 17), please provide information on:

(a) Specific steps taken to investigate promptly, thoroughly and impartially all incidents of death in custody or immediately after release from detention and on any steps taken to ensure independent forensic examinations in all cases of death in custody and permit family members of the deceased to commission independent autopsies; steps taken to prosecute and punish those found guilty of acts of torture, ill-treatment or wilful negligence with appropriate punishments, including the number of such cases and the penalties imposed; any measures taken to prevent abuses and protect the most vulnerable detainees;[[29]](#footnote-30) and any redress provided to victims or their relatives;

(b) Whether the courts in the State party accept the results of such independent autopsies as evidence in criminal and civil cases;

(c) The results of any investigations of deaths in custody in cases where medical reports have revealed marks of beating, including specifically with regard to the cases of Bektemir Akunov and of three ethnic Uzbeks cited in the previous concluding observations;

(d) Any progress made in implementing the views of the Human Rights Committee[[30]](#footnote-31) on the case of death in custody referred to in communication No. 1756/2008.

16. Please provide information on:

(a) Whether all underground detention cells in the State party have been closed;

(b) Whether living conditions have been improved at the prison colony for juveniles and in the schools for social adaptation and rehabilitation;

(c) Whether the State party has put a stop to the practice of using handcuffing as a means of punishment;

(d) Whether adequate human and financial resources have been allocated to the area of mental health, including for the employment of qualified psychiatrists;

(e) Whether there have been any amendments to domestic legislation with a view to guaranteeing the rights of patients with regard to so-called “voluntary” placement in psychiatric and psycho-neurological institutions and in order to improve the functioning of review procedures;

(f) Whether the relevant authorities regularly review the diagnosis of persons placed in psychiatric and psychoneurological institutions, including by independent medical experts, in order to ensure that no mentally and physically healthy individuals are referred to such institutions.

Articles 12 and 13

17. With reference to the Committee’s previous concluding observations (paras. 5 and 6), please provide updated information on progress made since their adoption in bridging the gap between the legislative framework relating to torture and ill-treatment and its practical implementation throughout the country, with a view to promoting accountability and putting an end to impunity for State officials who are alleged perpetrators, specifically on:

(a) Publicly and unambiguously condemning, with details on the level of the State authorities voicing the condemnation, all forms of torture and warning that any person ordering, committing, instigating, acquiescing to or acting as an accomplice to acts of torture shall be criminally prosecuted and punished;

(b) Progress in ensuring prompt, impartial and effective investigations into allegations of torture and ill-treatment, including the number of such investigations, as well as on the prosecution of those responsible under article 305 (1) of the Criminal Code,[[31]](#footnote-32) on the imposition of appropriate sentences on those convicted, including the number and type of sentences, and on any compensation provided to victims;[[32]](#footnote-33)

(c) Specific steps taken to ensure that preliminary enquiries into complaints of torture are undertaken and concluded promptly upon receipt of the complaint;

(d) Measures taken to make sure that official investigations are opened in all cases where there are reasonable grounds to believe that torture was committed and on whether the Prosecutor General has established clear procedures on how torture complaints should be investigated, in accordance with the Istanbul Protocol;[[33]](#footnote-34)

(e) Whether officials alleged to be responsible for violations of the Convention are suspended from their duties during such investigations;

(f) Whether steps have been taken to establish an independent and effective mechanism[[34]](#footnote-35) to facilitate the submission to public authorities throughout the country of complaints by victims of torture and ill-treatment and on whether the serious underreporting by victims of cases of torture and ill-treatment continues;

(g) Steps taken to protect complainants against abuse or intimidation resulting from any evidence given or complaints made;

(h) Progress in ensuring that investigations into allegations of torture are not undertaken by or under the authority of the police but that they are undertaken by an independent body, in order to avoid conflict of interest.

18. Also with reference to the Committee’s previous concluding observations (paras. 5 and 6), please provide information on:

(a) Steps taken to ensure that all health professionals who encounter signs of torture and ill-treatment have a legal obligation to document and report such cases to a relevant authority, in line with the Istanbul Protocol and other international standards;

(b) Steps taken to ensure that all persons deprived of their liberty are guaranteed, in particular during the pre-investigation stage, timely access to a qualified and independent medical doctor upon their request and that medical examinations are carried out in private;

(c) Steps taken to transfer the responsibility for oversight of medical staff of detention facilities to the Ministry of Health.

