

ATTACHMENT C: Human Rights Records of SCO Member States: Concluding Observations of UN Human Rights Treaty Bodies

CHINA				
Area of Concern	Committee against Torture (2008 ¹)	Committee on the Elimination of Racial Discrimination (2009 ²)	Committee on Economic, Social and Cultural Rights (2005 ³)	Human Rights Committee
Asylum-Seekers and Refugees	<ul style="list-style-type: none"> • “Greatly concerned” that individuals have been forcibly returned to neighboring states “without any examination of the merits of each individual case, and subsequently . . . subjected to torture,” and that “persons extradited to and from neighbouring States do not benefit from legal safeguards against return despite the risk of torture.” (Para. 26) 	<ul style="list-style-type: none"> • Noting “the lack of disaggregated statistical data regarding the socio-economic status of . . . asylum-seekers and refugees.” (Para. 9) • Recommending “all necessary legal and policy measures to ensure that all asylum-seekers have the merits of their individual cases considered by an independent and impartial authority” and noting “concern . . . that asylum-seekers from the Democratic People’s Republic of Korea continue to be systematically refused asylum and forcibly returned.” (Para. 16) 	<ul style="list-style-type: none"> • “Concerned” that “asylum-seekers, refugees and stateless persons, are excluded from the constitutional guarantees to the enjoyment of rights and freedoms enshrined in the [<i>International Covenant on Economic, Social and Cultural Rights</i>] extended to all citizens.” (Para. 14) 	<p>The Human Rights Committee monitors implementation of the <i>International Covenant on Civil and Political Rights (ICCPR)</i>. China signed the <i>ICCPR</i> in 1998, but has not yet ratified it.</p>
Death Penalty	<ul style="list-style-type: none"> • “Regret” over lack of disaggregated statistics on death sentences and classification of key data under the state secrets system. (Para. 34) • “Concern at the conditions of detention of convicted prisoners on death row . . . amounting to cruel, inhuman or degrading treatment.” (Para. 34) • “Concerned about . . . removal of organs from persons sentenced to death without free and informed consent.” (Para. 34) 			

CHINA (continued)

Area of Concern	Committee against Torture (2008 ¹)	Committee on the Elimination of Racial Discrimination (2009 ²)	Committee on Economic, Social and Cultural Rights (2005 ³)	Human Rights Committee
Discrimination against At-Risk Groups	<ul style="list-style-type: none"> • “Greatly concerned” over “allegations of targeted torture, ill-treatment, and disappearances directed against national, ethnic, religious minorities and other vulnerable groups,” including Tibetans and Uyghurs. (Para. 22) • “Great concern” over the crackdown following March 2008 protests in Tibet Autonomous Region (TAR), which has “deepened a climate of fear and further inhibit[ed] accountability,” with emphasis on “the large number of persons detained or arrested in the aftermath of the March 2008 demonstrations,” including those “whose current whereabouts remain unknown”; “failure to investigate the deaths resulting from indiscriminate firing” on peaceful demonstrators; “failure to conduct independent and impartial investigations” of torture of detainees; and “failure to allow independent and impartial investigators into the region.” (Para. 23) 	<ul style="list-style-type: none"> • “Concern” over reports that “the system of incentives granted to work and settle in the autonomous minority regions,” including TAR and Xinjiang Uyghur Autonomous Region (XUAR), may result in substantive changes in the demographic composition that impact negatively on local traditions and cultures in these regions,” including those of Tibetans and Uyghurs. (Para. 13) • “Concerned at reports alleging the disproportionate use of force against ethnic Tibetans and Uighurs” during the demonstrations in TAR in March 2008 and in XUAR in July 2009, and calling on China to “ensure that those detained in connection with the above events are guaranteed humane treatment while in custody and fair trial standards according to international law, including access to a lawyer of their choice, presumption of innocence, and handing down proportionate sentences on those found guilty.” (Para. 17) • For more specific concerns of the Committee on the Elimination of Racial Discrimination regarding racial discrimination in China, see the other issues noted throughout this column. 	<ul style="list-style-type: none"> • “Concern” over “persistence of gender inequalities.” (Para. 17) • “Concerned that the low level of wages, particularly in rural areas and in the west of the country, is insufficient to provide a decent standard of living for workers and their families.” (Para. 25) • “Concerned about the continued irregularities in [China’s] provision of universal access to free compulsory primary education,” in particular for “rural communities [and] minority regions.” (Para. 37) • “Regret” over “the insufficient information provided by [China] regarding the enjoyment of economic, social and cultural rights enshrined in [the <i>International Covenant on Economic, Social and Cultural Rights</i>] by populations in the ethnic minority areas.” (Para. 38) • “Concern” over reports of ethnic discrimination “in the field of employment, adequate standard of living, health, education and culture,” and in regard to “the right to the free exercise of religion as a right to take part in cultural life, and the use and teaching of minority languages, history and culture” in XUAR and TAR. (Para. 38) 	

CHINA (continued)

Area of Concern	Committee against Torture (2008 ¹)	Committee on the Elimination of Racial Discrimination (2009 ²)	Committee on Economic, Social and Cultural Rights (2005 ³)	Human Rights Committee
Due Process	<ul style="list-style-type: none"> • “Concerned” about “extended use of” Reeducation-Through-Labor (RTL) for “individuals who have never had their case tried in court, nor the possibility of challenging their administrative detention.” (Para. 13) • “Concerned” by allegations of secret detention facilities, including “black jails,” which constitute “per se disappearance” and deprive detainees of “fundamental legal safeguards, including an oversight mechanism in regard to their treatment and review procedures with respect to their detention.” (Para. 14) • “Concerned” over provisions of Chinese criminal law “allowing prosecutors to arrest lawyers on grounds of ‘perjury’ or ‘false testimony’” as a means of intimidating defense lawyers, as well as targeted harassment of lawyers representing “petitioners, human rights defenders and other dissidents.” (Para. 18) 	<ul style="list-style-type: none"> • “Concerned at reports that in practice effective judicial control of [RTL] measures is limited and that the application of [RTL] laws may disproportionately affect members of ethnic minorities.” (Para. 15) • “Concerned at reports alleging the disproportionate use of force against ethnic Tibetans and Uighurs” during the demonstrations in TAR in March 2008 and in XUAR in July 2009, and calling on China to “ensure that those detained in connection with the above events are guaranteed humane treatment while in custody and fair trial standards according to international law, including access to a lawyer of their choice, presumption of innocence, and handing down proportionate sentences on those found guilty.” (Para. 17) • “Concern” over “reports on the harassment of defense lawyers taking up cases of human rights violations, especially those introduced by members of ethnic minorities,” and urging China to “ensure that lawyers can exercise their profession freely, in law and in practice, and to promptly and impartially investigate all allegations of harassment, intimidation, or other acts impeding the work of lawyers.” (Para. 19) 	<ul style="list-style-type: none"> • “Gravely concerned” that under RTL “forced labour [is used] as a corrective measure, without charge, trial or review.” (Para. 22) • “Concerned about the reports of forced evictions and insufficient measures to provide compensation or alternative housing to those who have been removed from their homes,” as well as “lack of effective consultations and legal redress for persons affected by forced evictions and demolitions, including . . . in Lhasa, Tibet.” (Para. 31) 	

CHINA (continued)

Area of Concern	Committee against Torture (2008 ¹)	Committee on the Elimination of Racial Discrimination (2009 ²)	Committee on Economic, Social and Cultural Rights (2005 ³)	Human Rights Committee
Women's Rights	<ul style="list-style-type: none"> • “Concerned by the lack of legislation prohibiting all forms of violence against women, among them marital rape, and providing effective remedies for victims.” (Para. 27) • “Concerned about reported incidents of violence against women in detention centres, including against Tibetan nuns.” (Para. 28) • “Concern” over “lack of investigation into the alleged use of coercive and violent measures to implement the population policy.” (Para. 29) 		<ul style="list-style-type: none"> • “Deeply concerned about the high rate of abortion of the girl foetus” and “the sale of women and girl children and of the abandonment of elderly women.” (Paras. 18-19) • “Deeply concerned about reports of forced abortions and forced sterilizations imposed on women, including those belonging to ethnic minority groups, by local officials in the context of the one-child policy.” (Para. 36) 	
Impunity for Past Abuses	<ul style="list-style-type: none"> • “Concerned . . . about the lack of investigation into . . . abuses and deaths in custody.” (Para. 12) • “Concerned with the failure to investigate allegations of torture and other ill-treatment” in RTL facilities, “in particular against members of certain religious and ethnic minority groups.” (Para. 13) • “Deeply concerned by the lack of an effective mechanism for investigating allegations of torture.” (Para. 20) • “Concerned about the lack of investigations” into “persons killed, arrested or disappeared on or following the 4 June 1989 Beijing suppression of the Democracy Movement,” and the “failure to inform family members of the fate of their relatives.” (Para. 21) • “Deeply concerned that allegations of torture and/or ill-treatment committed by law enforcement personnel are seldom investigated and prosecuted.” (Para. 31) 			

CHINA (continued)

Area of Concern	Committee against Torture (2008 ¹)	Committee on the Elimination of Racial Discrimination (2009 ²)	Committee on Economic, Social and Cultural Rights (2005 ³)	Human Rights Committee
Legal Framework to Protect Human Rights	<ul style="list-style-type: none"> China “has not incorporated in its domestic law a definition of torture that fully complies with the definition contained” in the <i>Convention against Torture</i>. (Para. 32) 	<ul style="list-style-type: none"> "Concern" that domestic law "does not contain a definition of racial discrimination in full conformity with the [International Convention on the Elimination of All Forms of Racial Discrimination] as it does not include a prohibition of discrimination on the grounds of descent and national origin.” (Para. 10) "Concern" that China “has not adopted a comprehensive anti-discrimination law to protect individuals from racial discrimination.” (Para. 11) Noting “the absence of court cases regarding racial discrimination” and calling upon China to examine whether this “is not the result of lack of effective remedies enabling victims to seek redress, victims’ lack of awareness of their rights, fear of reprisals, lack of confidence in the police and judicial authorities, or lack of attention or sensitivity to cases of racial discrimination on the part of the authorities.” (Para. 26) 		
Reporting and Transparency	<ul style="list-style-type: none"> “Grave concern” over the state secrets system, which “undermines the availability of information about torture, criminal justice and related issues” and “prevents the disclosure of crucial information” that would enable international monitors “to identify possible patterns of abuse requiring attention.” (Para. 16) “The absence of comprehensive or disaggregated data on complaints, investigations, prosecutions and convictions of cases of torture and ill-treatment by law enforcement 	<ul style="list-style-type: none"> Noting “the lack of disaggregated statistical data regarding the socio-economic status of members of ethnic minorities, non-citizens, asylum-seekers and refugees.” (Para. 9) 	<ul style="list-style-type: none"> “Regret” that the “lack of comparative statistical data in the field of economic, social and cultural rights ... has not allowed a clear evaluation of the degree of the actual implementation of many of the rights enshrined in the [<i>International Covenant on Economic, Social and Cultural Rights</i>].” (Para. 13) “Regret” over “insufficient information provided by [China] regarding the enjoyment of economic, social and cultural rights enshrined in the [<i>International Covenant on</i> 	

