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Joint Programme between the European Union and the Council of Europe
“Support to the Kazakh authorities in improving the quality and efficiency of the Kazakh justice system”

Training session

Effective and independent investigation of allegations of torture and other forms of ill-treatment

17-18 May 2016
Astana

Park Inn by Radisson
Saryarka Blvd. 8/A

AGENDA

17 May 2016

09:00–09:30 Registration, Opening remarks, introduction of participants and trainers

Ms Lilit Daneghian-Bossler, Head of the Justice Sector Reform Unit 1, Justice and Legal Co-operation Department, Council of Europe

Ms Leila Zhdanova, Project Co-ordinator, Justice and Legal Co-operation Department, Council of Europe

Mr Eric Svanidze, Council of Europe Expert

Mr Octavian Ichim, Council of Europe Expert

09:30-11:00 *Prohibition of torture under International Human Rights Law*
Octavian Ichim, Council of Europe Expert

- International framework and instruments (UN and Council of Europe)
- Overall scope of the prohibition and definitions
- State obligations (negative/positive)

11:00–11:30 **Coffee Break**

11:30-12:15 **Prohibition of torture under International Human Rights Law**
Octavian Ichim, Council of Europe Expert

- (Continued)
- Follow-up discussion: questions & answers

12:15 - 13:15 **Safeguards against ill-treatment**
Eric Svanidze, Council of Europe Expert

- *Procedural safeguards*
- Access to a lawyer
- Access to a doctor
- Notification of custody
- Information on rights
- *Organisational safeguards*
- Custody records
- Obligations of prosecutors/judges in the course of administration of justice
- Role of prison services
- Complaints
- Monitoring and inspections

13:15-14:30 **Lunch**

14:30-15:45 **Safeguards against ill-treatment**
Eric Svanidze, Council of Europe Expert

- (Continued)
- *Follow-up discussion: questions & answers*

15:45-16:15 **Coffee Break**

16:15 -17:30 **Effective investigation/obligation to investigate**
Octavian Ichim, Council of Europe Expert

- *Independence*
- *Thoroughness and investigative techniques*
- *Promptness*
- *Adequacy of competence*
- *Victim involvement/public scrutiny*

17:30 Conclusion of the first day of the training

18 May 2016

09:00-10:00 **Effective investigation/obligation to investigate**

Octavian Ichim, Council of Europe Expert

- *(Continued)*
- *Follow-up discussion: questions & answers*

10:00 -11:00 **Procedural Obligations**

Eric Svanidze, Council of Europe Expert

- *Grounds for launching investigations and their format*
- *Combating impunity*
- *Judicial deterrence/general prevention*
 - *Substantial criminal legislation (classification in law)*
 - *Adequacy of sanctions/punishment*
- *Role of the different legal professions*

11:00-11:30 **Coffee break**

11:30 -12:15 **Procedural Obligations**

Eric Svanidze, Council of Europe Expert

- *(Continued)*
- *Follow-up discussion: questions & answers*

12:15 -13:00 **Practical exercises (case study/group work)**

13:00-14:00 **Lunch**

14:00-15:30 **Practical exercises (case study/group work)**

15:30-16:00 **Coffee Break**

16:00-17:00 **Open discussion and comments/suggestions/proposals by the participants**

17:00 **Conclusion of the training**

Council of Europe Experts

Eric Svanidze

Octavian Ichim