19. With reference to the Committee’s previous concluding observations (para. 7), please provide information on:

(a) The current situation and whereabouts of human rights defender Azimjan Askarov, including whether his detention has been reviewed in the light of his allegations, as recommended by the Committee;

(b) Whether a full and independent investigation has been undertaken into the claims of torture made by Mr. Askarov and on the outcome of the investigation;[[35]](#footnote-36)

(c) Whether Mr. Askarov has received adequate medical care for his injuries, which include persistent visual loss, traumatic brain injury and spinal injury;

(d) Any investigations carried out in relation to the claims of torture made by Nargiza Turdieva and Dilmurat Khaidarov, and on the outcome of the investigations.

20. With reference to the Committee’s previous concluding observations (para. 8), please provide information on:

(a) The review and outcome of the review of the 995 criminal cases related to the June 2010 violence;

(b) Whether proceedings have been reopened in cases in which torture allegations have not been fully investigated or in which serious violations of due process have been revealed regarding trials related to the June 2010 inter-ethnic violence,[[36]](#footnote-37) especially in connection with serious violations of fair trial guarantees and in particular for long-term imprisonment and life sentences;[[37]](#footnote-38)

(c) Whether security and law enforcement officials who have been found to be responsible for torture and ill-treatment, including arbitrary detention and excessive use of force, have been subjected to disciplinary and/or criminal penalties, with details about the number of cases and the types of penalties imposed;

(d) Whether allegations of ordering of or acquiescing to torture or ill-treatment by any public officials against ethnic Uzbeks have been investigated since the adoption of the previous concluding observations and with what outcome, including information on the penalties imposed.

Article 14

21. With reference to the Committee’s previous concluding observations (para. 22), please provide specific information on:

(a) The adoption of any legislation and policies that explicitly provide for the right to remedy and reparation for victims of torture and ill-treatment, including on any amendments to article 417 of the Criminal Procedure Code that would allow victims to receive redress from a civil court regardless of whether a criminal court has convicted the perpetrators;

(b) Any initiatives to assess the countrywide needs for rehabilitation for victims of torture and ill-treatment;

(c) Steps taken to establish effective specialized rehabilitation services and programmes supported by the State that are accessible to all victims of torture and ill-treatment without discrimination and are not dependent on the victim pursuing judicial remedies in order to reduce dependence on the provision of such services by non-governmental organizations and on outside funding;

(d) Specific measures taken to protect the safety and personal integrity of the victims and their families seeking compensation or rehabilitation services;

(e) Status of the implementation of the views of the Human Rights Committee on several cases relating to torture and ill-treatment, in line with article 41 (2) of the Constitution, which requires that a remedy be provided when an international body finds that a violation has taken place.

Article 15

22. With reference to the Committee’s previous concluding observations (para. 13), please provide specific information on:

(a) Progress made in adopting legislation explicitly prohibiting the use of evidence obtained through torture, in line with article 15 of the Convention, and on any establishment by the judiciary of any specific measures to be taken by the courts should evidence appear to have been obtained through torture or ill-treatment, including to ensure its inadmissibility;[[38]](#footnote-39)

(b) Specific steps taken to ensure that judges and prosecutors initiate investigations whenever criminal defendants or their lawyers present reasonable grounds to believe that a confession has been obtained through torture or ill-treatment and on any trainings provided to that effect;

(c) Steps taken to ensure that perpetrators of abuses are prosecuted and punished upon conviction and on the current status of the case against Farrukh Gapiurov;

(d) The number of cases in which judges or prosecutors have initiated investigations into torture claims raised by criminal defendants, the number of officials prosecuted for such abuses and the number of acquittals resulting from such investigations since the adoption of the previous concluding observations;

(e) Steps taken to ensure that any statement established to have been made as a result of torture shall not be invoked as evidence in court,[[39]](#footnote-40) except as evidence against a person accused of torture;[[40]](#footnote-41)

(f) Specific measures taken to ensure that the findings of medical examinations of criminal defendants who allege that they were tortured are considered admissible as evidence in court proceedings and to ensure that such findings are given evidentiary weight equivalent to that given to the reports of State-employed medical professionals;

(g) Any amendments to legislation introducing explicit provisions on the right of victims of torture and ill-treatment to redress, including fair and adequate compensation and rehabilitation, in accordance with article 14 of the Convention, regardless of whether the perpetrators of such acts have been brought to justice.