CHINA (continued)

Area of Concern	Committee against Torture (2008 ¹)	Committee on the Elimination of Racial Discrimination (2009 ²)	Committee on Economic, Social and Cultural Rights (2005 ³)	Human Rights Committee
	<p>personnel,” or “detention conditions, abuses by public officials, administrative detention, death penalty cases, and violence against women, ethnic and religious minorities severely hampers the identification of possible patterns of abuse requiring attention.” (Para. 17)</p>		<p><i>Economic, Social and Cultural Rights]</i> by populations in the ethnic minority areas.” (Para. 38)</p>	
<p>Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment</p>	<ul style="list-style-type: none"> • “Deeply concerned” over “continued allegations, corroborated by numerous Chinese legal sources, of routine and widespread use of torture and ill-treatment of suspects in police custody, especially to extract confessions or information to be used in criminal proceedings,” as well as “the lack of legal safeguards for detainees.” (Para. 11) • “Insufficient level of practical training” for law enforcement officers on implementation of anti-torture measures, and “lack of specific training to detect signs of torture and ill-treatment for medical personnel in detention facilities.” (Para. 36) • For more specific concerns of the Committee against Torture on the prevention of torture in China, see the other issues noted throughout this column. 			

KAZAKHSTAN

Area of Concern	Committee against Torture (2008 ⁴)	Committee on the Elimination of Racial Discrimination (2010 ⁵)	Committee on Economic, Social and Cultural Rights (2010 ⁶)	Human Rights Committee
Asylum-Seekers and Refugees	<ul style="list-style-type: none"> • “Concerned at the lack of a legislative framework regulating expulsion, refoulement and extradition,” and “the fact that [Kazakhstan’s] current expulsion, refoulement and extradition procedures and practices may expose individuals to the risk of torture.” (Para. 14) • “Concern” over “allegations that the Minsk Convention on Legal Assistance for Persons from the Commonwealth of Independent States (CIS) does not protect CIS citizens who might have valid claims for refugee status from refoulement.” (Para. 14) • Recommending that Kazakhstan “should ensure that priority is given to the provisions of the [Convention against Torture] over any less protective bilateral or multilateral agreements on extradition and guarantee that persons whose application for asylum have been rejected can lodge an effective appeal.” (Para. 14) 	<ul style="list-style-type: none"> • Noting “alleged refusal by the authorities to register the applications for asylum from citizens of certain countries” and “concern that the lack of registration of their applications may lead to limits of their social and economic rights.” (Para. 15) • “Concerned about alleged information on the vulnerable situation of migrant workers whose rights would be violated, due to the lack of permanent registration and difficulties to legalize their situation, placing them at constant risk of extortion and deportation.” (Para. 16) 	<ul style="list-style-type: none"> • “Alarmed by the systemic discrimination against migrants, refugees and asylum-seekers with respect to their economic, social and cultural rights [and] particularly concerned that these groups are not eligible for social assistance . . . and that they face obstacles for securing legal means of subsistence.” (Para. 14) 	Kazakhstan’s first review by the Human Rights Committee of its <i>ICCPR</i> implementation progress is scheduled to take place on July 14-15, 2011
Death Penalty⁷				
Discrimination against At-Risk Groups		<ul style="list-style-type: none"> • “Concerned at reports of rising ethnic tension that resulted in some inter-ethnic clashes” and recommending that Kazakhstan “address the root causes of inter-ethnic tension through, inter alia, further integration of all groups of the population, further development of the rural areas, reduction of unemployment rates and advancement of equality in land distribution.” (Para. 8) • “Recommends that 	<ul style="list-style-type: none"> • “Deeply concerned at the precarious situation of migrant workers who are employed without contracts in tobacco plantations and are, together with their families, vulnerable to exploitation and abuse.” (Para. 20) • “Deeply concerned about the high level of poverty in rural areas and in some regions.”(Para. 28) 	

KAZAKHSTAN (continued)

Area of Concern	Committee against Torture (2008 ⁴)	Committee on the Elimination of Racial Discrimination (2010 ⁵)	Committee on Economic, Social and Cultural Rights (2010 ⁶)	Human Rights Committee
		<p>[Kazakhstan] strengthen the early detection and prevention of inter-ethnic conflicts, including through an effective monitoring mechanism of relations between ethnic groups." (Para. 8)</p> <ul style="list-style-type: none"> • "Concerned" about "representation of ethnic groups in State bodies at central and local levels ." (Para. 12) • Noting "reports of renaming places and public signs from Russian or Uighur into only the Kazakh language, which may cause resentment among minority groups." (Para. 20) • For more specific concerns of the Committee on the Elimination of Racial Discrimination regarding racial discrimination in Kazakhstan, see the other issues noted throughout this column. 		
<p>Due Process</p>	<ul style="list-style-type: none"> • "Concern" over "frequent violations of the Code of Criminal Procedure by State party officials as regards the conduct of an interrogation within a 24-hour period, detention prior to the institution of criminal proceedings, notification of relatives of the suspect or accused person of that person's detention within 24 hours, and the right to counsel." (Para. 11) • "Concerned at . . . persistent reports of abuse in custody"; "poor conditions" and "persistent overcrowding in detention facilities"; "excessive" and unregulated "use of isolation"; "lack of access to independent medical personnel in pre-trial detention centres"; "reported failure to register signs" or 		<ul style="list-style-type: none"> • "Concern" over "the low level of awareness of human rights in general, and of the [<i>International Covenant on Economic, Social and Cultural Rights</i>] in particular, among the population of [Kazakhstan] and regrets that awareness-raising efforts have been limited to legal literacy." (Para. 8) • "Concern that corruption is widespread . . . including in the judiciary" and "concerned about the lack of independence of the judicial system." (Para. 11) 	

KAZAKHSTAN (continued)

Area of Concern	Committee against Torture (2008 ⁴)	Committee on the Elimination of Racial Discrimination (2010 ⁵)	Committee on Economic, Social and Cultural Rights (2010 ⁶)	Human Rights Committee
	<p>"accept detainee's claims of torture and ill-treatment"; and "persistent high incidence of death in custody . . . some of which are alleged to have followed torture or ill-treatment." (Para. 21)</p> <ul style="list-style-type: none"> • "Concern . . . that defence lawyers lack adequate legal training and have very limited powers to collect evidence," and "further concern" over "allegations that the procedure of appointing a lawyer lacks transparency and independence." (Para. 27) 			
Women's Rights	<ul style="list-style-type: none"> • "Concern at the prevalence of violence against women" and domestic violence. (Para. 30) • "Concerned at the prevalence" of trafficking in human beings. (Para. 31) • "Regret" regarding "the lack of comprehensive and disaggregated data on . . . the incidence of trafficking and sexual violence" and the number of related prosecutions. (Para. 32) 		<ul style="list-style-type: none"> • "Deeply concerned by the persistence of prejudices and customary practices that perpetuate negative stereotyped roles for women." (Para. 15) • "Alarmed at the high level of violence against women and children" and "concerned about impunity related to domestic violence." (Para. 25) • "Deep concern that trafficking in women and children remains a serious problem." (Para. 26) 	
Impunity for Past Abuses	<ul style="list-style-type: none"> • "Concern" that sentences under domestic laws designed to punish perpetrators of torture "are not commensurate with the gravity of the offence of torture," and recommending that "suspected perpetrators should, as a rule, be subject to suspension or reassignment during the process of investigation. Perpetrators subjected to disciplinary penalties should not be permitted to remain on their posts." (Para. 17) 		<ul style="list-style-type: none"> • "Regret" that Kazakhstan's "Ombudsman cannot consider petitions about actions and decisions of the President, the Parliament, the executive branch of Government, the Constitutional Council, the Attorney General, the Central Election Commission and the courts that relate to economic, social and cultural rights." (Para. 10) • "Alarmed at the high level of violence against women and children" and 	

KAZAKHSTAN (continued)

Area of Concern	Committee against Torture (2008 ⁴)	Committee on the Elimination of Racial Discrimination (2010 ⁵)	Committee on Economic, Social and Cultural Rights (2010 ⁶)	Human Rights Committee
<p>Legal Framework to Protect Human Rights</p>	<ul style="list-style-type: none"> • “Concerned that the definition [of torture] . . . restricts the prohibition of torture to the actions of ‘public officials’ and does not cover acts by ‘other persons acting in an official capacity’, including those acts that result from instigation, consent or acquiescence of a public official” and that the definition “excludes physical and mental suffering caused as a result of ‘legitimate acts’ on the part of officials.” (Para. 6) • “Concerned about . . . a lack of independence of judges.” (Para. 25) • “Concerned” over “the lack of examples of cases” in which victims of torture receive compensation. (Para. 28) • “Grave concern . . . that judges often ignore the complaints of torture and ill-treatment [and] do not order independent medical investigations.” (Para. 29) 	<ul style="list-style-type: none"> • “Concern” that Kazakhstan “has not adopted comprehensive legislation to prevent and combat discrimination in all areas.” (Para. 10) • “Concerned” about the “vulnerable situation of migrant workers [at] constant risk of extortion and deportation.” (Para. 16) • “Concern” that there are “very few complaints . . . of racial discrimination” and that perhaps this is because of a “lack of effective remedies enabling victims to seek redress, victims’ lack of awareness of their rights, fear of reprisals, lack of confidence in the police and judicial authorities, or the authorities’ lack of attention or sensitivity to cases of racial discrimination.” (Para. 18) 	<p>“concerned about impunity related to domestic violence.” (Para. 25)</p> <ul style="list-style-type: none"> • “Concerned that constitutional provisions and other legislation in force in [Kazakhstan] do not provide comprehensive protection from the prohibited forms of discrimination in all areas relating to economic, social and cultural rights.” (Para. 12) • “Alarmed at the high level of violence against women and children” and “concerned . . . that the law does not sufficiently guarantee protection and rehabilitation of victims and that legal proceedings are initiated only upon formal complaints by victims.” (Para. 25) 	
<p>Reporting and Transparency</p>	<ul style="list-style-type: none"> • “Regrets the paucity of information provided by [Kazakhstan] on training of law enforcement officials, penitentiary staff and medical personnel regarding the provisions of the [Convention against Torture].” (Para. 20) • “Regrets the lack of comprehensive and disaggregated data on . . . torture and ill-treatment by law enforcement officials, as well as on the incidence of trafficking and sexual violence and on the number of prosecutions of persons in this connection.” (Para. 32) 	<ul style="list-style-type: none"> • “Notes the absence . . . of information on the social and economic situation of different ethnic groups and areas of the country” and requests more “detailed information and, wherever possible, disaggregated statistical data on the social and economic situation of different ethnic groups and of geographical areas where they live.” (Para. 13) 	<ul style="list-style-type: none"> • “Regrets the absence of information on . . . the situation of workers and their families in this economy,” and “requests . . . detailed information, including statistics, on an annual basis, disaggregated by sex and by rural and urban distribution.” (Para. 17) • “Deep concern that trafficking in women and children remains a serious problem” and “regrets the absence of statistics on the extent of the problem.” (Para. 26) • “Requests . . . comparative 	

