

IHF FOCUS: Freedom of expression, the media and access to information; freedom of association; peaceful assembly; religious intolerance; torture, ill-treatment and misconduct by law enforcement officials; integrity of person.

When Moldova became a member of the Council of Europe in June 1995, the Council required, among other things, that Moldova undertake within a year of accession: to adopt a new Criminal and Criminal Procedure Code that conform with Council of Europe standards; to transform the role and the functions of the Prosecutor's Office into a body that respects the rule of law and Council of Europe standards; aim at the ratification and application of the central principles of other Council of Europe conventions (notably those on extradition); to confirm complete freedom of worship for all citizens without discrimination; and to ensure a peaceful solution to the dispute between the Moldovan Orthodox Church and the Bessarabian Orthodox Church. None of these requirements had been fulfilled as of the end of 2000.

The draft Penal Code and Criminal Procedure Code were submitted to Parliament and were expected to have been adopted by the end of 2000. However, as of this writing they had only undergone two readings.

The Prosecutor's Office remained largely unreformed and was based on the Communist structure of *prokuratura*. In court this meant that the prosecution and the defence did not always enjoy equal rights. Outside court proceedings, it meant that the Prosecutor's Office enjoyed powers that most Council of Europe member states had transferred to administrative courts: for example, the supervision of the legality of all administrative acts, access to justice in places of detention, etc.

Moldovan legislation lacked the regulations necessary to guarantee international standards in the field of extradition.² Moreover, protection from *refoulement* was lacking as Moldova had not signed the 1951 Geneva Convention and its 1967 Protocol.

The Moldovan Government once again refused to register the Bessarabian Orthodox Church, despite the recommendation of the Parliamentary Commission on Human Rights, Religions and National Minorities to do so. A complaint in the matter has been submitted to the European Court of Human Rights.

Moldovan authorities failed to submit any reports on the Government's implementation of its human rights obligations under the UN conventions. So far, Moldova has only reported on the implementation of the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW). Initial reports on the implementation of the ICCPR, the Convention on Elimination of All Forms of Racial Discrimination, and the Convention on the Rights of the Child have not been submitted although they have been due for 5-7 years.

Freedom of Expression, the Media and Access to Information

Draft Penal Code

The draft Penal Code provides for even greater restrictions on freedom of expression than the previous Code. The draft Code penalizes incitement to war (Article 135), revelation of state secrets (Article 118), defamation and insult (Article 167), dissemination of propaganda for violence and cruelty, (Article 235), production or dissemination of pornography (Article 234), calumnious advertising (Article 291), insulting a judge (Article 345), calumny of a judge, prosecutor, investigator (Article 346), civil disobedience (Article 381), profanation of state symbols (Article 382) and insulting a military servant (Article 415).

Defamation

The Constitutional Court upheld the constitutionality of Article 7 of the Civil

Code (defamation), which provided that a person could initiate judicial proceedings against someone who disseminated unverifiable information about him/her. In its 8 June decision, the Court failed to distinguish between “facts” and “value judgments,” and misinterpreted the word “information.” Further, the Court cited Article 32(2.3)³ of the Constitution and Article 4 of the Press Law, both of which have been criticised for being vague and broadly defined. It is precisely these provisions that were supposed to be brought in line with European standards.

The 19 June explanatory decision of the Plenum of the Supreme Court of Justice, however, clearly stated that judicial liability would be invoked only if the piece of “information” in question was false or excessively offensive.

The Moldovan Helsinki Committee submitted an *amicus curiae* brief to the Constitutional Court, bringing to its attention Article 10 of the ECHR and European Court of Human Rights case law, including the case of *Lingens vs. Austria*, and noted that Moldovan court practices under Article 7 of the Civil Code violated freedom of expression.

On 29 August, the Coordinating Audiovisual Council (CCA) suspended the license of the private TVC21 cable television for three months because it had allegedly defamed the State. The CCA stated that TVC21 had aired an interview on 29 July with a leader of the self-proclaimed “Dniester Moldovan Republic” (“DMR”) about the “DMR’s” recent local elections. The CCA argued that “...the interview with Maracuta, a person who fights for the separation of Moldova as a unitary State and incites territorial separatism,” violated Article 32(3) of the Constitution (freedom of opinion and expression) and Article 3⁴ of the Law on the Audiovisual Matters.

