

Press Release

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Azerbaijan: Council of Europe Commissioner calls for effective implementation of human rights reforms

Strasbourg, 20.02.2008 – The Council of Europe's Commissioner for Human Rights, Thomas Hammarberg, today presented a report on the overall human rights situation in Azerbaijan. In the report, the Commissioner welcomes the progress made since the country's independence, in particular the efforts to improve the administration of justice and to remedy the difficult conditions of internally displaced persons (IDPs).

Mr Hammarberg also commends the strong commitment made by the authorities towards the implementation of the National Action Plan on the protection of human rights adopted in 2006. However, he identifies a number of shortcomings and makes concrete recommendations on remaining problems in relation to the judiciary, police behaviour and the situation of people sentenced to life imprisonment. He also points at the need of respecting freedom of expression and to put an end to discrimination.

The Commissioner recommends that the authorities should complete the reform of the judiciary so as to ensure its full independence, impartiality and effectiveness in line with European standards. He also draws attention to serious allegations of dubiously-motivated criminal prosecutions and/or disproportionate sentences, and calls for urgent measures to further the fight against corruption.

The report notes that allegations of torture during the investigative period still persist. The Commissioner expresses concerns over the practice of arbitrary arrests, particularly targeted against opposition members or journalists. He recommends specific actions such as appropriate human rights training for police officers and robust measures to investigate all allegations of abuse so as to avoid impunity.

Commissioner Hammarberg is also concerned about the conditions of detention of long-term prisoners, in particular those sentenced to life terms. He therefore recommends the adoption of effective policies to avoid the segregation and isolation of long-term prisoners, including those serving life sentences, and the establishment of a system to review lifetime detentions at an earlier stage.

The report notes that access to information remains a structural problem. The Commissioner welcomes the recent presidential pardon for several journalists, but regrets that it was limited in scope. He recommends that defamation be decriminalised.

The Commissioner adds that human trafficking is an alarming phenomenon in Azerbaijan, with too little protection offered to victims by the State. The Commissioner also recommends stronger action against domestic violence, including specific measures to combat spousal rape. On children's rights, the report calls for information activities to prevent all forms of violence against children and recommends specific measures to ensure the protection of juveniles in the law enforcement and justice systems.

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A political organisation set up in 1949, the Council of Europe works to promote democracy and human rights continent-wide. It also develops common responses to social, cultural and legal challenges in its 47 member states.

The report also sets out specific recommendations to improve the protection and integration of minorities, namely by granting them more media representation, by allocating the necessary funds for minority language education and implementing awareness-raising campaigns. It further recommends national authorities to speed up the adoption of a law on alternatives to military service for conscientious objectors.

Finally, the Commissioner's report focuses on the situation stemming from the conflict in Nagorno-Karabach, recommending a wider protection of the human rights of IDPs, in particular as concerns living conditions and freedom of movement. Mr Hammarberg calls for an enhanced effort to clarify the fate of missing people, and recommends that national authorities pursue their cooperation with the International Red Cross Committee in order to resolve outstanding cases.

The report, based on the findings of an official visit to Azerbaijan in September 2007, as well as the government's response, can be read on the Commissioner's website, <http://www.commissioner.coe.int>

For further information, please contact Mr Stefano Montanari (stefano.montanari@coe.int).

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The Commissioner for Human Rights is an independent, non-judicial institution within the Council of Europe, mandated to promote awareness of, and respect for, human rights in the organisation's 47 member states. Elected by the Council's Parliamentary Assembly, the present Commissioner, Thomas Hammarberg, took up his duties on 1 April 2006. For further information on the Commissioner's activities, please visit www.commissioner.coe.int