Article 16

23. With reference to the Committee’s previous concluding observations (para. 16), please provide specific information on:

(a) Steps taken by the State party to ensure that human rights defenders, journalists and independent lawyers are protected from intimidation or violence as a result of their activities;

(b) Specific steps taken to ensure prompt, impartial and thorough investigations of all allegations of harassment, torture or ill-treatment of human rights defenders, as well as on steps taken to prosecute and punish the perpetrators with appropriate penalties;

(c) The current status and outcome of the cases against Mr. Askarov, Tatiana Tomina and Ulugbek Usmanov;

(d) The status of legislation that would impede the ability of human rights defenders to conduct their activities in line with the provisions of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms;

(e) Steps taken to ensure that no individual or group is subjected to prosecution in reprisal for cooperating with the United Nations or other international, regional or national human rights entities;

(f) Any consideration given to accepting the request for a visit by the Special Rapporteur on the situation of human rights defenders (see A/HRC/22/47/Add.4, para. 250).

24. With reference to the Committee’s previous concluding observations (para. 21), please provide specific information on:

(a) Any steps taken to enact legislation that explicitly prohibits the corporal punishment of children in all settings, including at home and in institutions and alternative care settings, in line with international standards;

(b) Any campaigns and public education measures to raise awareness of the harmful effects of corporal punishment and promote positive, participatory and non-violent forms of discipline as alternatives to corporal punishment.[[41]](#footnote-42)

25. With reference to the Committee’s previous concluding observations (para. 19), please provide specific information on:

(a) Steps taken by the State party to ensure prompt, impartial and thorough investigations[[42]](#footnote-43) of all allegations of ill-treatment and torture committed by police and detention officials against lesbian, gay, bisexual and transgender persons, among others, on the basis of their sexual orientation or gender identity;

(b) The number of prosecutions and convictions for such acts as well as on the types of penalties imposed on the perpetrators;

(c) Any training provided to law enforcement officials and the judiciary in order to prevent ill-treatment and torture, including sexual violence, and deal with cases concerning lesbian, gay, bisexual and transgender persons;

(d) Any remedies provided to Zulhumor Tohtonazarova and to other victims of similar attacks;

(e) Current status of the draft law regarding “propaganda of non-traditional sexual orientation”.

Data collection

26. With reference to the Committee’s previous concluding observations (para. 25), please provide statistical data on the type of entities engaged in monitoring the implementation of the Convention, including with respect of violence against women and children, including domestic and sexual violence, trafficking and deaths in custody. Please provide data disaggregated by age, sex, ethnicity, geographical location and type of crime, as well as information on complaints, investigations, prosecutions and convictions of persons found guilty of acts of torture or ill-treatment. In addition, please provide information on the outcome of all such complaints and cases, including on any compensation and rehabilitation provided to victims.

Other issues

27. Please provide updated information on the measures taken by the State party to respond to threats of terrorism, and describe if and how those anti-terrorism measures have affected human rights safeguards in law and practice. Please explain how the State party has ensured that those measures comply with all its obligations under international law, especially the Convention, in accordance with relevant Security Council resolutions, in particular resolution 1624 (2005). Please provide information on the relevant training given to law enforcement officers; the number of persons convicted under such legislation; the legal safeguards and remedies available to persons subjected to anti-terrorism measures in law and in practice; whether there have been any complaints of non-observance of international standards; and the outcome of those complaints.

General information on other measures and developments relating to the implementation of the Convention in the State party

28. Please provide detailed information on any other relevant legislative, administrative, judicial or other measures taken since the consideration of the previous report to implement the provisions of the Convention or the Committee’s recommendations. This may include institutional developments, plans or programmes, including resources allocated and statistical data or any other information that the State party considers relevant.

