



**Permanent Mission
of the Republic of Azerbaijan
to the UN Office and other
International Organizations**

GENEVA

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The Permanent Mission of the Republic of Azerbaijan to the United Nations Office and other International Organizations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights, and in response to the Joint Communication Ref.: AL AZE 2/2025 of 26 August 2025 sent by the Working Group on Arbitrary Detention, the Special Rapporteur in the field of cultural rights, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, and the Special Rapporteur on minority issues, has the honor to transmit herewith the information prepared by respective agencies and institutions of Azerbaijan.

The Permanent Mission of the Republic of Azerbaijan to the United Nations Office and other International Organizations in Geneva avails itself of this opportunity to renew to the Office of the United Nations High Commissioner for Human Rights the assurances of its highest consideration.



Enclosure: 13 pages

**Office of the United Nations
High Commissioner for Human Rights
GENEVA**

RESPONSE OF THE REPUBLIC OF AZERBAIJAN TO THE JOINT COMMUNICATION FROM SPECIAL PROCEDURES OF THE HUMAN RIGHTS COUNCIL

AL AZE 2/2025

Introduction

1. The authorities of Azerbaijan express thanks for the opportunity to respond to the Joint Communication AL AZE 2/2025 dated 26 August 2025 from the Working Group on Arbitrary Detention, the Special Rapporteur in the field of cultural rights, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the Special Rapporteur on minority issues, concerning “the alleged arrest, detention and charges of Mr. Igbal Abilov and Mr. Bahruz Samadov appearing to be related to the legitimate exercise of their cultural rights and freedom of opinion and expression, as well as the control and restrictions on ethnic minorities culture in Azerbaijan” and would like to submit their observations herein below.

2. The observations contain information on protection of cultural rights, including the rights of persons belonging to ethnic and religious minorities, overview of the criminal cases against the individuals in question and the legal and factual basis of their arrest and detention.

3. Azerbaijan is firmly committed to its obligations stemming from the international human rights treaties. The Azerbaijani authorities are of the view that genuine dialogue with human rights mechanisms can foster better understanding and strengthen the effectiveness of the system. Thus, they maintain a constructive dialogue and cooperation with the UN human rights bodies and mechanisms and engage with the Special Procedures in good faith as part of their broader efforts to promote and protect human rights.

4. In the same vein, the special procedures mandate holders should exercise their functions in strict accordance with their respective mandates, in full respect of international law, the UN Charter, relevant resolutions, and the Code of Conduct. Their open and constructive engagement with the Member States, as well as careful consideration of first-hand information provided by the States are essential for addressing any issue of concern in the spirit of cooperation. In accordance with the HRC resolution 5/2 of 18 June 2007, the special procedures mandate-holders, shall always seek to establish the facts based on objective and reliable information emanating from relevant and credible sources, which they have duly cross-checked.

5. The authorities deeply regret the approach of Special Procedure Mandate Holders for issuing the media release on 15 October 2025 regarding the individuals in question prior to the relevant government’s response. The press release titled “UN experts urge release of researchers Igbal Abilov and Bahruz Samadov, charged with treason” demonstrates disrespect to the national due legal process and may tantamount to interference with administration of justice. Such prejudgment devoid the public from fully comprehending the situation and leads to the promotion of one-sided perspective, thus discouraging the authorities from further engagement with the relevant mandate holders.

6. The authorities also recall their previous responses to the similar allegations raised in the recent communications of Special Procedures concerning the targeting of civil activists and would like to register their concerns about the politically motivated nature of the alleged claims, suggesting that the sources of these communications are pursuing political purposes rather than defending human rights.

Overview

7. The Constitution of the Republic of Azerbaijan adopted by referendum in 1995, identifies the protection of human rights and freedoms and ensuring the proper standards of living for all persons as the highest objective of the State. The Constitution firmly prohibits discrimination and guarantees all people's right to retain their nationality, and all are entitled to the right to equality and freedom regardless of their race, ethnic origin, religion, language, gender, social status, political views or other factors. All citizens have the right to receive education in their mother tongue and to preserve, learn, promote and develop their ethnic and religious identity and ethno cultural heritage, no one can be deprived of the right to use his/her mother tongue.

