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"Program to enhance the capacity of NGOs and institutions to advocate for implementation of human rights decisions and standards to prevent torture"

## Best-Practices Matrix – Preliminary Findings Investigations of allegations of abuse, ill treatment and torture

## **INVESTIGATORY PROCEDURES**

Written Protocol for Investigative Procedure	
Best Practice	
Practice	Country
Action Plan for compliance with investigatory procedures	Jamaica
detailing timelines, reporting and standards	
Alternative Practice	
Practice	Country
Internal Guidelines for the Office of the Prosecutor	Georgia
These guidelines were developed based on	
recommendations of international experts, however they are	
not publicly accessible	

Activities and Relationship to Prosecution		
Best Practice		
Practice	Country	
The complementary prosecutor has the power to collect, evaluate, and classify information provided by any person	Guatemala	
It can file a criminal complaint or join a criminal proceeding.		
It works closely with the prosecutor's office to bring cases to court and takes the lead in investigating cases of abuse by high-level officials.		
Alternative Practice		
Practice	Country	
INDECOM possesses deep investigative powers, including	Jamaica	
the ability to issue a warrant and itself access reports,		
documents, evidence, weapons, forensic data, enter		
premises and locations, take charge of the scenes of		

incidents, and retain information and documentation it obtains for as long as necessary	
INDECOM cannot prosecute, but the Justice Minister has supported calls for this	

Complaints / Reporting Requirements		
Best Practice		
Practice	Country	
Detainees have the right to submit complaints and petitions to UN and Council of Europe human rights bodies; the prison administration has no right to open and check	Bulgaria	
And		
Public officials required to immediately inform the Prosecutor's office of any facts related to a criminal offence that they know of		
And		
Obligatory reporting of injuries observed on persons admitted to prisons and investigation detention facilities		
Special complaints envelopes are disseminated to detainees, monitored boxed exist to receive complaints and Directors of detention facilities must be notified of complaints within 24 hours	Georgia	
Police at all levels are required to report on abuse when they become aware of it	Jamaica	
Alternative Practice	<u>I</u>	
Practice	Country	
Junior Staff required to immediately report abuse to senior officer, who is required to relay the information to the Superintendent. This process should automatically trigger an investigation	Peru	

The views expressed herein do not necessarily represent the views of the European Union