The CCA made the decision while the two aforementioned articles were under scrutiny by the Parliamentary Assembly of

the Council of Europe (PACE), which observed Moldova’s implementation of Council of Europe standards regarding freedom of speech. The Government proposed modifications to the legal provisions in order to comply with its European obligations.

Access to Court Hearings

A representative of the Moldovan Helsinki Committee was denied access to the court to monitor a case of public interest.

◆ On 21 June, the Chisinau District Court of Centru (a first instance court) was scheduled to deal with the case of Mihaiescu, who had been accused of illegal participation in an unauthorised student strike. The President of the Court refused to accept the Moldovan Helsinki Committee’s complaint about the denial of access to the court, and on 17 August the Court ruled that “the courts lack jurisdiction to try” the alleged violation of access to court hearings. The Court of Appeal overturned the lower court decision and sent the case back to the Centru District Court to re-consider the Moldovan Helsinki Committee’s complaint.

Broadcasting in Unofficial Languages

The CCA also revoked the broadcasting licenses of several radio stations that “violated the provision to broadcast at least 65 percent of the total airtime in the official language, as provided for by Article 13(3) of the Law on Audiovisual Matters.” The stations in question were Russkoe radio, Radio Nostalgie, Radio D’or, and Serebreannii Dojdi. The Club of Students Graduated from Higher Education Institutions from Abroad and Romania (CAIRO) appealed the decision to a court, which eventually ordered the CCA to re-issue the licenses.

Meanwhile, the Parliament interpreted Article 13(3) of the Law on Audiovisual Matters in such a way that the obligation to have at least 65 percent of the total airtime in the official language did not apply to radio stations that re-transmitted other sta-

tions' programmes. The Supreme Court of Justice was to examine the case on appeal in late January 2001.

Limitations on Election Propaganda

The Parliament amended Article 23(1) of the Law on Audiovisual Matters, which forbids local broadcasters to include local information in programmes produced abroad and re-transmitted on Moldovan territory. The modification primarily targeted political advertisements during election campaigns. The Constitutional Court, however, declared the modifications unconstitutional on 14 December 2000.

Trans-Dniester Region

Local Trans-Dniester authorities reacted very aggressively towards any deviation from official ideology. As cited in the paper *Baltiscaia gazeta*, in the opinion of the "Chairman of the Supreme Soviet of the DMR," G. Maracuta, those persons who did not recognise the "DMR" should not be tolerated. Sevtoy-Antiufeev, chief of the "DMR" security forces, added that it was "necessary to pull a certain number of people out of circulation." He hoped for the return of the "attitude of 1945-1947, when all activities directed against public order qualified as a crime against state order."

The mass media operated under severe censorship. For eight years, the controlled mass media have created an image of the legal Chisinau Government as the enemy. All attempts to express more tolerant views were considered to be betrayal.

The "DMR" Press Law forbid the establishment of media outlets by foreign citizens – including citizens of the Republic of Moldova: by law, only the "DMR Government" was allowed to set up radio or television stations. As of the end of 2000, only Russian-language newspapers were published. The "DMR" state television broadcast Moldovan- and Ukrainian-language programmes (mainly official news) for a total of about two hours a day.

Freedom of Association

Political Association

The Ministry of Justice rejected the programme and application for registration of the newly established National Romanian Party (PNR). However, it did register the organisation of Victims of the Occupation of the Communist Regime and the Romanian Veterans of War.

The Ministry considered the objective of the PNR was to "contribute to the reintegration to the Mother Country" by liquidating the Molotov–Ribbentrop pact," which was a serious violation of the sovereignty and integrity of the Republic of Moldova and in contradiction with Article 41(4) of the Moldovan Constitution. According to the Ministry of Justice, the name PNR "includes an identification element of another State" and implies ethnic association.

Gh. Ghimpu, chairman of the PNR, and I. Buga, a member of its board, declared at a press conference that the position of the Ministry of Justice was discriminatory. They pointed out that the Ministry had already registered parties set up on an ethnic basis, for example, the New National Moldovan Party, the Association of Gagauz Women, the Popular Gagauz Party and others. Moreover, some of the party programmes already touched upon the issue of sovereignty and the territorial integrity of the Republic of Moldova.