8. According to the Law of the Republic of Azerbaijan on the State Language adopted in 2002, persons participating in the case before the Constitutional Court and who do not know the language of the proceedings shall be provided with the translation of all materials of the case into the language they know and ensure that they speak in their mother tongue at sessions of the Constitutional Court. The Law stipulates that the "adoption, execution, amendment or annulment of an administrative act, as well as administrative proceedings for the consideration of administrative complaints shall be conducted in the state language or in the language of the majority of the population of a certain territory. The right of a person participating in the administrative proceedings and who does not know the language of the proceedings to use the services of an interpreter shall be explained and ensured."

9. The Law of the Republic of Azerbaijan "On Culture," adopted in 2012, grants ethnic minorities equal rights, as well as the freedom to preserve and develop their cultural heritage and to choose their identity and culture. The Law recognizes the right to determine the identity of each person and the way of life in accordance with it, to preserve their national cultural identity, to choose their spiritual, aesthetic and other values, to assert and develop their cultural identity in cultural societies, to restore their historical cultural sites. The state supports the protection and development of the identity of any cultural society. The Baku International Multiculturalism Centre, established by presidential decree in 2014, promotes tolerance and the preservation of cultural, religious and linguistic diversity in Azerbaijan.

10. Azerbaijani authorities take legislative and administrative measures to promote cultural diversity and ethnic and religious tolerance in the society. Such measures include, inter alia, the implementation of State policies to preserve the cultural, linguistic and ethnic diversity of its population. Shortly after regaining independence from USSR, in 1992 the presidential decree was adopted on "State Support for the Protection of the Rights and Freedoms, and

the Development of the Language and Culture of National Minorities, Small Peoples and Ethnic Groups Living in the Republic of Azerbaijan” and was successfully implemented. The National Action Plan on the Protection of Human Rights, adopted by the presidential decree in 2006, and the National Program to Enhance the Effectiveness of the Protection of Human Rights and Freedoms in the Republic of Azerbaijan, approved by presidential decree in 2011, both identify the preservation and development of the cultural heritage of ethnic minorities as a key area of government’s human rights policy.

11. Persons belonging to national minorities are broadly represented in all state bodies of the Republic of Azerbaijan, including central executive and administrative structures, the Parliament, law enforcement agencies, and the State Security Service. Representatives of national minorities hold a wide range of official positions within state institutions, including, inter alia, first and second officials, department heads, branch directors, and heads and deputies of district executive authorities. In regions with compact settlements of persons belonging to national minorities, representatives of these groups constitute the overwhelming majority within state structures and local self-government bodies.

12. Currently, approximately fifty non-governmental organizations (NGOs), national cultural centers, public associations, and societies operate in Azerbaijan focusing on issues relating to national minorities. In July 2007, the State Support Council for Non-Governmental Organizations under the President of the Republic of Azerbaijan was established. NGOs operating in Azerbaijan, including national and cultural organizations representing national minorities, may apply to this Council for grants and financial assistance.

13. The Azerbaijani radio service broadcasts regular state-funded programs in Kurdish, Lezgi, Talysh, Georgian, Russian, and Armenian languages. Over 15 newspapers are published in ethnic languages, and there are five local television and radio channels operating in areas predominantly inhabited by minorities.

14. The Republic of Azerbaijan is a party to numerous international instruments relating to human rights and the protection of national minorities, including, inter alia, the European Convention on Human Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, and the Council of Europe Framework Convention for the Protection of National Minorities. Azerbaijan also acceded to UNESCO’s Convention on the Protection and Promotion of the Diversity of Cultural Expressions. The Government strictly adheres to its international obligations stemming from these treaties.

15. As a multiethnic and multicultural society, Azerbaijan proudly preserves and develops its diversity as its strength. Located at the crossroads of different cultures and civilizations, Azerbaijan consistently contributes to promotion of intercultural dialogue globally.