KAZAKHSTAN (continued)

Area of Concern	Committee against Torture (2008 ⁴)	Committee on the Elimination of Racial Discrimination (2010 ⁵)	Committee on Economic, Social and Cultural Rights (2010 ⁶)	Human Rights Committee
			<p>data on the number of people living in poverty, disaggregated by sex, region, rural/urban and family size.” (Para. 28)</p>	
<p>Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment</p>	<ul style="list-style-type: none"> • “Concerned” about “frequent use of torture and ill-treatment, including threat of sexual abuse and rape, committed by law enforcement officers, often to extract ‘voluntary confessions’ or information to be used as evidence in criminal proceedings, so as to meet the success criterion determined by the number of crimes solved.” (Para. 7) • For more specific concerns of the Committee against Torture on the prevention of torture in Kazakhstan, see the other issues noted throughout this column. 		<ul style="list-style-type: none"> • “Concerned that under [Kazakhstan’s] Penal Code, the courts have the authority to hand down a sentence of forced labour.” (Para. 16) 	

KYRGYZSTAN

Area of Concern	Committee against Torture (1999 ⁸)	Committee on the Elimination of Racial Discrimination (2007 ⁹)	Committee on Economic, Social and Cultural Rights (2000 ¹⁰)	Human Rights Committee (2000 ¹¹)
Asylum-Seekers and Refugees		<ul style="list-style-type: none"> • “Concern” over alleged denials of “refugee status or asylum to individuals belonging to certain ethnic or national minorities,” including Uyghurs, Uzbeks, and Chechens, and failure “to adequately protect the rights of such individuals” under the <i>UN Refugee Convention</i> and domestic law. (Para. 9) • “Deep concern” over “forcible return of ethnic Uighurs and Uzbeks to their countries of origin pursuant to multilateral agreements and bilateral agreements” with neighbouring states. (Para. 9) • Urging Kyrgyzstan “to provide data on the number and outcome of requests for asylum or refugee status . . . disaggregated by country of origin” and by “grounds for rejection.” (Para. 9) • Urging Kyrgyzstan “to ensure that its asylum procedures do not have the effect of discriminating against persons on the basis of race, colour, descent, or national or ethnic origin”; to “ensure that measures to combat terrorism do not discriminate, in purpose or effect, on the grounds of race, colour, descent, or national or ethnic origin”; and to “respect the principle of non-refoulement.” (Para. 9) 		

KYRGYZSTAN (continued)

Area of Concern	Committee against Torture (1999 ⁸)	Committee on the Elimination of Racial Discrimination (2007 ⁹)	Committee on Economic, Social and Cultural Rights (2000 ¹⁰)	Human Rights Committee (2000 ¹¹)
Death Penalty	<ul style="list-style-type: none"> Recommending that Kyrgyzstan “consider abolishing the death penalty.” (Para. 75(g)) 		<ul style="list-style-type: none"> “Concern” that “tribunals of eminent persons’ convened informally to discuss issues of law and order in local communities often take upon themselves the functions of the judiciary, including recommendations on the death penalty.” (Para. 13) 	<ul style="list-style-type: none"> “Concerned about the current situation with regard to capital punishment and about the number of persons currently detained under sentence of death.” (Para. 8)
Discrimination against At-Risk Groups		<ul style="list-style-type: none"> Regarding “clashes between Kyrgyz and Dungan communities living in Iskra,” urging “that those responsible be brought to justice, that compensation be provided to the families which were forced to leave and that measures be adopted to promote dialogue and understanding.” (Para. 10) For more specific concerns of the Committee on the Elimination of Racial Discrimination regarding racial discrimination in Kyrgyzstan, see the other issues noted throughout this column. 	<ul style="list-style-type: none"> “Deeply concerned about the high rate of poverty,” with “the most affected areas” including “remote southern rural areas.” (Para. 19) 	
Due Process	<ul style="list-style-type: none"> Recommending that “military places of detention and prisons be supervised to ensure that inmates are not maltreated and they, as should everyone, can be represented by counsel at their trials.” (Para. 75(f)) 	<ul style="list-style-type: none"> Recommending “specific training for those working within the criminal justice system, including police officers, lawyers, prosecutors and judges, and to undertake information campaigns to raise awareness among the public about the mechanisms and procedures provided for in national legislation in the field of racism and discrimination.” (Para. 13) 	<ul style="list-style-type: none"> “Concerned that the independence of the judiciary may be impaired in cases where the designation of high court judges is effected without full participation of the legislature.” (Para. 12) “Concern” that “tribunals of eminent persons’ convened informally to discuss issues of law and order in local communities often 	<ul style="list-style-type: none"> “Concerned” at “number of persons held in pre-trial detention, some of them incommunicado, that all the grounds for authorizing pre-trial detention are not exhaustively listed in the present laws,” and at “lack of judicial control over the prolongation of detention.” (Para. 9) “Concerned about the lack of full independence of the judiciary.” (Para. 15)

KYRGYZSTAN (continued)

Area of Concern	Committee against Torture (1999 ⁸)	Committee on the Elimination of Racial Discrimination (2007 ⁹)	Committee on Economic, Social and Cultural Rights (2000 ¹⁰)	Human Rights Committee (2000 ¹¹)
			<p>take upon themselves the functions of the judiciary, including recommendations on the death penalty.” (Para. 13)</p>	
<p>Women’s Rights</p>			<ul style="list-style-type: none"> • “Disturbed about the reassertion of traditional attitudes towards women in Kyrgyz society,” noting with “deep concern the re-emergence of the old tradition of bride kidnapping.” (Para. 16) • “Absence of information on the extent of violence against women and the trafficking of women.” (Para. 17) 	<ul style="list-style-type: none"> • “Grave concern” over “violence against women and the increasing phenomenon of trafficking in women, which is aggravated by the economic hardship facing women in Kyrgyzstan.” (Para. 14)
<p>Impunity for Past Abuses</p>	<ul style="list-style-type: none"> • “Concern about . . . an apparent failure generally to provide prompt, impartial and full investigation into allegations of torture,” as well as “failure generally to prosecute, where appropriate, the alleged perpetrators.” (Para. 74(c)) • Recommending that, “in order to ensure that the perpetrators of torture and ill-treatment do not enjoy impunity, [Kyrgyzstan] ensure the investigation and, where appropriate, the prosecution of all 	<ul style="list-style-type: none"> • In light of “clashes between Kyrgyz and Dungan communities living in Iskra,” recommending “that those responsible be brought to justice, that compensation be provided to the families which were forced to leave.” (Para. 10) 	<ul style="list-style-type: none"> • Kyrgyzstan “urged to continue more actively the pursuit of perpetrators of human rights violations.” (Para. 24) 	

KYRGYZSTAN (continued)

Area of Concern	Committee against Torture (1999 ⁸)	Committee on the Elimination of Racial Discrimination (2007 ⁹)	Committee on Economic, Social and Cultural Rights (2000 ¹⁰)	Human Rights Committee (2000 ¹¹)
	<p>those accused of having committed such acts,” and “ensure that amnesty laws exclude torture from their reach.” (Para. 75(c))</p>			
<p>Legal Framework to Protect Human Rights</p>	<ul style="list-style-type: none"> • “Concern” about “absence of a definition of torture . . . with the result that the specific offence of torture is not punishable by appropriate penalties,” as required by the <i>Convention against Torture</i>. (Para. 74(a)) • “Concern” about “insufficient guarantees for independence of the judiciary.” (Para. 74(d)) • Recommending that “urgent steps . . . be taken to ensure the centrality and independence of the judiciary in the penal system.” (Para. 75(d)) 	<ul style="list-style-type: none"> • Noting the “absence of a definition of racial discrimination” as required under the <i>Convention on the Elimination of All Forms of Racial Discrimination</i>. (Para. 6) • Requesting “detailed information on complaints lodged . . . and prosecutions launched, as well as on penalties imposed, in cases of offences which relate to racial discrimination.” (Para. 13) • Noting that “absence of complaints may be an indication of a lack of awareness on the availability of legal remedies, or of insufficient will on the part of the authorities to prosecute.” (Para. 13) 	<ul style="list-style-type: none"> • “Particularly concerned to learn about cases of criminal prosecution of human rights activists.” (Para. 12) 	<ul style="list-style-type: none"> • “Concerned that the Law on Public Emergency in the Kyrgyz Republic does not specifically restrict the power of derogation” from specific <i>ICCPR</i> provisions, as stipulated in <i>ICCPR</i> Article 4. (Para. 12) • “Concerned about the intimidation and harassment . . . of journalists and human rights activists, including members of human rights non governmental organizations, who have been subjected to prosecution, fines and imprisonment.” (Para. 20)

KYRGYZSTAN (continued)