Public Interest Organisations

The Ministry of Justice refused to register the Bureau of Legal Advice on Individual Rights as a public interest human rights organisation because the organisation planned to "monitor and participate as observers in the process of the administration of justice." This, according to the Ministry, contradicts Moldovan law. In addition, three persons were allegedly not enough to "secure the division of executive, controlling and other functions." By law, at least three persons were required to establish such an organisation and to ensure the separation of roles.

On 22 May, the Court of Appeal also rejected the registration, stating that the

founders had chosen the wrong form of constituency and that “this form does not allow them to act for the protection of the rights of others as proposed in the statutory documents” and that “it contravenes the essence of a non-governmental organisation [...]”.⁶ On 19 July, the Supreme Court of Justice annulled the latter decision, sending the case for re-examination to the Court of Appeal on grounds that the Court “had not verified whether the refusal of the Ministry of Justice violated the right to association guaranteed by Article 11(2) of the European Convention”. On 29 October the Court of Appeal ordered the Ministry of Justice to register the organisation. However, the Court did not grant compensation for incurred costs.

Professional Associations

The Constitutional Court declared constitutional provisions that required athletes to be members of a Moldovan sport club or the national sports federation upon the consent of authorities in order to participate in competitions. At the same time, it upheld the constitutionality of Article 21(5) (international affiliation of sport clubs only with the consent of the authorities), 22(2) (compulsory membership of sport clubs in a national association) as well as Article 21(6) (organisation and coordination of activities of the national association in cooperation with the authorities). According to the Moldovan Helsinki Committee, the provisions were all excessive and amounted to substantial limitations and control by the authorities in sports activities.

However, on 25 April, the Court ruled that the Law on Physical Culture and Sport did not create a definite obligation for compulsory membership in a sports association. The Court argued that Article 54 of the Constitution provided restrictions on specific freedoms only for reasons such as national security. It noted, however, that it was useful for the athletes to join sport clubs because they would profit in healthcare and receive other medical assistance.

The Constitutional Court also ruled unconstitutional the provision that made it compulsory for law professionals to join the Lawyers Association.

Trans-Dniester Region

No political associations were officially registered in the “DMR,” but the Communist Party of Moldova successfully ran an electoral campaign. Other political activities were forbidden.

In late spring, the Supreme Soviet of the “DMR” passed amendments to the Law on Associations that made NGOs equal to political and social movements and required at least 150 supporters for the establishment of an organisation.

There were several cultural minority organisations such as the Association of Russians, the Association of Ukrainians, and even the Association of Moldovans that propagated for maintaining the traditional Slavic roots of the Moldovans. The operation of public organisations that opposed the separatist aims of the region (for example one called Integrity) became impossible in the aggressive atmosphere.

Peaceful Assembly

Meetings of Homosexuals

◆ A group of homosexuals planned to hold a constituting meeting at the Hajdau public library meeting room, which it had rented. On the day of the event the director of the library advised them to hold the meeting in the Art Library at Izmail street “since the Chisinau police would be very angry” if the meeting was held in his library. He also warned that a group of aggressive theology students would try to prevent the meeting. The homosexuals went to the other library and began the meeting. The Vice Commissioner of Chisinau Police, A. Covali, then broke up the meeting and asked A. Marcikov, the leader of the organisation, for the certificate of registration and other constituting documents. A heated discussion followed, with the police threat-

ening the participants, and the meeting could not continue. The police justified their intrusion on the basis of the Law on Assembly and Holding Public Meetings, which required the consent of public authorities in order to hold a public meeting.

Students' Strikes

On 17-18 April some 6, 000 students gathered at the National Assembly square and in front of the City Hall to protest the decision of the City Council to take away their travel and other social benefits. On 18 April, around 50 students were arrested under Article 174(4) and Article 164(4) of the Code for Administrative Sanctions for "active participation in an unauthorised strike" because they had used "abusive expressions in a public place". On both days, the demonstrations were dispersed by the police, who cited Articles 5, 11 and 12(2) of the same Code: these articles forbid the holding of meetings that were not reported to the authorities 15 days in advance and approved. The organisers criticized the legislation, which could be used to prohibit virtually any public assembly or strike.

◆ On 18 April, M. Mihaiescu, who was participating in the demonstrations, was beaten until he lost consciousness. The police later took him to hospital and then held him in custody for eight hours for "active participation in an unauthorised strike." The Moldovan Helsinki Committee registered some 20 other arrests.