Criminal cases against I.Abilov and B.Samadov

16. The authorities firmly reject all allegations suggesting that the individuals in question were imprisoned for exercising their rights to freedom of expression or belief, they are charged for

engaging in actions that constituted treason and thus posed a serious threat to security of the State, as later decided by the independent courts. The authorities reiterate that I. Abilov's prosecution is not related to ethnographic research, personal beliefs, freedom of expression, or ethnic issues. The charges against him have no political motivation and solely relate to alleged collaboration with a foreign agent to the detriment of Azerbaijan's sovereignty, territorial integrity, state security, and defense capabilities. Similarly, B. Samadov was not detained on account of his research activities or political views, he was accused of committing treason by assisting a foreign state, organization and their representatives in the form of espionage in hostile activities against Republic of Azerbaijan that harmed the state's sovereignty, territorial integrity, state security, and defense capability.

17. The criminal case concerning the prosecution of Bahruz Samadov under Article 274 of the Criminal Code of the Republic of Azerbaijan (high treason) was examined by the Baku Court on Grave Crimes. Except for those proceedings that, by virtue of the nature of the charges, were required to be held in closed session, the preparatory hearings, announced decisions, and, in particular, the final court verdict were conducted publicly in open court. The allegation that any of the numerous witnesses who testified in the case had been detained or coerced into providing testimony against Bahruz Samadov is unsubstantiated and is not supported by any evidence.

18. Claims by I. Abilov that he was denied legal counsel from the moment of detention are unfounded. Procedural records confirm that he was informed of his right to legal representation, including free state-provided legal aid, and was able to select counsel from the Bar Association. Legal representation was continuously available, including lawyers appointed by family members. All investigative actions were conducted in the presence of defense counsel, and confidential meetings with lawyers were unrestricted in duration and frequency.

19. All rights of the individuals in question have been duly safeguarded in accordance with national legislation and the international obligations of the Republic of Azerbaijan, including those enshrined in the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the European Convention on Human Rights and Fundamental Freedoms. They are granted access to parcels, visits, outdoor exercise, and all other measures provided by law. The Office of the Commissioner for Human Rights of Azerbaijan, which regularly monitors detention conditions and investigates all claims of mistreatment, has found no evidence of discrimination based on ethnicity or any related misconduct whatsoever.

The legal and factual basis for the arrest and detention of Igbal Abilov

20. Igbal Shahin Abilov was invited to the administrative building of the State Security Service (SSS) and the officers asked him to provide information on facts regarding certain cases that he was aware of. During this process, he attempted to conceal his mobile phone in use, subsequently trying to delete its stored data, and managed to delete the "WhatsApp" social

network application. Prior to obtaining information about the facts, he was aware of, Igbal Abilov was informed of his right to freedom of testifying against himself (self-incrimination) and his close relatives, as well as his right to legal assistance. He was allowed free movement while in the administrative building and he left the building right after he gave a statement by providing information upon the request. Igbal Abilov was temporarily restricted from leaving the country for the duration of the investigation in order to verify the accuracy of the information given in his statement and to determine whether he had any involvement in a certain committed crime. Some of the deleted data on Igbal Abilov's mobile phone, including communications conducted via social networks, were restored through technical means. Analysis of the information obtained from the memory copy of the mobile phone revealed reasonable grounds to suspect his involvement in the crimes he is charged with.

21. Igbal Abilov was detained by officers of the State Security Service (SSS) on suspicion of committing the crimes stipulated in Articles 274 (high treason), 281.3 (public calls against the state on behalf of foreign special services or their representatives), and 283.1 (incitement of national, racial, or religious hatred and hostility) of the Criminal Code of the Republic of Azerbaijan based on collection of verified initial evidence. He was provided with a lawyer from the moment of his detention, and his family was officially informed of the process through his lawyer and by formal written notice. On 24 July 2024, Igbal Abilov was brought before the Sabail District Court of Baku City in order to decide on the selection of a preventive measure, and he was assigned a lawyer of his voluntary choosing at his own initiative. The court ordered a pre-trial detention for a period of four months on the same day. The charges brought against Igbal Abilov did not carry any political motivation. Collection of consistent and corroborative evidence, which proved the committing of the crimes defined by the relevant articles of the Criminal Code, was found on his personal mobile phone, consequently confirming the allegations against him.

22. Due to the severity of the alleged crimes, the absence of a permanent residence in Azerbaijan, risk of fleeing the country, potential contact with Armenian special services, and ability to erase digital evidence, also sufficient grounds to believe that I. Abilov might evade the body conducting the criminal proceedings, obstruct the establishment of the truth in the case, or illegally influence witnesses who had already been interrogated or were yet to be questioned, thereby hindering the normal progress of the preliminary investigation, considering the complexity of the case and the nature of the acts attributed to him, a measure of restraint - arrest was imposed as a precautionary measure to prevent obstruction of justice and ensure the integrity of the investigation.

