



Téléfax: (41-22) 917 90 29
Télégrammes: UNATIONS, GENEVE
Téléx: 41 29 62
Téléphone: (41-22)
Internet www.ohchr.org
E-mail: nprouvez@ohchr.org



Address:
Palais des Nations
CH-1211 GENEVE 10

REFERENCE: NP

20 October 2011

Excellency,

In my capacity as Special Rapporteur for Follow-up on Concluding Observations of the Human Rights Committee, I have the honour to refer to the examination of the third periodic report of Azerbaijan at the Committee's 96th session, held in July 2009. At the end of that session, the Committee's concluding observations were transmitted to your Permanent Mission. You may recall that, in paragraph 22 of the concluding observations, the Committee requested the State party to provide within one year further information on the specific areas of concern identified in paragraphs 9, 11, 15, and 18 of the concluding observations.

On 6 July 2010, follow-up information on the referred paragraphs was received. At its 102nd session held in July 2011, the Committee analysed the information provided, and noted that the replies were largely satisfactory on the following issues:

- (a) Mandatory training for new recruits to the judiciary and procuratorial services, and advanced legal training for prison service staff (para. 11);
- (b) Recognition of the right of foreign radio stations directly to broadcast in Azerbaijan (para. 15).

While taking note of the cooperation of the State party, the Committee considered that the answer was incomplete with regard to certain recommendations. I therefore wish to request additional and more specific information on the following issues:

- (a) The number of extradition requested to the State party in the last five years, by which States, and the number of cases in which extradition was refused (para. 9)
- (b) The number of cases in which the victims of torture or ill treatment were compensated during the last five years, and the nature of the reparations that were provided; (ii) the progresses realised for the implementation of the 2009–2013 State programme for the development of the Azerbaijani justice system and for the adoption of the draft law safeguarding the rights and freedoms of detainees (para. 11);

His Excellency Mr. Murad N. Najafbayli
Ambassador Extraordinary and Plenipotentiary
Permanent Representative of Azerbaijan
to the United Nations Office at Geneva
Fax: +41 22 901 18 44

- (c) The measures taken to effectively protect media workers against attempts on their integrity and life (para. 15);
- (d) The number of foreigners or displaced persons whose address was actually registered in the last five years (*propiska*) (para. 18);

The Committee noted that no information was provided on some of its recommendations which have consequently not been implemented:

- (a) Creation of a mechanism allowing aliens who claim that their forced removal would put them at risk of torture or ill-treatment to file an appeal with suspensive effect; and the actual content of the diplomatic assurances applied during the extradition process to countries where persons would be put at risk to suffer torture or ill-treatments (para. 9);
- (b) Measures taken to guarantee the independence of the body in charge of receiving and investigating all complaints of use of force incompatible with the Code of Conduct for Law Enforcement Officials (General Assembly resolution 34/169) and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (1990), and other abuses of power by law enforcement officials (para. 11).

Finally, taking into account that the use of audio and video equipment in police stations and detention facilities is not systematically guaranteed, the Committee considered that the corresponding recommendation has not been implemented (para. 11).

Therefore, I write to request that the above-mentioned additional information be submitted to the Committee at Your Government's earliest convenience. A "Word" electronic version of the reply should be sent to the Secretariat of the Human Rights Committee (Albane Prophette-Pallasco (aprophette@ohchr.org), and Kate Fox (kfox@ohchr.org)).

The Committee looks forward to pursuing its constructive dialogue with the authorities of Azerbaijan on the implementation of the Covenant.

Please accept, Excellency, the assurances of my highest consideration.



Christine Chanet

Special Rapporteur for Follow-up on Concluding Observations
Human Rights Committee