Area of Concern	Committee against Torture (1999 ⁸)	Committee on the Elimination of Racial Discrimination (2007 ⁹)	Committee on Economic, Social and Cultural Rights (2000 ¹⁰)	Human Rights Committee (2000 ¹¹)
Reporting and Transparency		<ul style="list-style-type: none"> • "Regrets" the lack of "sufficient information on the practical implementation" of the <i>Convention on the Elimination of All Forms of Racial Discrimination</i>. (Para. 7) • "Regrets" the lack of "sufficient information on measures . . . to ensure the practical enjoyment by persons belonging to ethnic and national minorities of their economic, social and cultural rights." (Para. 12) • Requesting "detailed information on complaints lodged . . . and prosecutions launched," and on "penalties imposed, in cases of offences which relate to racial discrimination." (Para. 13) 	<ul style="list-style-type: none"> • "Regrets the absence of information on the extent of violence against women and the trafficking of women." (Para. 17) • Urging "statistics on the progress made" in "efforts to fulfil the right to health," including "comparative statistics." (Para. 33) 	
Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	<ul style="list-style-type: none"> • "Concern about . . . numerous and continuing reports of allegations of torture . . . by law enforcement personnel." (Para. 74(b)) • For more specific concerns of the Committee against Torture on the prevention of torture in Kyrgyzstan, see the other issues noted throughout this column. 			<ul style="list-style-type: none"> • "Gravely concerned about instances of torture, inhuman treatment and abuse of power by law enforcement officials." (Para. 7) • Recommending that Kyrgyzstan "amend the Criminal Code to ensure that acts of torture are indictable offences, and that all allegations of torture are properly investigated and the persons responsible prosecuted"; ensure that "complaints about torture and other abuses by officials . . . be investigated by independent bodies"; ensure "medical examination of detained persons, particularly of persons held in pre-trial detention, in order to ensure that no physical abuse of detainees occurs"; and "institute an independent system of monitoring all places of detention with the purpose of preventing torture and other abuses of power by law enforcement officials." (Para. 7)

RUSSIAN FEDERATION				
Area of Concern	Committee against Torture (2006 ¹²)	Committee on the Elimination of Racial Discrimination (2008 ¹³)	Committee on Economic, Social and Cultural Rights (2003 ¹⁴)	Human Rights Committee (2009 ¹⁵)
Asylum-Seekers and Refugees	<ul style="list-style-type: none"> "Concerned" over "reports of more than 300 people returned this year to other neighbouring countries" and "the lack of safeguards to ensure respect for the obligation of non-refoulement"; "widespread and broad use of administrative expulsion" under domestic law "for minor violations of immigration rules"; and "the reported use of written assurances in the 'refoulement' context [where] minimum standards for such assurances . . . are not wholly clear and thus cannot be assessed for compatibility" under the <i>Convention against Torture</i>. (Paras. 15-16) Requesting "detailed statistical information on the number of assurances sought," as well as on "the persons concerned and the outcome of each case, as well as on minimum contents for any assurances." (Para. 16) 	<ul style="list-style-type: none"> Noting the "absence of statistical data on the number of asylum applications and applications for refugee status lodged with the competent authorities" and on "the number of cases where such applications were granted." (Para. 19) "Concerned about reports" that residence registration practices prevent "enjoyment of many rights and benefits" by asylum-seekers and refugees. (Para. 22) 		<ul style="list-style-type: none"> "Concerned about reports of extraditions and informal transfers . . . to return foreign nationals to countries in which the practice of torture is alleged while relying on diplomatic assurances, notably within the framework of the 2001 Shanghai Convention on Combating Terrorism, Separatism and Extremism." (Para. 17) "Concern" about "return to Uzbekistan of persons suspected of involvement in the Andijan protests of 2005." (Para. 17)
Death Penalty ¹⁶				<ul style="list-style-type: none"> "Concerned that the current [death penalty] moratorium will expire in January 2010" and "that the death penalty has yet to be abolished de jure." (Para. 12)

RUSSIAN FEDERATION (continued)

Area of Concern	Committee against Torture (2006 ¹²)	Committee on the Elimination of Racial Discrimination (2008 ¹³)	Committee on Economic, Social and Cultural Rights (2003 ¹⁴)	Human Rights Committee (2009 ¹⁵)
<p>Discrimination against At-Risk Groups</p>	<ul style="list-style-type: none"> • "Concerned" over "reported rise in violent attacks because of the race, ethnicity or identity of the victim, including forced evictions in the Kaliningrad area, and the alleged absence of effective investigations into such crimes." (Para. 23) • "Concerned at . . . reliable reports of unofficial places of detention in the North Caucasus and the allegations that those detained in such facilities face torture"; and "numerous, ongoing and consistent allegations that abductions and enforced disappearances in the Chechen Republic, in particular during anti-terrorist operations," are carried out with official involvement, with failure to investigate and punish the perpetrators." (Paras. 24 (a)-(b)) 	<ul style="list-style-type: none"> • "Concerned that . . . ethnic minorities such as Chechens and other persons originating from the Caucasus or from Central Asia, as well as Roma and Africans, reportedly continue to be subject to disproportionately frequent identity checks, arrests, detentions and harassment by the police and other law enforcement officers." (Para. 12) • "Concern" over "reports about searches of Georgian businesses, police demands for lists of names of Georgian students, identity checks, destruction of identity papers, detention in inhumane conditions, deportations under a simplified procedure and other repressive measures against Georgian nationals and ethnic Georgians." (Para. 13) • "Concerned about reports" that residence registration practices prevent "enjoyment of many rights and benefits" by "Chechens and other persons originating from the Caucasus, Roma, Meshketian Turks, Yezidis, Kurds and Hemshils in Krasnodar Krai, Tajiks, non-citizens from Africa and Asia, as well as asylum-seekers and refugees." (Para. 22) 	<ul style="list-style-type: none"> • "Deeply concerned about the poor living conditions in the Republic of Chechnya," including lack of "basic services, [such as] health care and education," and expressing "regret that sufficient information was not provided on this problem." (Para. 10) • "Concerned about the precarious situation of indigenous communities . . . affecting their right to self-determination." (Para. 11) • "Urg[ing]" the Russian Federation "to intensify its efforts to improve the situation of the indigenous peoples and to ensure that they are not deprived of their means of subsistence." (Para. 39) • Calling upon the Russian Federation to "take effective measures to improve the health status of indigenous peoples in the regions of the Far North." (Para. 59) 	<ul style="list-style-type: none"> • Noting that "members of certain ethnic groups from varying regions, in particular individuals from Central Asia and the Caucasus, face problems acquiring citizenship due to complex legislation governing naturalization and obstacles posed by strict residence registration requirements." (Para. 9) • "Concern" over "reports of increasing number of hate crimes and racially motivated attacks against ethnic and religious minorities, as well as persistent manifestations of racism and xenophobia . . . including reports of racial profiling and harassment by law enforcement personnel targeting foreigners and members of minority groups." (Para. 11) • "Concerned about the failure [of] police and judicial authorities to investigate prosecute and punish hate crimes and racially motivated attacks against ethnic and religious minorities." (Para. 11) • "Concerned about allegations of large-scale, indiscriminate abuses and killings of civilians in South Ossetia during the military operations by Russian forces in August 2008." (Para. 13) • "Concerned about ongoing reports of torture and ill-treatment, enforced disappearance, arbitrary arrest, extrajudicial killing and secret detention in Chechnya and other parts of the North Caucasus." (Para. 14) • "Concern about the alleged adverse impact upon indigenous peoples" of development projects that involve "exploitation of lands, fishing grounds and natural resources traditionally belonging to indigenous peoples." (Para. 28)

RUSSIAN FEDERATION (continued)

Area of Concern	Committee against Torture (2006 ¹²)	Committee on the Elimination of Racial Discrimination (2008 ¹³)	Committee on Economic, Social and Cultural Rights (2003 ¹⁴)	Human Rights Committee (2009 ¹⁵)
		<ul style="list-style-type: none"> For more specific concerns of the Committee on the Elimination of Racial Discrimination regarding racial discrimination in the Russian Federation, see the other issues noted throughout this column. 		
<p>Due Process</p>	<ul style="list-style-type: none"> "Concerned" over "laws and practices that obstruct access to lawyers and relatives of suspects and accused persons, thus providing insufficient safeguards for detainees," including "failures of the courts to order investigations into allegations that evidence has been obtained through torture, as well as reported reprisals against defence lawyers alleging that their client has been tortured or otherwise ill-treated . . . which appear to facilitate torture and ill-treatment." (Para. 8(a)) "No instruction to the courts to rule that the evidence [obtained through torture] is inadmissible, or to order an immediate, impartial and effective investigation" into torture allegations. (Para. 21) 			<ul style="list-style-type: none"> "Concern about the large number of convictions for terrorism-related charges, which may have been handed down by courts in Chechnya on the basis of confessions obtained through unlawful detention and torture." (Para. 8) "Concern about reports that investigations and prosecutions of alleged perpetrators of acts of torture and ill-treatment are frequently marked by undue delays and/or suspensions, and that in practice, the burden of proof rests on the victims." (Para. 15) "Concern about the potential impact of the proposed draft law on lawyers' activity and the Bar on the independence of the legal profession and the right to a fair trial." (Para. 22)

RUSSIAN FEDERATION (continued)

Area of Concern	Committee against Torture (2006 ¹²)	Committee on the Elimination of Racial Discrimination (2008 ¹³)	Committee on Economic, Social and Cultural Rights (2003 ¹⁴)	Human Rights Committee (2009 ¹⁵)
Women's Rights	<ul style="list-style-type: none"> • “Concerned” about “the lack of formal complaints . . . despite reliable allegations of violence against women in custody,” “reports of prevalent domestic violence and the lack of sufficient shelters for victims,” and “continued reports of trafficking in women and children for sexual exploitation.” (Para. 11) 		<ul style="list-style-type: none"> • “Very concerned about the high incidence of trafficking in persons” and “the lack of reliable statistics on the number of people trafficked and of information on cases where persons have been prosecuted under existing anti-trafficking legislation.” (Para. 23) • “Concerned about the high incidence of domestic violence and the fact that victims of domestic violence are not adequately protected under existing legislation.” (Para. 24) 	<ul style="list-style-type: none"> • “Concerned about the continued prevalence of domestic violence” and “lack of shelters available to women”; and noting lack of “any special legislation with regard to domestic violence within the legal system.” (Para. 10) • “Concerned about allegations of honour killings in Chechnya of eight women whose bodies were discovered in November 2008.” (Para. 10) • “Regrets” lack of “sufficient information relating to the prosecution of authors of domestic violence.” (Para. 10) • “Concerned about the notable lack of recognition of the rights and interests of trafficking victims in the counter-trafficking efforts.” (Para. 18)
Impunity for Past Abuses	<ul style="list-style-type: none"> • “Concerned” at reports of “hazing in the military” and of “torture. . . in the armed forces, conducted by or with the consent, acquiescence or approval of officers or other personnel,” and “hundreds of reports that investigations are inadequate or absent, and that despite thousands of officers charged with such offences, that there is widespread impunity.” (Para. 10) 			<ul style="list-style-type: none"> • “Concerned about allegations of large-scale, indiscriminate abuses and killings of civilians in South Ossetia during the military operations by Russian forces in August 2008,” and the lack of “any independent and exhaustive appraisal of serious violations of human rights by members of Russian forces and armed groups in South Ossetia and that the victims have received no reparations.” (Para. 13) • “Concerned about ongoing reports of torture and ill-treatment, enforced disappearance, arbitrary arrest, extrajudicial killing and secret detention in Chechnya and other parts of the North Caucasus committed by the military, security services and other State agents, and that the authors of such violations appear to enjoy widespread

