

## **Kyrgyzstan: Torture and cruel treatment of detained persons during the investigation of the Nookat events of 1 October 2008**

**Executive summary of the report prepared by the representatives of the Kyrgyz NGOs<sup>1</sup> that participated in the Commission established by the Ombudsperson to monitor the human rights situation in relation to the Nookat events**

### ***Torture and cruel treatment***

1. During the transportation of the detainees from the Nookat Police Department to Osh they were put on the floor between the seats and were beaten with the rifle butt, kicked and not allowed to raise their heads. All along the road they were put their faces down and the policemen were placing their feet on the heads of the detainees.

2. The following types of torture were applied: beating on the places which had the traces of previous blows; beating with batons on feet; suspending the persons under investigation with their hands behind their back and beating on their body; dousing with cold and boiling water; absence of medical aid after the injury; “learning” the Kyrgyz anthem and singing the anthem 5 times a day in the premises of the State Committee of National Security; putting plastic bags on the head; burning the beard with a lighter; tearing the beard; placement in the cold concrete room without clothes, where the floor is poured with chlorinated water ankle deep up to 3 days; prohibition to use the toilet; passing through special corridor; tearing the fingernails; putting the gas mask before or after the press-up exercises, sometimes they let the cigarette smoke in the air filter; pouring vodka in the throat, beating with palms on the ears (those who suffered from such torture reported the bleeding from their areas and subsequent loss of hearing).

3. Among the torture the detainees mentioned “Afghani position”, this was the position when staff of the State Committee of National Security made the detainees stand for a long time with half-bent legs on tiptoes, with their hands behind their head. As soon as the victims tried to stand in a normal position or tried to stand straight, they were severely beaten.

4. The procedures of “special room” (two of the accused thought that this was an operation room). This is a room in the premises of the Osh Department of the State Committee of National Security, it has a metallic trestle bed; the persons under investigation were placed on it belly down, handcuffed to the legs for their immobilization and then beaten on their bare feet with batons, beaten on the whole body, on their legs and on the opposite side of their knees with batons.

5. One of the torture methods in the Osh oblast police department is the electric chair. The detainees are put on a metal chair, their hands are tied to the armrest, a metallic circle with electric wire is put on their heads and the detainees are threatened with the imminent application.

6. The following injuries were recorded after the torture: concussion of the brain, rib fractures, bruises, scars, worsened sight and hearing, inability to bend the knees and sit, finger displacement.

### **Torture of women**

7. Torture applied to two detained women had their own specificity. At first the investigators cut the plaits of two women under the pretext that they may hang themselves (both women had four minor children). On the next day the officer of the Department of the State Committee of National Security (SCNS) Nurlan Jumabaev ordered to shave their heads with the razor. Their heads were shaven for the

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<sup>1</sup> Submitted on behalf of the Human Rights Center ‘Kylym Shamy’, Open Viewpoint Public Foundation, Coalition for Democracy and Civil Society.

second time before the court hearing. When one of the women informed the investigators during the beating that she had two months' pregnancy, the staff of the SCNS started to insult her and deliberately caused the miscarriage. For this purpose they handcuffed the pregnant woman, asked her to lift coat rack with concrete base and hold it in her hands for a long time. When she became unable to hold it anymore and dropped it, they beat her on her fingers, two her fingers were dislocated. Systematic beatings and placements in a cell resulted in a miscarriage, after that she was first brought to the Osh maternity home; the doctor there offered her first medical aid and said that should stay in bed. Instead of that she was placed in a cell without outer coat and footwear ankle deep in water with chlorine 10 cm deep. This resulted in high temperature and bleeding, again she received emergency medical aid and the doctors said that she had to stay in bed and undergo ultrasonic tests. Instead of that officer of SCNS Nurlan Jumabaev again put her in the cell. The investigators demonstrated to this woman how they beat other detainees and even made her dance waltz with one of them as she was handcuffed. Both women were beaten with batons or fists on their heads. Both women have scars on their heads. When one of them asked for water she was offered to drink urine. Five times a day they were brought before the men, asked to remove their headscarf and sing the Kyrgyz anthem. The women were also forced to clean the toilet and other rooms of the pre-trial prison of the SCNS.

### ***Compliance with the rights of the minors***

8. A minor, whose father was accused of a membership in the Hizb ut-Tahrir, was tortured for the purpose of obtaining information about his father, though the father was no longer living with the family. The boy was under the guardianship of his cognate grandfather. The second minor was tortured to make him confess guilt.

9. Accused minors were sentenced to the maximum length of imprisonment - 9 and 10 years as defined in the Criminal Code for minors. It is worth mentioning that the court failed to recognize the age of one of them and initially sentenced him to 18 years in prison.

10. Torture was applied in respect of the minors. When the investigators realized that the person was not married, they beat and kicked him on his genitals ("so that he would be unable to marry and the Hizb ut-Tahrir members would never have children"). The boy was placed in the basement of SCNS without clothes in a metal tub with cold water, placed one end of electric wire in water and the other was given in his hands and switched the electricity on ("I was electrocuted and my hair stood on end, they asked me to find my father who is no longer living with our family. When I became unconscious, they poured cold water on me and switched electricity again. This was repeated 10 times"). Moreover, investigators poured boiled water on his neck and beat him with the rifle butt.

11. The investigators lifted another child and hit him against the wall, after he fell on the ground they kicked him. They put a metal key between his squeezed fingers and turned it with force. He was kept for three days in a cold concrete cell without clothes, with cold water with chlorine. After this torture the boy confessed that he was throwing stones and shouted "Allah akbar".

12. When the children were shouting or crying during torture, they were gagged by the investigators.

13. The child who was tortured with electricity is still unable to sit because he can not bend his knees.

14. The children were kept in the status of "incommunicado" for a long time, their relatives received no information about the places where they were kept.

15. Legal representatives were not allowed to participate in the investigation.

16. One of the boys is illiterate. The investigator did not make a decision to invite a psychologist or a teacher for the interrogation.

17. The minors were kept under arrest before the trial.

18. Minor children were allowed to visit their detained mothers only for money (KGS 300) and talked to them through the lattice. According to the established rules in the institution No 25 of the Ministry of justice the visits are allowed only on a payment basis.

19. The commission discovered that the lawyer of one detained woman was taken away by the escort when her children visited her.

**Torture was also applied to persons who had some mental disabilities.**

20. Father of one of such persons managed to get a medical certificate for his son confirming that he was mentally sane as he was afraid that his son would be unable to get married. After beatings by the staff of the pre-trial prison of the SCNS this person was always swearing, the officers were coming back and started to beat him again. According to other detainees, he did not realize what had been going on and that his action would result in other beatings – therefore he was beaten more often than the others.