23. On February 11, 2025, the indictment against Igbal Abilov was approved, and the case was forwarded to the Lankaran Court on Grave Crimes for trial. By judgment dated May 20, 2025, the Lankaran Court on Grave Crimes found Igbal Abilov guilty of committing the crimes specified under Articles 274, 281.3, and 283.1 of the Criminal Code of the Republic of Azerbaijan. He was definitively sentenced to 18 years of imprisonment for the aggregate offenses. The defendant's defenders filed appeals requesting the acquittal of the defendants. By the decision of the Shirvan Court of Appeal dated 3 September 2025 the appeal was not

granted, and the judgment of the Lankaran Court on Grave Crimes dated 20 May 2025 was upheld without change.

24. The accused person's right to defense was not violated throughout the entire criminal proceedings, and his right to use his native language or the assistance of an interpreter was fully respected when he did not understand the language in which the criminal proceedings were conducted.

The legal and factual basis for the arrest and detention of Bahruz Samadov

25. Bahruz Valeh Samadov was detained on suspicion of committing a criminal offense under Article 274 (high treason) of the Criminal Code of the Republic of Azerbaijan and was formally charged accordingly on 21 August 2024. He was subjected to a pre-trial detention order for a period of four months by the decision of the Sabail District Court dated 23 August 2024. Officers of the SSS conducted a search at Bahruz Samadov's residence located at apartment 103, house 90, Nakhchivanski Street, Nizami District, Baku city, for the first time on 21 August 2024. Mobile phones and other evidence containing technical traces of the alleged crime were discovered and seized during the search. SSS officers presented the court order authorizing the investigative action, identified themselves as members of the State Security Service, and subsequently initiated the investigative procedure by conducting the search.

26. B. Samadov knowingly engaged in espionage and provided assistance to a foreign state, organization, and their representatives in carrying out hostile activities against the Republic of Azerbaijan, thereby committing acts constituting high treason under the applicable law. In view of the fact that evidence pertinent to the criminal acts allegedly committed by Bahruz Samadov was discovered on his technical data storage devices and in the social media accounts utilized by him, it was deemed necessary to prevent him, if left at liberty, from altering, concealing, or destroying documents and material evidence of evidentiary value.

27. Moreover, considering the necessity of preventing unlawful conduct by the accused, the risk that Bahruz Samadov might evade investigative authorities, obstruct the normal course of the preliminary investigation, tamper with or destroy material evidence or documents, or commit similar offenses in the future, and taking into account the seriousness, public danger, and nature of the acts attributed to him, Sabail District Court, by decision dated August 23, 2024, imposed the measure of restraint - arrest with respect to Bahruz Samadov.

28. Upon his detention as a suspect, Bahruz Samadov was provided with a state-appointed lawyer at the expense of the state budget. On August 23, 2024, his family members additionally appointed another lawyer to represent him. Both lawyers participated in all investigative actions conducted during the preliminary investigation and provided written comments on the relevant procedural documents. No investigative actions were conducted in relation to Bahruz Samadov in the absence of his legal representatives. During the course of the preliminary investigation, numerous court hearings were held, and all issues raised by Bahruz Samadov and his lawyers were duly recorded in the hearing protocols.

29. Upon his appearance before the court for the determination of the pre-trial detention measure, Bahruz Samadov filed a complaint alleging that he had been subjected to torture and the use of physical force by officers of the SSS. The Sabail District Court of Baku city forwarded information regarding the alleged incidents to the Prosecutor General's Office of the Republic of Azerbaijan for investigation based on this complaint. A prosecutor met with Bahruz Samadov in the detention facility during the investigation, and took his statement concerning the complaint made to the court. At this time, Bahruz Samadov denied the occurrence of such incidents and stated that he had withdrawn the complaint submitted to the Sabail District Court regarding torture by SSS officers. Assessment of the responses to inquiries about the alleged torture and Samadov's own statements provided no evidence of torture inflicted by the investigative authorities. Consequently, the initiation of a criminal case regarding these allegations was refused by the decision dated 29 November 2024.