RUSSIAN FEDERATION (continued)

Area of Concern	Committee against Torture (2006 ¹²)	Committee on the Elimination of Racial Discrimination (2008 ¹³)	Committee on Economic, Social and Cultural Rights (2003 ¹⁴)	Human Rights Committee (2009 ¹⁵)
				<p>impunity due to a systematic lack of effective investigation and prosecution, with particular concern “that the number of disappearances and abduction cases in Chechnya has increased in the period 2008-2009, and about allegations of mass graves in Chechnya.” (Para. 14)</p>
<p>Legal Framework to Protect Human Rights</p>	<ul style="list-style-type: none"> • "Concerned" that domestic definition of torture “does not fully reflect all elements of the definition” required under the <i>Convention against Torture</i>. (Para. 7) • "Concerned" over “the insufficient level of independence of the Procuracy” and “the failure to initiate and conduct prompt, impartial and effective investigations into allegations of torture or ill-treatment.” (Para. 12) • "Concerned" over the “lack of adequate compensation of victims of torture” and “the absence of appropriate measures for rehabilitation of victims of torture.” (Para. 20) • "Concerned" that “the federal law ‘On counteracting terrorism’ . . . fails to explicitly outline the applicability of the safeguards for detainees in the Code of Criminal Procedure to counterterrorist operations.” (Para. 24(e)) 	<ul style="list-style-type: none"> • "Concerned that there is no comprehensive definition of racial discrimination covering all fields of law and public life.” (Para. 9) • "Concern" that Russian Federation has “not yet adopted comprehensive civil and administrative legislation to prevent and combat racial discrimination.” (Para. 11) • “Concerned about reports that the broad scope of the Law on Combating Extremist Activities lends it to arbitrary application and that the law is not systematically applied against ultra-nationalist, skinhead and neo-nazi groups . . . which harass and assault members of ethnic minorities.” (Para. 17) • Noting “absence of information on complaints or court decisions in civil or administrative proceedings concerning acts of racial discrimination,” possibly “an indication of a lack of awareness of the availability of legal remedies or of insufficient will on the part of the authorities to 	<ul style="list-style-type: none"> • “Concerned” that “the lack of registration of place of residence and other identity documents in practice places limitations on the enjoyment of rights, including work, social security, health services and education,” particularly for at-risk groups. (Para. 12) 	<ul style="list-style-type: none"> • “Concerned about several aspects of the 2006 Federal Law ‘on counteracting terrorism,’” including “lack of precision in the particularly broad definitions of terrorism and terrorist activity”; lack of “requirement of justification on grounds of necessity or proportionality,” “procedural safeguards,” and “judicial or parliamentary oversight” under the current counter-terrorism regime; and lack of any limitation on “derogations that may be made from the provisions of the <i>ICCPR</i>”; and “regrets that the Law lacks a provision explicitly outlining the obligation of the authorities to respect and protect human rights in the context of a counter-terrorist operation.” (Para. 7) • “Notes with concern the reports of collective punishment for relatives of terrorist suspects, such as the burning of family homes, and harassment, threats and reprisals against judges and victims and their families,” and “regrets the failure . . . to provide effective protection to the persons concerned.” (Para. 14) • “Concern at the alarming incidence of threats, violent assaults and murders of journalists and human rights defenders,” and “regret[ing] the lack of effective measures taken . . . to protect the right to life and security of these persons.” (Para. 16) • “Concerned about the lack of independence of judges” and “the appointment mechanism for judges that exposes them to political pressure,” as well as the “lack of an

RUSSIAN FEDERATION (continued)

Area of Concern	Committee against Torture (2006 ¹²)	Committee on the Elimination of Racial Discrimination (2008 ¹³)	Committee on Economic, Social and Cultural Rights (2003 ¹⁴)	Human Rights Committee (2009 ¹⁵)
		<p>apply such remedies.” (Para. 28)</p>		<p>independent disciplinary mechanism, particularly in cases of corruption.” (Para. 21)</p> <ul style="list-style-type: none"> • "In light of . . . reports that the extremism laws are being used to target organizations and individuals critical of the Government . . . regrets that the definition of ‘extremist activity’ in the Federal Law on Combating Extremist Activity remains vague, allowing for arbitrariness in its application.” (Para. 24). Further "regrets" that "the 2006 amendment to this law has made certain forms of defamation of public officials an act of extremism," and "concerned about the loose manner in which the definition of ‘social groups’ . . . has been interpreted by the courts" under relevant domestic criminal law. (Para. 24)
<p>Reporting and Transparency</p>	<ul style="list-style-type: none"> • Requesting “detailed statistical information on the number of assurances sought” in the context of forcible returns and respect for the obligation of non-refoulement, as well as on “the persons concerned and the outcome of each case, as well as on minimum contents for any assurances.” (Para. 16) 	<ul style="list-style-type: none"> • "Concerned" over lack of “comparative statistical data” on the enjoyment by ethnic minorities of guaranteed rights, making it “very difficult to assess the socio-economic status of the different ethnic groups” and “adopt special measures to address any inequalities in the enjoyment of those rights.” (Para. 10) • Noting the “absence of statistical data on the number of asylum applications and applications for refugee status lodged with the competent authorities,” and on “the number of cases where such applications were granted.” (Para. 19) 	<ul style="list-style-type: none"> • “Regret that sufficient information was not provided” about the “poor living conditions in the Republic of Chechnya.” (Para. 10) 	<ul style="list-style-type: none"> • "Regrets" lack of “sufficient information relating to the prosecution of authors of domestic violence.” (Para. 10) • Requesting “detailed information on the impact of [development] measures upon the traditional habitat, way of life and economic activities of indigenous peoples.” (Para. 28)

RUSSIAN FEDERATION (continued)

Area of Concern	Committee against Torture (2006 ¹²)	Committee on the Elimination of Racial Discrimination (2008 ¹³)	Committee on Economic, Social and Cultural Rights (2003 ¹⁴)	Human Rights Committee (2009 ¹⁵)
Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	<ul style="list-style-type: none"> • “Concerned at . . . the particularly numerous, ongoing and consistent allegations of acts of torture . . . committed by law enforcement personnel, including in police custody.” (Para. 9(a)) • For more specific concerns of the Committee against Torture on the prevention of torture in the Russian Federation, see the other issues noted throughout this column. 			<ul style="list-style-type: none"> • “Concern about the large number of convictions for terrorism-related charges, which may have been handed down by courts in Chechnya on the basis of confessions obtained through unlawful detention and torture.” (Para. 8) • “Concerned about the continuing substantiated reports of acts of torture and other cruel, inhuman or degrading treatment or punishment committed by law enforcement personnel and other State agents, including of persons who are in police custody, pretrial detention and prison.” (Para. 15) • “Concerned about the extremely low rate of conviction of the State agents concerned” under relevant domestic law for torture-related offenses, and further noting that relevant prosecuting authorities “may lack the necessary independence when examining allegations of torture by public officials.” (Para. 15) • “Concern about reports that investigations and prosecutions of alleged perpetrators of acts of torture and ill-treatment are frequently marked by undue delays and/or suspensions, and that in practice, the burden of proof rests on the victims.” (Para. 15)

TAJIKISTAN

Area of Concern	Committee against Torture (2006 ¹⁷)	Committee on the Elimination of Racial Discrimination (2004 ¹⁸)	Committee on Economic, Social and Cultural Rights (2006 ¹⁹)	Human Rights Committee (2005 ²⁰)
Asylum-Seekers and Refugees	<ul style="list-style-type: none"> • “Failure . . . to provide access to lawyers and to appeal bodies for the purpose of challenging a deportation decision for persons at risk of deportation to countries where there are substantial grounds for believing that they would be in danger of being subjected to torture.” (Para. 13) • Recommending that Tajikistan should “cooperate with representatives of the Office of the United Nations High Commissioner for Refugees, including granting effective access to files pertaining to asylum-seekers.” (Para. 13) 	<ul style="list-style-type: none"> • “Concerned” about domestic measures “prohibiting refugees and asylum-seekers from living in certain settlements.” (Para. 13) • “Concerned” that “refugees have been denied Tajik citizenship despite the fact that they comply with the requirements” under law, and recommending that domestic citizenship laws be applied “without discrimination.” (Para. 14) • “Concerned” that “refugees, in particular Afghan refugees, have been forcibly returned” and recommending that Tajikistan “should pursue its cooperation with [the UN High Commissioner for Refugees] in order to protect persons who have sought refuge in Tajikistan.” (Para. 15) • “Urg[ing]” Tajikistan to ensure “no person will be forcibly returned to a country where there are substantial grounds for believing that his/her life or health may be put at risk.” (Para. 15) 	<ul style="list-style-type: none"> • “Concerned about the serious difficulties faced by refugees in finding employment”; laws pursuant to which “refugees and asylum-seekers are not allowed to reside” in large urban areas; and the fact that “asylum-seekers are not allowed to work” under relevant domestic law. (Para. 15) • “Concerned about reports that several Afghan asylum seekers were deported to Afghanistan without being given access to lawyers or the opportunity to appeal the decision.” (Para. 16) 	
Death Penalty				<ul style="list-style-type: none"> • Noting at least two individuals executed, “even though their cases were pending before the [Human Rights Committee] under the Optional Protocol to the [ICCPR] and requests for interim measures of protection had been addressed to [Tajikistan].” (Para. 8) • “Concerned” that “when

TAJIKISTAN (continued)

