

URGENT ACTION

DETAINED JOURNALIST ALLEGES TORTURE

Detained journalist Parviz Hashimli has been tortured, but his complaints remain ignored by the court.

On 13 December hearing took place at Sabail District Court to assess **Parviz Hashimli's** application for a transfer from the Ministry of National Security (MNS) Investigative Detention Centre to the Baku City Investigative Detention Centre. Parviz Hashimli in a protest refused to take part in the hearing when the judge ignored his pleas for the return of his hand-written notes confiscated by MNS officials. These notes allegedly contained details of his torture and ill-treatment.

As he was escorted out of the court and into a waiting car, Parviz Hashimli managed to shout to journalists and onlookers that he had been tortured.

The notes documented details of torture and ill-treatment of Parviz Hashimli, but these were confiscated from him and his lawyer who was not allowed to leave the MNS Detention Centre for 48 minutes until he returned the notes. Parviz has told his lawyer that he has been subjected to ill-treatment in "unrecorded interrogations" in unfamiliar rooms within the MNS, where he has been led blindfolded by officials. According to his lawyer, requests for medical examinations have been rejected.

He has been held at the MNS Detention Centre since his arrest on 17 September.

In previous hearings Parviz Hashimli has been filmed being escorted to court by masked officials with a hood over his head. The Committee for the Prevention of Torture has recommended that the blindfolding of persons be expressly forbidden as it prevents the identification of law enforcement officials who inflict ill-treatment upon them and can amount to psychological ill-treatment. The UN Special Rapporteur on torture and the UN Committee against torture have also called for this practice to be prohibited.

Please write immediately in English, Russian, Azeri or your own language to authorities:

- Urging them to promptly launch an effective investigation into Parviz Hashimli's alleged ill-treatment;
- Urging them to ensure that Parviz Hashimli is not blindfolded and that officials responsible for escorting or questioning do not wear masks obscuring their identities;
- Urging them to ensure that all those found responsible for committing torture and other ill-treatment are brought to justice and officials who are alleged to be responsible are immediately suspended from their duties.

PLEASE SEND APPEALS BEFORE 24 JANUARY 2014 TO:

Prosecutor General

Zakir Qaralov
7 Rafibeyli Street
Baku, AZ 1001
Azerbaijan

Fax: +99 412 492 32 30

Salutation: Dear Prosecutor General

Minister of National Security

Eldar Mahmudov
2 Parliament Avenue
Baku, AZ 1006
Azerbaijan

Fax: +99 412 393 76 22

Email: cpr@mns.gov.az

Salutation: Lieutenant-General

And copies to:

Ombudsman

Elmira Suleymanova
40 Uzeyir Hajibeyov Street
Baku, AZ 1000
Azerbaijan

Fax: +99 412 498 23 65

Email: ombudsman@ombudsman.gov.az

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

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ADDITIONAL INFORMATION

Parviz Hashimli is a columnist for the independent “Bizim Yol” newspaper, owner of the Moderator.az news website and the Director of the NGO Defense Center for Political and Civil Rights (DCPCR). On the afternoon of 17 September he was detained by members of the Ministry of National Security (MNS) and his home was searched. The MNS reported this was part of an investigation into crimes under Articles 206.3.2 (smuggling of goods or items through customs by an organized group) and 228.2.1 of the Criminal Code of Azerbaijan (illegal purchase, transfer, selling, storage, transportation and carrying of firearms, their accessories, supplies and explosives by an organized group), after six pistols and 40 bullets had allegedly been discovered in a car belonging to Tevekkul Gurbanov. Parviz Hashimli was travelling with him when they were stopped and searched by MNS officials. Parviz Hashimli denies all the charges.

On 18 September, Sabail District Court sentenced him to two month of pre-trial detention, and on 7 November, the same court extended his pre-trial detention by a further three months, without specifying the location of his detention as required by law. As a result, Parviz remains in custody at the MNS Investigative Detention Centre. His lawyer claims this is illegal as ordinarily, individuals facing criminal investigations are held at the Baku Investigative Detention Centre by default when a pre-trial detention centre is not specified by court decision.

During what was effectively his incommunicado detention, between 18 and 25 September, Parviz Hashimli was under pressure to accept state-appointed lawyers to represent him, which he categorically refused. The second lawyer who was granted access to the detained journalist had to sign a non-disclosure agreement.

While in custody at the MNS Detention Centre, Parviz claims that he has been subjected to frequent sessions of “illegal interrogation”, which have been carried out in rooms outside of the MNS Detention Centre, but within the compound of the Ministry of National Security. As he has been led to these rooms with a bag over his head he cannot specify the precise location.

The Committee for the Prevention of Torture has recommended that blindfolding be expressly forbidden as it can “amount to psychological ill-treatment” and prevent the identification of law enforcement officials who inflict torture or other ill-treatment on detainees (CPT 12th General Report, CPT/Inf (2002) 15, §38; Special Rapporteur on torture: UN Doc. A/56/156 (2001) §39(f), UN Doc. E/CN.4/2003/68 (2002) §26(g); CAT Concluding Observations: Liechtenstein, UN Doc. CAT/C/LIE/CO/3 (2010) §23.).

Amnesty International believes Parviz Hashimli is likely to be a prisoner of conscience arrested solely for his work as a journalist and civil society activist.

Name: Parviz Hashimli
Gender m/f: m

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