30. On 7 February 2025, the indictment on the criminal case was approved by the Deputy Prosecutor General of the Republic of Azerbaijan and it was forwarded together with the case file to the Baku Court on Grave Crimes for trial. By the judgment dated 23 June 2025, the Baku Court on Grave Crimes found Bahruz Samadov guilty of committing the criminal offense under Article 274 of the Criminal Code of the Republic of Azerbaijan and sentenced him to a definitive term of 15 years of imprisonment. On, Baku Court of Appeal the defendant's defenders filed appeals requesting the acquittal of the defendants. By the decision of the Baku Court of Appeal dated 24 October 2025 the appeal was not granted, and the judgment of the Baku Court on Grave Crimes dated 23 June 2025 was upheld without change.

31. The accused person's right to defense was not violated throughout the entire criminal proceedings, and his right to use his native language or the assistance of an interpreter was fully respected when he did not understand the language in which the criminal proceedings were conducted.

Information regarding the conditions of detention of Igbal Abilov

32. Igbal Abilov was held in the temporary detention facility and investigative prison of the State Security Service (SSS) from 22 July 2024 to 18 February 2025. During his detention, he was not subjected to torture or any form of coercion. He was provided with the opportunity to communicate confidentially with his defense counsel without any limitation on the duration or frequency of such communications.

33. In accordance with the Law of the Republic of Azerbaijan No. 352-IVQ dated 22 May 2012, "On Ensuring the Rights and Freedoms of Persons Held in Places of Detention" (hereinafter referred to as the Law), and the "Internal Disciplinary Rules of Places of Detention" (hereinafter referred to as the Rules) approved by the Decision No. 63 of the Cabinet of Ministers of the Republic of Azerbaijan dated February 26, 2014, Igbal Abilov exercised all his rights and was provided with food and accommodation in compliance with the requirements of the legislation.

34. Upon admission to the Temporary Detention Facility and the Investigation Isolator of the SSS, the administration acquainted Igbal Abilov with his rights and duties, and explained the relevant normative legal acts. In the cell where Igbal Abilov was held, a notice board outlining the rights and duties of the accused persons was posted. He was provided with an electric kettle, and newspapers were supplied to him on a daily basis. In accordance with the Rules, he was allowed to receive parcels once a week. Throughout the day, he had unrestricted access to the library, including the electronic library. Furthermore, during his detention in the investigative prison, Igbal Abilov was permitted to listen to radio broadcasts, watch television programs, and practice his religious beliefs without hindrance.

35. In accordance with the legal requirements, and based on his own applications, Igbal Abilov was granted visits by family members and the right to make telephone calls. During his detention, he was provided with disposable razors and an electric razor for personal hygiene. He had access to a shower cabin in his cell and was supplied with clean bedding. He was served hot meals three times a day that met the food and material living standards established by the Cabinet of Ministers of the Republic of Azerbaijan, complying with modern hygiene requirements and nutritional standards. Additionally, he was provided with unlimited water, fruit, fruit juices, dry tea, and sugar. His personal clothing was washed in the laundry of the detention facility. Throughout his detention, in accordance with the Rules, Igbal Abilov was taken outdoors daily for fresh air and physical exercise for no less than two hours.

36. In the temporary detention facility and investigative prison of the SSS, lights in the cells are dimmed during nighttime hours to the level designated for night mode in order to ensure the supervision of detainees by prison staff. There have been no reported instances or complaints from Igbal Abilov or other detainees held with him regarding any negative impact of this lighting adjustment on their sleep patterns or health.

37. Additionally, in accordance with the regulations, upon his admission to the investigative prison, Igbal Abilov was held alone in a single cell for a period of 24 hours to ensure the protection of his health and that of other detainees. Once it was confirmed that he had no health issues, he was transferred to a triple-occupancy cell. During his detention, Igbal Abilov did not report any complaints regarding the conditions of detention or the conduct of the staff supervising him. Upon his release from the investigative prison on February 18, 2025, he signed and acknowledged a receipt confirming that he had no complaints against the prison staff or the conditions of detention.