Religious Intolerance

The Moldovian Orthodox Church is the dominant religion in Moldova. The Church apparently continued to receive direct and indirect support from the State in 2000, and high-ranking Moldovan politicians and elected public authorities liked to publicly show their affiliation with the Orthodox Church.

Upon admission to the Council of Europe, Moldova committed itself to complete freedom of worship for all citizens

without discrimination. However, the Government has shown little tolerance towards "non-traditional" religions. Between 1991 and the beginning of 1999, religious proselytising was illegal. Still in 2000, the State Agency on Religious Affairs was comprised of representatives of "recognised" (i.e. governmentally registered) religions, mainly of the Orthodox Church and exclusively of Christian confession. About ten "unrecognised" religious communities were active in Moldova in 2000.

◆ On 19 February 1999, the governmental State Service for Creed Problems rejected the registration of the True Orthodox Church of Moldova. The Church claims to be a religious association similar to the religious community of the Russian Orthodox Church from Abroad. The State Service stated that the community had not presented its basic dogma, which, under Article 15 of the Law on the Cults, had to be included in the statutes of a religious association. Another reason for the rejection was the fact that, according to Article 24 of the Law on the Cults, only religious associations that have been established on Moldovan territory can be registered as legal entities.

◆ A central point in the Council of Europe recommendations on freedom of religion was that Moldova ensure a peaceful solution to the dispute between the Moldovan Orthodox Church (subordinated to the Moscow Patriarchate) and the Bessarabian Orthodox Church (subordinated to the Bucharest Patriarchate). The Bessarabian Orthodox Church was active until 1940, i.e. the Soviet annexation. However, the Moldovan authorities refused to register the Bessarabian Orthodox Church again in 2000, and the dispute between the two churches continued. It appeared that the Moldovan Government had no genuine intention of resolving the dispute.

In its reply sent to the Appeal Court that examined the case, the Government reasoned that state recognition and registration of the Bessarabian Orthodox Church

would be inconvenient to Russia and Ukraine. The Appeal Court obliged the State to register the Bessarabian Orthodox Church, but the Supreme Court overturned the decision, arguing that the appeal deadline had lapsed.

◆ The State Service has repeatedly refused to register the Spiritual Council of Muslims. On 18 September the Service refused its on grounds that “97 percent of the population of Moldova are Christians”, and that “foreign citizens and persons without citizenship temporary residing in Moldova are guaranteed religious freedom without granting them association as a juridical person.” However, also after the Muslims Council leadership was re-organized to include only citizens of Moldova, the State Service refused registration on grounds that “majority of persons belonging to the Council are foreign citizens”, basing on Article 22(1)⁷.

The Moldovan Orthodox Church enjoys special tax exemptions unlike other denominations.⁸ Due to money transfers, other private companies such as “Fidescor”, “Rodaj”, “Acorex Trading”, “Elita 5”, “Interforum M”, “Texcom”, “Catalan”, etc. profited from the tax exemptions.

Torture, Ill-Treatment and Misconduct by Law Enforcement Officials⁹

In December 2000, the European Committee for the Prevention of Torture (CPT) published a report on its visit to Moldova from 11-21 October 1998.

The CPT recommended that the authorities re-examine the law and practice with regard to provisional detention to ensure that Moldova complies with the principles stated in Recommendation No. R (80) 11 of the Committee of the Ministers to the Member States of the Council of Europe. It also noted that action should be taken to make the integral transfer of responsibility for detainees to the Ministry of Justice, and noted that Moldovan authorities should observe the principle of a maximum ten-day detention

period for holding detainees in police custody before they are transferred to prison.

The CPT stated that it would be necessary to extend the investigation into the police station of Balti to all police establishments in the country; to give very high priority to the vocational training of police officers of all ranks and categories and to use outside experts in this training.

The CPT urged that all allegations of torture presented before a prosecutor or judge be carefully documented and examined. This should happen even in cases where the victim does not voice allegations of ill-treatment but bears obvious marks of such treatment. Those persons found to have resorted to torture or ill-treatment should be punished.

The CPT recommended that Moldovan authorities ensure that people deprived of freedom by the police force are guaranteed the right to inform a close relation or third person of their detention without delay; guarantee them access to a lawyer and a doctor (including the right to be examined, if they wish, by a doctor of their choice) and to be informed of their rights. All detainees should undergo a medical examination, in principle, not in the presence of police officers.