1. \* Reissued for technical reasons on 26 January 2016. [↑](#footnote-ref-2)
2. \*\* Adopted by the Committee at its fifty-sixth session (9 November-9 December 2015). [↑](#footnote-ref-3)
3. Unless otherwise indicated, paragraph numbers in parentheses refer to the previous concluding observations adopted by the Committee. [↑](#footnote-ref-4)
4. See CAT/OP/KGZ/1 and Corr.1, para. 24. [↑](#footnote-ref-5)
5. The issues raised under article 2 could also touch on issues raised under other articles of the Convention, including article 16. As stated in paragraph 3 of the Committee’s general comment No. 2 (2007) on the implementation of article 2 by States parties, the obligation to prevent torture in article 2 is wide-ranging. The obligations to prevent torture and other cruel, inhuman or degrading treatment or punishment under article 16 (1) are indivisible, interdependent and interrelated. The obligation to prevent ill-treatment in practice overlaps with and is largely congruent with the obligation to prevent torture. In practice, the definitional threshold between ill-treatment and torture is often not clear. See also chapter V of the same general comment. [↑](#footnote-ref-6)
6. See also CCPR/C/KGZ/CO/2, para. 5. [↑](#footnote-ref-7)
7. See CAT/OP/KGZ/1 and Corr.1, para. 51. [↑](#footnote-ref-8)
8. Ibid., para. 50. [↑](#footnote-ref-9)
9. Ibid., para. 46. [↑](#footnote-ref-10)
10. Ibid., para. 67. [↑](#footnote-ref-11)
11. Ibid., para. 43. [↑](#footnote-ref-12)
12. Ibid., para. 56. [↑](#footnote-ref-13)
13. See also CCPR/C/KGZ/CO/2, para. 18. [↑](#footnote-ref-14)
14. Ibid., para. 7. [↑](#footnote-ref-15)
15. Ibid., para. 15. [↑](#footnote-ref-16)
16. See also CAT/OP/KGZ/1 and Corr.1, para. 18. [↑](#footnote-ref-17)
17. See also CCPR/C/KGZ/CO/2, para. 11. [↑](#footnote-ref-18)
18. Ibid., para. 11 (c). [↑](#footnote-ref-19)
19. Ibid., para. 11 (b). [↑](#footnote-ref-20)
20. Ibid., para. 11 (d). [↑](#footnote-ref-21)
21. Ibid., para. 12. [↑](#footnote-ref-22)
22. See CCPR/C/KGZ/CO/2, para. 12. [↑](#footnote-ref-23)
23. See CAT/OP/KGZ/1 and Corr.1, para. 40. [↑](#footnote-ref-24)
24. Ibid., para. 94. [↑](#footnote-ref-25)
25. See CCPR/C/KGZ/CO/2, para. 17. [↑](#footnote-ref-26)
26. See CAT/OP/KGZ/1 and Corr.1, para. 13 (f). [↑](#footnote-ref-27)
27. Ibid., para. 77. [↑](#footnote-ref-28)
28. Ibid., para. 100. [↑](#footnote-ref-29)
29. Ibid., para. 89. [↑](#footnote-ref-30)
30. See CCPR/C/KGZ/CO/2, para. 6. [↑](#footnote-ref-31)
31. See CAT/OP/KGZ/1 and Corr.1, para. 35. [↑](#footnote-ref-32)
32. See CCPR/C/KGZ/CO/2, para. 15. [↑](#footnote-ref-33)
33. See CAT/OP/KGZ/1 and Corr.1, para. 35. [↑](#footnote-ref-34)
34. Ibid., para. 36. [↑](#footnote-ref-35)
35. See CCPR/C/KGZ/CO/2, para. 15. [↑](#footnote-ref-36)
36. See CAT/OP/KGZ/1 and Corr.1, para. 26. [↑](#footnote-ref-37)
37. Ibid., para. 26. [↑](#footnote-ref-38)
38. Ibid., para. 39. [↑](#footnote-ref-39)
39. See CCPR/C/KGZ/CO/2, para. 15. [↑](#footnote-ref-40)
40. See CAT/OP/KGZ/1 and Corr.1, para. 25. [↑](#footnote-ref-41)
41. See CCPR/C/KGZ/CO/2, para. 21. [↑](#footnote-ref-42)
42. Ibid., para. 9. [↑](#footnote-ref-43)