

ACTIVITIES OF NATIONAL HUMAN RIGHTS INSTITUTIONS

1. So far the Commission has received around 10 cases claiming torture. Upon citizen “A”’s request the Commission under the Chief Commissioner’s instruction took an investigation into the Court Decision Enforcement Office of Mongolia (CDEOM)’s 0429-detention center’s tuberculosis hospital. The complaint claimed that prisoners were oppressed, insulted, beaten and tortured by the officers and servants of that center. The investigation was conducted by two officers from NHRCM and an investigation prosecutor from the Capital City’s Prosecutor General’s Office. After the investigation a results meeting was held including the department director for the CDEOM’s detention center, director of the 0429-detention center and the prosecutor. The Commission took the following measures:
 - reported to related individuals about the use of torture in that detention center
 - informed about prisoners opinions and comments
 - sent a recommendation letter to the CDEOM

The NHRCM has represented in this and in other cases individuals and a group of individuals to restore their rights and freedoms. That is, the role of NHRCM was important and decisive in human rights protection.

2. The Commission conducted a research on conditions in detention centers and prison facilities. Also the Commission took an investigation in 18 provinces and 6 districts on people being detained for the cases that had been already discarded.
3. Upon the joint decision of the General Department of Police and the director of NHRCM the Commission undertook several awareness and education campaigns related with torture.
 - Training for the officers of the Police Academy (50 people);
 - Training for the district’s investigation officers, incident registrars, and senior inspectors on public order (200 people);
 - Training for the police and other legislative institutions’ officers in 10 provinces (with duplicate records) during “Human Rights Open Days” (200).
 - Training for the capital, district, and province’s judges who issues permission for detention (45);Approximately 500 officers from legislative institutions were involved in those trainings.
4. Two investigations were conducted in centers of detention to monitor and assess the conditions. First, an investigation was conducted in 0461-detention center in Ulaanbaatar (capital city). The Commission jointly with the Ministry of Justice and Home Affairs made the investigation on conditions in detention centers whether it follows international norms and standards. The investigation included 700 prisoners. Upon the investigation a letter of demand was sent to Court Decision Enforcement Office of Mongolia (CDEOM). Second, an investigation was conducted upon a complaint on CDEOM’s 0429-detention center to reveal acts of torture. Upon findings, the Commission sent a recommendation letter to CDEOM.

5. NHRCM has not intervened in court proceedings on the issue of torture.
6. NHRCM addressed the issue of torture in its 2004 Annual Report. **Please see the attached document.**
7. NHRCM has not been approached by the government to contribute to the periodic reports to the relevant Committees.
8. NHRCM does not have regional offices.
9. The Commission collaborated with the Amnesty International on the issue of torture and published a handbook, “Combating against Torture” in 2003.
10. There are specific provisions on torture provided in the Criminal Procedure Law of Mongolia which compares internal laws/policies/practices with international procedures.
11. The Commission proposed additions on torture issue for the working group that made amendments on Criminal Procedure Law, which is under the Ministry of Justice and Home Affairs. In 2005 the Commission is going to conduct public inquiry on “Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment”.

DOCUMENTATION

THE CONSTITUTION OF MONGOLIA:

Chapter Two - Human Rights and Freedoms

Article 19

2. In case of a state of emergency or war, the human rights and freedoms as defined by the Constitution and other laws shall be subject to limitation only by a law. Such a law shall not affect the right to life, the freedom of thought, conscience and religion, as well as the right not to be subjected to torture, inhuman and cruel treatment.

Chapter One – Sovereignty of the State

Article 10

1. Mongolia shall adhere to the universally recognized norms and principles of international law and pursue a peaceful foreign policy.

RELEVANT LEGISLATIONS

1. Criminal Code of Mongolia. **Please see the attached document.**
2. Criminal Procedure Law of Mongolia. **Please see the attached document.**

NGO REPORTS

No such reports