The CPT recommended that the Government take measures to mitigate the various deficiencies observed in the police station of Ciocana; to verify that all police cells in Moldova conform with the criteria in paragraph 50 of the European Convention against Torture; and take immediate measures for better hygienic and other conditions in places of detention; as well as guarantee open air exercises for at least one hour a day and gradually improve the possibilities for other leisure time exercises (e.g. sports and studies). The CPT noted that enough space should be guaranteed for all inmates, and that the conditions of persons imprisoned for life should be improved immediately.

The CPT further pointed out that the general principle of separating minors and

adults must be respected; and requested that the authorities give high priority to the development of vocational training in penitentiaries of all levels and make clear that the ill-treatment of detainees is unacceptable and will be severely punished.

Government Reply

According to the Moldovan Helsinki Committee, the Government showed a clear lack of understanding of many of the CPT concerns in its 14 December reply¹⁰. The Government did not discuss in detail the deficiencies and pitfalls in Moldovan legislation or the resulting poor practices, but rather gave various excuses such as insufficient financial, human and other resources – thus generally reflecting the lack of will to take specific steps to address the serious concerns cited by the CPT.

In particular, the difficult economic conditions could not justify the detrimental attitudes and the direct violation of laws, or the authorities' obligation to abide by the minimum requirements provided under international law. Also, the necessary legal changes and new forms of training would not require great financial means to improve the situation, bearing in mind that the Council of Europe already has much supportive material available.

Integrity of Person

"Forced Labour" in Institutions of Social Rehabilitation¹¹

Institutional "forced labour" was common practice in social rehabilitation institutions for alcoholics and drug addicts in Moldova in 2000. According to the Department for Penitentiaries of the Ministries of Justice and Health, more than 1,000 persons were in "rehabilitation" in special institutions per year.

Article 10(10) of the Law of Social Rehabilitation provided for compulsory work for patients in rehabilitation institutions. Those who refused to abide could be punished by detention in a disciplinary iso-

lator for 15 days and ordered to do supplementary duties such as cleaning. Such practices amounted to "forced labour" under Articles 4 and 5 of ECHR and Convention No. 105 of ILO, as well as the European Court of Human Rights case law.¹² The Moldovan Helsinki Committee urged the Parliamentary Assembly of the Council of Europe to add this item as a matter of urgency to the obligations subject to monitoring by the Observance Commission on the Republic of Moldova.

In rehabilitation institutions the labour contracts were signed (with no right to negotiate its contents) after spending one month in the institution and the patients were then sent to his/her work place. With the money they received (the amount of which was unknown to the patients) the patients had to pay for their accommodation, medical treatment and therapy. The remainder was taxed and transferred to their personal accounts. Upon their release from the institution, they would receive 50 percent of the money in their account if they had obeyed the regulations, and 30 percent if they violated any rules. The patients' monthly salary was a maximum of 10 Lei (less than U.S. \$ 1), while the minimal monthly salary in Moldova was generally 18 Lei. The patients worked seven hours a day, six days a week.

No legislation regulated the work of patients in such institutions, although the Moldovan Helsinki Committee proposed that their working contracts should be regulated by common labour legislation. In addition to the above-mentioned working requirements, the patients also had to work free of charge to maintain the institution premises and improve the social conditions from between four hours a week and two hours a day.

◆ The Republican Narcological Health Unit has had annual contracts with the Cardboard Factory "GIs" in Chisinau since 1976. One of its units was "reserved" for rehabilitation patients. The patients' salaries were paid by Health Unit upon their release

from the institution, in violation of national legislation and international standards. The patients were unaware of the content of their work contracts (salary, working hours, time for rest, etc.). Most of the salary they earned went to the account of the Health Unit as compensation for expenses caused by the patient's treatment. Their total salary was 25 percent of those of ordinary employees performing the same kind of work. The patients also claimed they were ill-treated and abused by the factory staff, and assigned to the most dirty work.

According to the Moldovan Helsinki Committee, the efficiency of the "therapeutic treatment," which consists mainly of "forced labour," is minimal and has only resulted in the exploitation and physical exhaustion of the patients, thus provoking hate and suspicion regarding the unjust actions of the state institutions.

