



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS  
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12 November 2012.

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 102<sup>nd</sup> session held in July 2011, the Committee decided that the replies provided 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).

In its letter sent on 20 October 2011, additional information was requested on the following points:

- (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;
- (c) 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);

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

On 30 May 2012, complementary information was sent by the State party. At its 106<sup>th</sup> session held in October 2012, the Committee analysed the information provided. While taking note of the collaboration of the State party, the Committee considered that the information provided does not reply to the issues raised in paragraph 9, and that complementary information remains necessary to that regard.

With regard to paragraph 11, the Committee considered that no information was provided on the nature of the reparations provided to victims of torture or ill treatment in the last five years, and on the measures taken to guarantee the independence of the organs in charge of the reception and investigation of the cases, and to control the enforcement of sentences. Additional information is therefore requested on these issues.

On paragraph 15, the Committee considered that the reply was partially satisfactory, but that additional information remains necessary on the judicial decisions adopted and on the measures taken in cases of attempts against the integrity and life of media workers, or in cases of limitation to their professional activities.

With regard to paragraph 18, the Committee considered that additional information remains necessary on the measures taken to prevent the discrimination that may arise from the attribution of temporary identity documents and the registration of the Ministry of Interior as a place of residence for homeless citizens.

Therefore, I write to request that the above-mentioned additional information be submitted to the Committee by 15 January 2013. The reply should be sent in a **Word electronic version** to the Secretariat of the Human Rights Committee (Kate Fox ([kfox@ohchr.org](mailto:kfox@ohchr.org)) and Albane Prophette-Pallasco ([aprophette@ohchr.org](mailto:aprophette@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.



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Special Rapporteur for Follow-up on Concluding Observations  
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