38. Pursuant to Article 9 of the Internal Disciplinary Rules of Investigation Isolators, approved by Decision No. 63 of the Cabinet of Ministers of the Republic of Azerbaijan dated February 26, 2014, detainees are entitled to receive one package, parcel, or banderole per week. The maximum permissible weight of a package or banderole is determined in accordance with existing postal regulations, and the weight of any parcel shall not exceed such established limit. The following categories of detainees are entitled to receive packages, parcels, and banderoles without restriction as to number: minors; individuals suffering from serious illnesses, as confirmed by a medical opinion; persons having sustained 61-80% or 81-100% loss of bodily function (disability); pregnant women; and women accompanied by children

under the age of three. All packages and banderoles shall be delivered to the detainee within three hours of receipt. In cases where a detainee is temporarily absent from the Facility for investigative actions, court proceedings, or other authorized purposes, the package shall be handed over upon their return from such activities, including outdoor exercise or visits to the library.

39. The Temporary Detention Facility and the Investigation Isolator of the SSS maintain regular cooperation with the International Committee of the Red Cross (ICRC), the Commissioner for Human Rights of the Republic of Azerbaijan (Ombudsman), the Azerbaijan Committee against Torture, and the Council of Europe's Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT). The Facility's operational regime and conditions of detention are subject to periodic inspection, and representatives of the aforementioned organizations conduct regular meetings with all detainees, including I. Abilov.

40. Igbal Abilov was placed in the Baku Pre-Trial Detention Facility of the Penitentiary Service on February 18, 2025, pursuant to a court decision, and was subsequently transferred to the Umbaki Penitentiary Establishment on May 24, 2025. From the date of his placement in the Baku Pre-Trial Detention Facility and subsequently in the Umbaki Penitentiary Establishment, he has been informed of his rights and responsibilities and has been provided with a bed and all necessary material and living conditions in a cell, allocated in accordance with the living space standards established by legislation.

41. Igbal Abilov has not been subjected to pressure, torture, or any form of inhuman or degrading treatment in the penitentiary establishments. His rights have been fully respected, and the detention conditions have been maintained in accordance with the legislation. In accordance with the legal requirements, he has communicated with his close relatives by telephone on more than 40 occasions and has met with family members over 35 times. There have been no restrictions on his correspondence, and he has been informed of his right to submit complaints and suggestions through the prison administration to the relevant authorities. Igbal Abilov has been provided with the opportunity to meet with his lawyers, on more than 25 occasions under confidential and unrestricted conditions.

Information regarding the conditions of detention of Bahruz Samadov

42. Bahruz Samadov was duly familiarized with the provisions of the relevant laws and regulations, and the relevant normative-legal acts were explained to him upon admission to the Temporary Detention Facility and Investigation Isolator of the SSS. An information board outlining the rights and duties of the accused was displayed in the room where he was held. He was provided with a daily newspaper, received food parcels on a weekly basis in accordance with the regulations, and was granted unrestricted access to the library and electronic library. At his request, and for the purpose of performing religious rituals, Bahruz Samadov was provided with the Christian holy book, the Bible.

43. Throughout the preliminary investigation and the court proceedings, no reports were received by the investigative authorities or by the Temporary Detention Facility and Investigation Isolator of the SSS indicating that Bahruz Samadov had intended or attempted to inflict harm upon himself.

44. Furthermore, arrangements were made to ensure that Bahruz Samadov and his legal representatives could meet privately and confidentially, without limitation as to the number or duration of such meetings, at the Temporary Detention Facility and Investigation Isolator of the SSS. Throughout the course of the investigation, Bahruz Samadov's lawyers submitted various motions concerning the circumstances of the case, and procedural decisions were duly rendered with respect to those motions.

45. The Temporary Detention Facility and Investigation Isolator of the SSS has maintained ongoing cooperation with the International Committee of the Red Cross (ICRC), the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan, the Azerbaijan Committee against Torture, and the Council of Europe's Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT). Representatives of these organizations have routinely met with all detainees, including Bahruz Samadov. No complaints from Bahruz Samadov have been submitted by any of the aforementioned organizations to either the investigative authority or the Temporary Detention Facility and Investigation Isolator of the SSS.

