

## Statement of FIDH and HRCA on the concluding observations of UN Committee against Torture on Azerbaijan

**Baku, Geneva, 25 November 2009**

The UN Committee Against Torture (CAT) has released its concluding observations on Azerbaijan's implementation of the Convention Against Torture (CAT/C/AZE/CO/ 3).

The Committee expresses concern over the continuing allegations of torture and ill-treatment in Azerbaijan and urges the authorities to bring their legislation and practice in conformity with the Convention.

The Committee requires Azerbaijan to bring its definition of torture fully in compliance with the Convention, so as to ensure that it is possible to prosecute all public officials and others responsible for torture.

The Committee also criticises cases of extraordinary rendition of Chechens to the Russian Federation and of Kurds to Turkey. It urges Azerbaijan to ensure that no person is expelled, returned or extradited to a country where there are substantial grounds for believing that he/she would be in danger of being subjected to torture.

International Federation for Human Rights (FIDH) and Human Rights Centre of Azerbaijan (HRCA) had provided the Committee with an [alternative report](#) on the situation of torture in Azerbaijan. We welcome the fact that the Committee's observations reflect our main areas of concern, including inter alia the following recommendations :

- investigate all allegations of torture in a prompt, impartial and effective manner, and prosecute and punish those responsible as appropriate;
- compile and publish disaggregated statistical data on complaints, investigations, prosecutions and convictions of cases of torture, as well as on conditions of detention;
- guarantee the Public Committee for Penitentiary Institutions the right to conduct unimpeded and unannounced visits to all places of detention in the country;
- transfer the remand centre of the Ministry of National Security to the authority of the Ministry of Justice or discontinue its use;
- ensure that confessions obtained by torture can not be used as evidence in any proceedings, and establish a mechanism to ensure that any person convicted on the basis of coerced evidence or as a result of torture is granted a new trial and adequate remedy, reparation and/or compensation;
- provide redress and compensation, including rehabilitation to victims;
- initiate prompt and effective investigations into every case of non-field related deaths, including suicides, of soldiers in the army, and prosecute and punish those responsible for these deaths.

FIDH and HRCA recall the importance of increasingly involving the civil society in governmental efforts to prevent torture, and in this regard call on the government of Azerbaijan to allow for more civil society participation in the monitoring of places of deprivation of liberty. The Azerbaijan authorities should make full use of the recommendations made by the UN Committee Against Torture in their effort to prevent torture.