Administrative Detention of Alcoholics and Drug Addicts

Moldovan Law provided for the compulsory treatment of alcoholics in different forms of administrative detention and deprivation of liberty.¹³ The Penal Procedure Code – which was in line with European standards – was not applied in all cases of detention, i.e. in cases involving the treatment of alcoholics and drug addicts in administrative offences they committed. Such cases were dealt with under other laws and regulations that were not in accordance with European standards and which considerably weakened these persons' rights.

A person could be forced to undergo treatment for vague reasons at the request of relatives, social organisations, and the

police. The reason for such treatment could be that the person was a "chronic alcoholic" or "systematically violated public order" or the rights of other persons. In practice, administrative measures for consuming alcoholic beverages in a public place or appearing drunk in a public place three times could justify forced rehabilitation.

A person could submit an application to the police for the medical treatment of another person to find out whether forced treatment was necessary. This "test treatment" was in practice done in police custody during ten days. The police also issued applications for forced treatment in a rehabilitation institution for alcoholics or drug addicts, although the decision could be appealed to a higher health protection organisation or to a court of law. However, the law did not oblige the police to inform the person in question of his/her procedural rights. In some cases documented by the Moldovan Helsinki Committee, the persons did not even know that they were subjected to a medical examination "with a view to declaring him/her a chronic alcoholic."

As a medical/administrative decision, a person could be confined to a rehabilitation institution for up to six months.¹⁴

Both the decision for "test treatment" and of restrictive treatment in a rehabilitation institution (for a period of up to 6 months, to be decided by a medical/administrative organ) limited people's fundamental rights. Over 70 percent of patients sent for compulsory treatment declared that they did not know that the decision to send them there could have been appealed. Others said there was no point in complaining because they would lose the case anyway. No free legal aid was offered.

Endnotes

¹ Based on the Moldovan Helsinki Committee for Human Rights, *Report on the Respect of Human Rights in Moldova in 2000 (Including the Trans-Dniester Region)*, February 2000.

² See 1998 IHF Annual Report.

³ Article 32 guarantees all individuals the freedom of opinion as well as the freedom of

publicly expressing their thoughts and opinions by way of word, image or any other means possible. Freedom of expression may not harm the honor, dignity or the rights of other people or their right to express their own opinions or judgments. The law forbids and makes liable to prosecution all acts aimed at denying and slandering the State or the people. Likewise, incitement to sedition, war, aggression, ethnic, racial or religious hatred, discrimination, territorial separatism, public violence, or other actions threatening constitutional order are to be forbidden and liable to prosecution.

- ⁴ This article prescribes strict observance of the Constitution and does not allow the detrimental expressions regarding other people's the honour, dignity, private life and right express their own views.
- ⁵ Meaning reunification of Besarabia with Romania.
- ⁶ See Decision of the Court of Appeal, 22 June 2000, judge Ion Corolevschi, in the case of Bureau of Legal Advice on Individual Rights v. Ministry of Justice of Republic of Moldova.
- ⁷ Article 22 (1) reads: "The heads of the religious creeds of national and subordinated level elected according to the statute as well as the entire personnel of religious services should be the citizens of Moldova..."
- ⁸ See report of the Accounting Chamber of the Republic of Moldova on the results of control over public material and financial resources management and utilization in 1997.
- ⁹ Based on the recommendations of the CPT visit to Moldova on 11/10/1998 - 21/10/1998, published on 14 December 2000.
- ¹⁰ For details, see Moldovan Helsinki Committee for Human Rights, *Comments on the Response of the Government of Moldova to the Report of the European Committee on Prevention of Torture*, December 2000, editor: Serghei Ostaf.
- ¹¹ See also detailed reports by the Moldovan Helsinki Committee for Human Rights, *Report on The Respect of Patients Rights in Institutions for Alcoholics under the Ministry of Justice of the Republic Of Moldova*; and the *Report on the Respect of Patients Rights in Institutions for Alcohol Addicts under the Ministry Of Health of The Republic Of Moldova*.
- ¹² See the case of Van der Mussele v. the Kingdom of Lowlands, November 23, 1983, A70, p.16.
- ¹³ See the report of the Moldovan Helsinki Committee for Human Rights: *The Procedural Rights of Detention*, 1999
- ¹⁴ Ibid.