Area of Concern	Committee against Torture (2006 ¹⁷)	Committee on the Elimination of Racial Discrimination (2004 ¹⁸)	Committee on Economic, Social and Cultural Rights (2006 ¹⁹)	Human Rights Committee (2005 ²⁰)
				<p>prisoners under sentence of death were executed, the authorities systematically failed to inform the families and relatives of the date of execution or to reveal the place of burial of the executed persons.” (Para. 9)</p>
<p>Discrimination against At-Risk Groups</p>		<ul style="list-style-type: none"> • “Regrets that insufficient information was provided on the effective level of participation of members of national and ethnic minorities in State institutions.” (Para. 12) • For more specific concerns of the Committee on the Elimination of Racial Discrimination regarding racial discrimination in Tajikistan, see the other issues noted throughout this column. 		
<p>Due Process</p>	<ul style="list-style-type: none"> • “Concerned” at “numerous and continuing reports of hampered access to legal counsel, independent medical expertise and contacts with relatives” post-arrest, and “reports that unlawful restrictions of access to lawyers, doctors and family by State agents are not investigated or perpetrators duly punished.” (Paras. 7(b)-(c)) • “Continuing and reliable allegations concerning the frequent use of interrogation methods that are prohibited by the [Convention against Torture] by both 		<ul style="list-style-type: none"> • “Concerned about the lack of independence of the judiciary . . . as reflected inter alia in the process of appointment and dismissal of judges.” (Para. 12) 	<ul style="list-style-type: none"> • “Concerned about the widespread accounts of detainees’ access to a lawyer being obstructed, particularly in the period immediately following arrest,” and recommending that Tajikistan “take measures to ensure that the right to counsel arises at the moment of arrest, and that any instances where law enforcement officers are alleged to have obstructed access to a lawyer are fully investigated and appropriately punished.”(Para. 11) • Recommending that Tajikistan “revise its criminal procedure legislation and introduce a system that ensures that all detainees are as a matter of course brought promptly before a judge who will decide without delay on the lawfulness of the detention.” (Para. 12) • “Concerned about the apparent lack of independence of the

TAJIKISTAN (continued)

Area of Concern	Committee against Torture (2006 ¹⁷)	Committee on the Elimination of Racial Discrimination (2004 ¹⁸)	Committee on Economic, Social and Cultural Rights (2006 ¹⁹)	Human Rights Committee (2005 ²⁰)
	<p>law enforcement officials and investigative bodies.” (Para. 15)</p> <ul style="list-style-type: none"> • Reports of “no systematic review of all places of detention, by national or international monitors, and that regular and unannounced access to such places is not permitted.” (Para. 16) • “Reported failure of judges to dismiss or return cases for further investigation in instances where confessions were obtained as a result of torture, and numerous allegations of statements obtained as a result of torture being used as evidence in legal proceedings . . . facilitated by the absence of legislation expressly prohibiting the use of evidence obtained as a result of torture in legal proceedings.” (Para. 19) 			<p>judiciary, as reflected in the process of appointment and dismissal of judges,” and recommending that Tajikistan “guarantee the full independence and impartiality of the judiciary by establishing an independent body charged with the responsibility of appointing, promoting and disciplining judges at all levels.” (Para. 17)</p>

TAJKISTAN (continued)

Area of Concern	Committee against Torture (2006 ¹⁷)	Committee on the Elimination of Racial Discrimination (2004 ¹⁸)	Committee on Economic, Social and Cultural Rights (2006 ¹⁹)	Human Rights Committee (2005 ²⁰)
Women's Rights	<ul style="list-style-type: none"> • “Persistent reports of trafficking in women and children [and] the alleged involvement of officials in acts of trafficking.” (Para. 8) • “Concerned about continuing allegations of violence and abuse of women and children, including sexual violence.” (Para. 8) 		<ul style="list-style-type: none"> • “Concerned that traditional stereotypes in relation to the role of women in society are increasing . . . particularly in rural areas.” (Para. 18) • “Concerned about persistent gender inequalities.” (Para. 19) • “Concern about the persistence of domestic violence – especially against women . . . resulting in a high number of murders and suicides among women.” (Para. 27) • “Deeply concerned that . . . a high number of women and children continue to be trafficked from or through [Tajikistan] for purposes of sexual exploitation and forced labour.” (Para. 30) 	<ul style="list-style-type: none"> • “Concern that domestic violence against women remains a problem in Tajikistan.” (Para. 6) • “Concerned [about] persistent reports that Tajikistan is a major source country for trafficking in women and children.” (Para. 24)
Impunity for Past Abuses	<ul style="list-style-type: none"> • “Apparent lack of convictions under [domestic law] of public officials or others acting in an official capacity for acts of torture and ill-treatment and a very small number of convictions under domestic law for violations of the [<i>Convention against Torture</i>], despite numerous allegations of torture and ill-treatment.” (Para. 			

TAJIKISTAN (continued)

Area of Concern	Committee against Torture (2006 ¹⁷)	Committee on the Elimination of Racial Discrimination (2004 ¹⁸)	Committee on Economic, Social and Cultural Rights (2006 ¹⁹)	Human Rights Committee (2005 ²⁰)
	<p>17)</p> <ul style="list-style-type: none"> “Concerned . . . that acts of torture and ill-treatment in the years 1995 to 1999 were immunized from punishment by amnesty laws, thereby entrenching impunity of those responsible for torture, and a lack of reparation for the victims.” (Para. 17) 			
<p>Legal Framework to Protect Human Rights</p>	<ul style="list-style-type: none"> “Definition of torture provided in domestic law . . . is not fully in conformity with the [Convention against Torture], particularly regarding purposes of torture and its applicability to all public officials and others acting in an official capacity.” (Para. 5) “Inadequate independence and effectiveness of the judiciary.” (Para. 10) “Concerned” over the “lack of appropriate legislation and any effective, independent mechanism to permit victims of acts of torture and ill-treatment to complain and have their case examined promptly and impartially.” (Para. 18(a)) 	<ul style="list-style-type: none"> Noting “no definition of racial discrimination in domestic law.” (Para. 11) Noting “no court cases concerning racial discrimination” had been brought, and recommending that Tajikistan “verify that the lack of any such complaints is not the result of victims’ lack of awareness of their rights, individuals’ lack of confidence in the police and the judicial authorities, or the authorities’ insufficient attention or sensitivity to cases of racial discrimination.” (Para. 20) 	<ul style="list-style-type: none"> “Concern that . . . corruption and nepotism continue to be widespread, preventing the equal enjoyment of economic, social and cultural rights.” (Para. 13) “Concerned that there is no systematic and comprehensive anti-discrimination legislation” in Tajikistan. (Para. 14) 	

TAJKISTAN (continued)

Area of Concern	Committee against Torture (2006 ¹⁷)	Committee on the Elimination of Racial Discrimination (2004 ¹⁸)	Committee on Economic, Social and Cultural Rights (2006 ¹⁹)	Human Rights Committee (2005 ²⁰)
Reporting and Transparency	<ul style="list-style-type: none"> Requesting “statistical data regarding cases of torture . . . reported to administrative authorities and the related investigations, prosecutions and penal and disciplinary sentences, including details of applied articles of the Criminal Code, disaggregated by, inter alia, gender, ethnic group, geographical region, and type and location of place of deprivation of liberty, where it occurred.” Further requesting information on “any compensation and rehabilitation provided to victims.” (Para. 22) 	<ul style="list-style-type: none"> “Regrets that insufficient information was provided on the effective level of participation of members of national and ethnic minorities in State institutions.” (Para. 12) 		
Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	<ul style="list-style-type: none"> “There are numerous allegations concerning the widespread routine use of torture and ill-treatment by law enforcement and investigative personnel, particularly to extract confessions to be used in criminal proceedings. Further, there is an absence of preventive measures to ensure effective protection 			<ul style="list-style-type: none"> “Concerned about the widespread use of ill-treatment and torture by investigation and other officials to obtain information, testimony or self-incriminating evidence from suspects, witnesses or arrested persons.” (Para. 10)

TAJIKISTAN (continued)

Area of Concern	Committee against Torture (2006 ¹⁷)	Committee on the Elimination of Racial Discrimination (2004 ¹⁸)	Committee on Economic, Social and Cultural Rights (2006 ¹⁹)	Human Rights Committee (2005 ²⁰)
	<p>of all members of society from torture and ill treatment.” (Para. 6)</p> <ul style="list-style-type: none"> • For more specific concerns of the Committee against Torture on the prevention of torture in Tajikistan, see the other issues noted throughout this column. 			

UZBEKISTAN

Area of Concern	Committee against Torture (2007 ²¹)	Committee on the Elimination of Racial Discrimination (2010 ²²)	Committee on Economic, Social and Cultural Rights (2005 ²³)	Human Rights Committee (2010 ²⁴)
Asylum-Seekers and Refugees	<ul style="list-style-type: none"> Noting "credible reports that some persons who sought refuge abroad and were returned to the country have been kept in detention in unknown places and possibly subjected to breaches of the [<i>Convention against Torture</i>]." (Para. 9) "Concerned" that "individuals have not been afforded the full protection . . . in relation to expulsion, return or deportation from another country," and "particularly concerned at reports of forcible return of recognized refugees and/or asylum-seekers from neighbouring countries . . . some of whom were extradited from neighbouring countries," and their "unknown conditions, treatment and whereabouts since their arrival in [Uzbekistan]." (Para. 24) "Concerned that at least 700 recognized refugees are resident in [Uzbekistan] and are in need of protection and resettlement." (Para. 24) 	<ul style="list-style-type: none"> "Concerned about the absence of specific legislation on refugees, in particular the lack of legal safeguards against forced removal of individuals to a country where their life/health may be at risk." (Para. 12) Noting the "continuing existence of a compulsory residence registration system . . . [that] may affect <i>de facto</i> the enjoyment of a number of rights and freedoms . . . for foreigners residing in the country and persons from groups vulnerable to racial discrimination." (Para. 13) 	<ul style="list-style-type: none"> "Concerned about the absence of a specific law for the protection of refugees, which may negatively affect the enjoyment of their economic, social and cultural rights." (Para. 13) "Concerned that social assistance is insufficiently targeted in [Uzbekistan], given the considerable number of individuals and families living in poverty and the conditions of access to social assistance by particularly vulnerable groups . . . [including] refugees." (Para. 23) 	<ul style="list-style-type: none"> "Concerned about the lack of legislation governing expulsion of foreign nationals, and that expulsions and extraditions are regulated mainly by bilateral agreements, which may allow for the forcible removal of foreigners to States where they face a risk of being subjected to torture or ill-treatment." (Para. 12)
Death Penalty	<ul style="list-style-type: none"> "Concerned" about past practices "resulting in failure to inform families of persons sentenced to death about the time and place of executions and the location of the bodies." (Para. 26) 			<ul style="list-style-type: none"> "Concerned about the failure . . . to inform relatives of persons sentenced to death and executed . . . on the exact date and place of burial of those executed." (Para. 7)
Discrimination against At-Risk Groups		<ul style="list-style-type: none"> Noting the "continuing existence of a compulsory residence registration system . . . [that] may affect <i>de facto</i> the enjoyment of a number of rights and 	<ul style="list-style-type: none"> "Encourages [Uzbekistan] to strengthen its efforts to provide education" in multiple languages, including "through 	

UZBEKISTAN (continued)

Area of Concern	Committee against Torture (2007 ²¹)	Committee on the Elimination of Racial Discrimination (2010 ²²)	Committee on Economic, Social and Cultural Rights (2005 ²³)	Human Rights Committee (2010 ²⁴)
		<p>freedoms . . . for foreigners residing in the country and persons from groups vulnerable to racial discrimination." (Para. 13)</p> <ul style="list-style-type: none"> For more specific concerns of the Committee on the Elimination of Racial Discrimination regarding racial discrimination in Uzbekistan, see the other issues noted throughout this column. 	<p>the provision of an adequate number of schools that use those languages, and the development of adequate learning materials and the qualification of teachers in such schools." (Para. 67)</p>	
<p>Due Process</p>	<ul style="list-style-type: none"> "Concerned" about "numerous, ongoing and consistent allegations concerning routine use of torture. . . often to extract confessions or information to be used in criminal proceedings" and "credible reports that such acts commonly occur before formal charges are made, and during pre-trial detention, when the detainee is deprived of fundamental safeguards, in particular access to legal counsel." (Paras. 6(a)-(b)) Noting concern over "claims that, in practice, detainees are not afforded the rights of access to a lawyer, independent doctors or family members." (Para. 12) "Concerned that the principle of non-admissibility of [evidence elicited through torture] is not being respected in every instance." (Para. 20) 	<ul style="list-style-type: none"> Noting "no information about complaints or court decisions concerning acts of racial discrimination during the reporting period, nor direct evidence of such complaints regarding racial discrimination received by the Ombudsperson," and "concerned that this may be due to a lack of awareness of victims' rights or a lack of effectiveness of these procedures." (Para. 14) 	<ul style="list-style-type: none"> "Concerned about the frequent use of confinement in psychiatric institutions in [Uzbekistan], as a means of treatment of mental health problems, without review bodies, including courts, systematically reassessing confinement." (Para. 35) 	<ul style="list-style-type: none"> "Concerned about reports on the use, by courts, of evidence obtained under coercion." (Para. 11) "Concern that the length of custody for which a suspect or an accused may be held without being brought before a judge – 72 hours – is excessive," and that "in practice, an apprehended individual may be kept in police facilities for 48 additional hours, if a judge requires additional information, prior to deciding whether to release the person or place him or her in pretrial detention." (Para. 14) "Concerned about

UZBEKISTAN (continued)

Area of Concern	Committee against Torture (2007 ²¹)	Committee on the Elimination of Racial Discrimination (2010 ²²)	Committee on Economic, Social and Cultural Rights (2005 ²³)	Human Rights Committee (2010 ²⁴)
				<p>how the guarantees of the [ICCPR] apply in practice to persons suspected or charged with terrorism, and recommending that Uzbekistan "should ensure that anyone arrested or detained on a criminal charge, including persons suspected of terrorism, has immediate access to a lawyer and that the grounds for detention are examined by a court." (Para. 15)</p> <ul style="list-style-type: none"> • "Concerned regarding the number of persons reportedly detained as suspects of involvement in terrorist/extremist activities or on terrorist charges." (Para. 15)
<p>Women's Rights</p>	<ul style="list-style-type: none"> • "Concerned by reports of cases of violence against women, including in places of detention and elsewhere." (Para. 21) • "Concerned at trafficking in women for purposes of sexual exploitation." (Para. 22) 	<ul style="list-style-type: none"> • Pointing out that "insufficient information was provided on the effective level of participation of members of national and ethnic minorities in State institutions . . . including women of non-Uzbek ethnic origin [in] positions of responsibility." (Para. 10) 	<ul style="list-style-type: none"> • "Concerned about the revival of traditional stereotypes in relation to the role of women in society" and about "persistent gender inequalities." (Para. 15) • "Concerned about the persistence of domestic violence" and "the lack of specific legislation on domestic violence." (Para. 24) • "Concerned that trafficking in persons 	<ul style="list-style-type: none"> • "Concerned about the persistence of reports of violence against women, in particular domestic violence" and "concerned that domestic violence does not constitute an act specifically punishable under criminal law." (Para. 13) • "Concerned at reports of forced marriages and the persistence of bride abductions in certain parts of the

UZBEKISTAN (continued)

Area of Concern	Committee against Torture (2007 ²¹)	Committee on the Elimination of Racial Discrimination (2010 ²²)	Committee on Economic, Social and Cultural Rights (2005 ²³)	Human Rights Committee (2010 ²⁴)
		<ul style="list-style-type: none"> Noting the “lack of information on measures taken to protect and ensure the fulfillment of the rights of minority women.” (Para. 10) 	<p>is increasing,” and that Uzbekistan has now “become both a country of origin and destination, as well as a transit point for trafficking in persons,” and “not[ing] with regret that there is no legislation in [Uzbekistan] that criminalizes trafficking in persons.” (Para. 25)</p>	<p>country,” and that “no provision in [Uzbekistan’s] Criminal Code specifically prohibits and punishes bride abductions.” (Para. 13)</p> <ul style="list-style-type: none"> “Concerned about the persistence of stereotypes regarding the place of women in society, including the media.” (Para. 20)
<p>Impunity for Past Abuses</p>	<ul style="list-style-type: none"> “Concerned at the numerous allegations of excessive use of force and ill-treatment by Uzbek military and security forces in the May 2005 events at Andijan which resulted, [according to Uzbekistan], in 187 deaths and according to other sources, 700 or more, and in hundreds of others being detained thereafter,” and at the “failure to conduct full and effective investigations into all claims of excessive force by officials.” (Para. 7) “Concerned that sentences of those convicted . . . are not commensurate with the gravity of the offence of torture.” (Para. 10) “Concern” that Uzbekistan does not “provid[e] information on the results of investigations into the allegations of torture.” (Para. 14) 			<ul style="list-style-type: none"> “Concern” over “continued reported occurrence of torture and ill-treatment, the limited number of convictions of those responsible, and the low sanctions generally imposed, including simple disciplinary measures, as well as indications that individuals responsible for such acts were amnestied and, in general, the inadequate or insufficient nature of investigations on torture/ill-treatment allegations.” (Para. 11)

UZBEKISTAN (continued)

Area of Concern	Committee against Torture (2007 ²¹)	Committee on the Elimination of Racial Discrimination (2010 ²²)	Committee on Economic, Social and Cultural Rights (2005 ²³)	Human Rights Committee (2010 ²⁴)
Legal Framework to Protect Human Rights	<ul style="list-style-type: none"> • “Concerned” that the definition of torture “restricts the prohibited practice of torture to the actions of law enforcement officials and does not cover acts by ‘other persons acting in an official capacity.’” (Para. 5) • “Concerned” about “allegations that persons held as witnesses are also subjected to intimidation and coercive interrogation and in some cases reprisals.” (Para. 6(d)) • “Concern” that bodies established to investigate complaints “have not been effective in combating torture and lack full independence.” (Para. 15) • “Concerned” about “intimidation, restrictions and imprisonment of members of human rights monitoring organizations, human rights defenders and other civil society groups.” (Para. 16) • “Concerned at the lack of examples of cases in which the individual received . . . compensation, including medical or psychosocial rehabilitation.” (Para. 18) 		<ul style="list-style-type: none"> • “Concerned about the reported lack of independence of the judiciary.” (Para. 11) • “Concerned that the compulsory residence registration system” acts to restrict “access to a range of human rights, including economic, social and cultural rights, for individuals who wish to move to another district where they are not registered.” (Para. 14) 	<ul style="list-style-type: none"> • “Concerned about reports, according to which the definition of torture . . . may not ensure conformity between [Uzbekistan’s] legislation” and the <i>Convention against Torture.</i> (Para. 10) • “Concerned that the judiciary is not fully independent.” (Para. 16) • “Concerned that [Uzbekistan] maintains the compulsory address registration of individuals,” which “may result in abuses and permit corruption.” (Para. 18) • “Concerned about the number of representatives of independent non governmental organizations (NGO), journalists, and human rights defenders imprisoned, assaulted, harassed or intimidated, because of the exercise of their profession.” (Para. 24)
Reporting and Transparency	<ul style="list-style-type: none"> • “Concerned” over “limited and obstructed independent monitoring of human rights” following May 2005 Andijan events, “impairing the ability to obtain a reliable or credible assessment of the reported abuses,” including information on the “reported torture or ill-treatment of persons detained 	<ul style="list-style-type: none"> • “Concerned that . . . the disaggregated demographic data” on implementation is “insufficient,” with “no economic and social indicators, disaggregated by ethnicity and gender.” (Para. 9) • Pointing out provision of 	<ul style="list-style-type: none"> • “Concerned about the lack of reliable information, including statistics” on trafficking in persons. (Para. 25) • “Requests . . . detailed information, including statistical data disaggregated 	<ul style="list-style-type: none"> • “Concerned at the absence of a comprehensive and fully independent investigation on the exact circumstances of [the Andijan events of 2005] during which 700 civilians, including

UZBEKISTAN (continued)

Area of Concern	Committee against Torture (2007 ²¹)	Committee on the Elimination of Racial Discrimination (2010 ²²)	Committee on Economic, Social and Cultural Rights (2005 ²³)	Human Rights Committee (2010 ²⁴)
	<p>and/or missing." (Para. 8)</p> <ul style="list-style-type: none"> • "Notes the lack of information about prosecutions [for] violence against women." (Para. 21) • "Notes that . . . information was not disaggregated" in a way that would aid monitoring and assessment. (Para. 28) 	<p>"insufficient information" on the "level of participation of members of national and ethnic minorities in State institutions and other sectors." (Para. 10)</p> <ul style="list-style-type: none"> • "Regrets that no statistical data appears to exist on the ethnicity of detainees in pretrial detention and of prisoners in correctional facilities." (Para. 15) 	<p>by age, gender and ethnic group, on the progress made in the field of gender equality." (Para. 44)</p>	<p>women and children, were killed by the military and security services." (Para. 8)</p> <ul style="list-style-type: none"> • "Notes with regret that [Uzbekistan] has not provided the requested information regarding the national rules on the use of firearms by security forces against civilians." (Para. 8) • "Concerned about the absence of information on the application" of guarantees that "every detained suspect or accused is entitled to contact a defence lawyer or relatives immediately." (Para. 17)
<p>Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment</p>	<ul style="list-style-type: none"> • "Concerned" over "numerous reports of abuses in custody and many deaths, some of which are alleged to have followed torture or ill-treatment." (Para. 11) • "Concerns" over "the Jaslyk detention facility, the isolated location of which creates conditions of detention reportedly amounting to cruel, inhuman and degrading treatment or punishment for both its inmates and their relatives." (Para. 11) • For more specific concerns of the Committee against Torture on the prevention of torture in Uzbekistan, see the other issues noted throughout this column. 			<ul style="list-style-type: none"> • "Concerned about reports, according to which the definition of torture . . . may not ensure conformity between [Uzbekistan's] legislation" and the <i>Convention against Torture</i>. (Para. 10) • "Concern" over "the continued reported occurrence of torture and ill-treatment." (Para. 11)

¹ U.N. Committee against Torture, "Consideration of Reports Submitted by States Parties under Article 19 of the Convention: Concluding Observations of the Committee against Torture (China)," U.N. Doc. CAT/C/CHN/CO/4 (2008), available at <http://www2.ohchr.org/english/bodies/cat/cats41.htm>.

² U.N. Committee on the Elimination of Racial Discrimination, "Consideration of Reports Submitted by States Parties under Article 9 of the Convention: Concluding Observations of the Committee on the Elimination of Racial Discrimination (China)," U.N. Doc. CERD/C/CHN/CO/10-13 (2009), <http://www.unhcr.org/refworld/docid/4adc35852.html>.

³ U.N. Committee on Economic, Social and Cultural Rights, "Consideration of Reports Submitted by States Parties under Articles 16 and 17 of the Covenant: Concluding Observations of the Committee on Economic, Social and Cultural Rights (People's Republic of China)," U.N. Doc. E/C.12/1/Add.107 (2005), <http://www.unhcr.ch/tbs/doc.nsf/%28Symbol%29/E.C.12.1.Add.107.En?OpenDocument>.

⁴ U.N. Committee against Torture, "Consideration of Reports Submitted by States Parties under Article 19 of the Convention: Concluding Observations of the Committee against Torture (Kazakhstan)," U.N. Doc. CAT/C/KAZ/CO/2 (2008), available at <http://www2.ohchr.org/english/bodies/cat/cats41.htm>.

⁵ U.N. Committee on the Elimination of Racial Discrimination, "Consideration of Reports Submitted by States Parties under Article 9 of the Convention: Concluding Observations of the Committee on the Elimination of Racial Discrimination (Kazakhstan)," U.N. Doc. CERD/C/KAZ/CO/4-5 (2010), available at <http://www2.ohchr.org/english/bodies/cerd/cerds76.htm>.

⁶ U.N. Committee on Economic, Social and Cultural Rights, "Consideration of Reports Submitted by States Parties under Articles 16 and 17 of the Covenant: Concluding Observations of the Committee on Economic, Social and Cultural Rights (Kazakhstan)," U.N. Doc. E/C.12/KAZ/CO/1 (2010), available at <http://www2.ohchr.org/english/bodies/cescr/cescrs44.htm>.

⁷ In May 2007, the scope of application of the death penalty in Kazakhstan was limited to those convicted of terrorism leading to loss of life, or "exceptionally grave" crimes committed during times of war. Amnesty International, *Kazakhstan: Submission to the UN Universal Periodic Review: Seventh Session of the UPR Working Group of the Human Rights Council February 2010* (Amnesty International Publications: 2009), 7, <http://www.amnesty.org/en/library/asset/EUR57/001/2009/en/89ce2754-9fc8-40cc-9757-e0c00127cd8f/eur570012009eng.pdf>.

⁸ U.N. Committee against Torture, "Consideration of Reports Submitted by States Parties under Article 19 of the Convention: Conclusions and Recommendations of the Committee against Torture (Kyrgyzstan)," U.N. Doc. A/55/44 (1999), <http://www.unhcr.ch/tbs/doc.nsf/%28Symbol%29/A.55.44.paras.70-75.En?OpenDocument>.

⁹ U.N. Committee on the Elimination of Racial Discrimination, "Consideration of Reports Submitted by States Parties under Article 9 of the Convention: Concluding Observations of the Committee on the Elimination of Racial Discrimination (Kyrgyzstan)," U.N. Doc. CERD/C/KGZ/CO/4 (2007), <http://www2.ohchr.org/english/bodies/cerd/docs/CERD.C.KGZ.CO.4.pdf>.

¹⁰ U.N. Committee on Economic, Social and Cultural Rights, "Consideration of Reports Submitted by States Parties under Articles 16 and 17 of the Covenant: Concluding Observations of the Committee on Economic, Social and Cultural Rights (Kyrgyzstan)," U.N. Doc. E/C.12/1/Add.49 (2000), <http://www.unhcr.ch/tbs/doc.nsf/%28Symbol%29/E.C.12.1.Add.49.En?OpenDocument>.

¹¹ U.N. Human Rights Committee, "Consideration of Reports Submitted by States Parties under Article 40 of the Covenant: Concluding Observations of the Human Rights Committee (Kyrgyz Republic)," U.N. Doc. CCPR/CO/69/KGZ (2000), <http://tb.ohchr.org/default.aspx?Symbol=CCPR/CO/69/KGZ>.

¹² U.N. Committee against Torture, "Consideration of Reports Submitted by States Parties under Article 19 of the Convention: Conclusions and Recommendations of the Committee against Torture (Russian Federation)," U.N. Doc. CAT/C/RUS/CO/4 (2007), available at <http://www2.ohchr.org/english/bodies/cat/cats37.htm>.

¹³ U.N. Committee on the Elimination of Racial Discrimination, "Consideration of Reports Submitted by States Parties under Article 9 of the Convention: Concluding Observations of the Committee on the Elimination of Racial Discrimination (Russian Federation)," U.N. Doc. CERD/C/RUS/CO/19 (2008), available at <http://www2.ohchr.org/english/bodies/cerd/cerds73.htm>.

¹⁴ U.N. Committee on Economic, Social and Cultural Rights, "Consideration of Reports Submitted by States Parties under Articles 16 and 17 of the Covenant: Concluding Observations of the Committee on Economic, Social and Cultural Rights (Russian Federation)," U.N. Doc. E/C.12/1/Add.94 (2003), <http://www.unhcr.ch/tbs/doc.nsf/%28Symbol%29/E.C.12.1.Add.94.En?OpenDocument>. As of March 18, 2011, the Committee on Economic, Social and Cultural Rights had slated its next review of the Russian Federation for its 46th session, scheduled for May 2-20, 2011. The committee has released a list of issues to be taken up in connection with the review. See U.N. Committee on Economic, Social and Cultural Rights, "List of issues to be taken up in connection with the consideration of the fifth periodic report of the Russian Federation (E/C.12/RUS/5), concerning articles 1 to 15 of the International Covenant on Economic, Social and Cultural Rights," U.N. Doc. E/C.12/RUS/Q/5, available at <http://www2.ohchr.org/english/bodies/cescr/cescrs46.htm>.

¹⁵ U.N. Human Rights Committee, "Consideration of Reports Submitted by States Parties under Article 40 of the Covenant: Concluding Observations of the Human Rights Committee (Russian Federation)," U.N. Doc. CCPR/C/RUS/CO/6 (2009), available at <http://www2.ohchr.org/english/bodies/hrc/hrcs97.htm>.

¹⁶ A moratorium on executions in the Russian Federation was introduced in 1996, to remain in effect until realization of the nation-wide implementation of jury trials. After such implementation was completed on January 1, 2010, however, the moratorium was extended by the

Russian Constitutional Court, which stated that “the introduction of jury trials does not open the way for the possible use of the death penalty” and “the path towards full abolition of the death penalty is irreversible.” See Amnesty International, *Death Sentences and Executions 2009* (Amnesty International Publications: 2010), 18, 32 n. 10, <http://www.amnesty.org/en/library/asset/ACT50/001/2010/en/17348b70-3fc7-40b2-a258-af92778c73e5/act500012010en.pdf>.

¹⁷ U.N. Committee against Torture, “Consideration of Reports Submitted by States Parties under Article 19 of the Convention: Conclusions and Recommendations of the Committee against Torture (Tajikistan),” U.N. Doc. CAT/C/TJK/CO/1 (2006), available at <http://www2.ohchr.org/english/bodies/cat/cats37.htm>.

¹⁸ U.N. Committee on the Elimination of Racial Discrimination, “Consideration of Reports Submitted by State Parties under Article 9 of the Convention: Concluding Observations of the Committee on the Elimination of Racial Discrimination (Tajikistan),” U.N. Doc. CERD/C/65/CO/8 (2004), <http://tb.ohchr.org/default.aspx?Symbol=CERD/C/65/CO/8>.

¹⁹ U.N. Committee on Economic, Social and Cultural Rights, “Consideration of Reports Submitted by States Parties under Articles 16 and 17 of the Covenant: Concluding Observations of the Committee on Economic, Social and Cultural Rights (Tajikistan),” U.N. Doc. E/C.12/TJK/CO/1 (2006), <http://www2.ohchr.org/english/bodies/cescr/docs/E.C.12.TJK.CO.1.pdf>.

²⁰ U.N. Human Rights Committee, “Consideration of Reports Submitted by States Parties under Article 40 of the Covenant: Concluding Observations of the Human Rights Committee (Tajikistan),” U.N. Doc. CCPR/CO/84/TJK (2005), <http://tb.ohchr.org/default.aspx?Symbol=CCPR/CO/84/TJK>.

²¹ U.N. Committee against Torture, “Consideration of Reports Submitted by States Parties under Article 19 of the Convention: Conclusions and Recommendations of the Committee against Torture (Uzbekistan),” U.N. Doc. CAT/C/UZB/CO/3 (2008), available at <http://www2.ohchr.org/english/bodies/cat/cats39.htm>.

²² U.N. Committee on the Elimination of Racial Discrimination, “Consideration of Reports Submitted by States Parties under Article 9 of the Convention: Concluding Observations of the Committee on the Elimination of Racial Discrimination (Uzbekistan),” U.N. Doc. CERD/C/UZB/CO/6-7 (2010), available at <http://www2.ohchr.org/english/bodies/cerd/cerds77.htm>.

²³ U.N. Committee on Economic, Social and Cultural Rights, “Consideration of Reports Submitted by States Parties under Articles 16 and 17 of the Covenant: Concluding Observations of the Committee on Economic, Social and Cultural Rights (Uzbekistan),” U.N. Doc. E/C.12/UZB/CO/1 (2006), <http://www.unhcr.org/refworld/country,,CESCR,,UZB,,441544254,0.html>.

²⁴ U.N. Human Rights Committee, “Concluding Observations of the Human Rights Committee: Consideration of Reports Submitted by States Parties under Article 40 of the Covenant (Uzbekistan),” U.N. Doc. CCPR/C/UZB/CO/3 (2010), available at <http://www2.ohchr.org/english/bodies/hrc/hrcs98.htm>.