46. In accordance with the relevant laws and regulations, Bahruz Samadov fully exercised all rights accorded to him, and his nutrition and conditions of detention were organized in compliance with applicable legal requirements. Bahruz Samadov was placed in the Baku Pre-Trial Detention Facility of the Penitentiary Service on February 21, 2025, pursuant to a court decision, and was subsequently transferred to the Umbaki Penitentiary Establishment on June 26, 2025. From the date of his placement in the Baku Pre-Trial Detention Facility and subsequently in the Umbaki Penitentiary Establishment, he has been informed of his rights and responsibilities and has been provided with a bed and all necessary material and living conditions in a cell, allocated in accordance with the living space standards established by legislation.

47. Bahruz Samadov has not been subjected to pressure, torture, or any form of inhuman or degrading treatment in the penitentiary establishments. His rights have been fully respected, and the detention conditions have been maintained in accordance with the legislation. In accordance with the requirements of the Law of the Republic of Azerbaijan "On Ensuring the Rights and Freedoms of Persons Detained in Places of Detention" dated May 22, 2012, he has communicated with his close relatives by telephone on more than 40 occasions and has met with family members over 10 times. There have been no restrictions on his correspondence, and he has been informed of his right to submit complaints and suggestions through the prison administration to the relevant authorities.

48. Bahruz Samadov has been given the opportunity to meet with his lawyer on more than 10 occasions under confidential and unrestricted conditions. On June 20, 2025, at

approximately 18:00, B. Samadov gave the appearance of attempting suicide by using a sheet shaped to resemble a rope and attaching it to the iron bars of his cell window in the Baku Pre-Trial Detention Facility. The duty staff prevented this action, and supervision over him was subsequently increased. The Sabunchu District Prosecutor's Office of Baku was notified of the incident, and the incident was subsequently investigated.

49. During the investigation, Samadov stated that he maintained good relationships with the establishment's staff and with other detainees. He further explained that on June 20, 2025, after returning from the Baku Court on Grave Crimes, he experienced nervous tension related to the criminal case and intended to commit a suicide by using a sheet fashioned to resemble a rope and attaching it to the window bars in the cell's walking area. However, the staff intervened and removed him to the corridor, and after a conversation, he acknowledged that his actions were inappropriate. The initiation of a criminal case was declined by the decision of the Sabunchu District Prosecutor's Office dated July 19, 2025.

50. It should also be noted that, like all sentenced and arrested persons held in penitentiary establishments, both I.Abilov and B.Samadov have been guaranteed freedom of religious belief and have been provided with the opportunity to access the establishment's library.

Independent supervision of the cases by the Commissioner for Human Rights (Ombudsman)

51. The Ombudsperson, in his/her capacity as the national preventive mechanism (NPM), carries out visits to the institutions where persons cannot leave at their own free will, including the establishments under the Penitentiary Service of the Ministry of Justice, at any time, without hindrance and prior notice. During the visits, the issue of whether or not persons held in similar facilities are subjected to any discrimination, along with their detention conditions and treatment, as well as compliance of ensuring their rights as provided by the law, was monitored.

52. The Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan received applications regarding Mr. Igbal Abilov and Mr. Bahruz Samadov, whose names were indicated in the communication of the Working Group on Arbitrary Detention and the Special Rapporteurs in the field of cultural rights and on the promotion and protection of the right to freedom of opinion and expression and on minority issues.

53. Their applications were expediently investigated, and inquiries were addressed to the relevant authorities. The communications received by the law-enforcement authorities provided information about the legal grounds for the detention of both individuals, and it was reported that the detention was organized in conformity with the requirements of the laws. These individuals were charged under specific articles of the Criminal Code and were sentenced to a punishment of deprivation for a certain period. The National Preventive Group members received the individuals indicated in the communication in a confidential manner. In the course of the visits, no instances of discrimination against the detainees were found.

Among the applications received by the Ombudsman, there have been no complaints about ethnic or religious-based discrimination by these individuals as well.

54. Mr. Igbal Abilov's father addressed the Ombudsman regarding the failure to notify him about bringing his son to Baku following his call to the Masalli district branch department of the State Security Service of the Republic of Azerbaijan. Subsequently, the competent authority was addressed regarding this issue. As per the reply to the initial communication, Mr. Igbal Abilov's family members were notified in writing on 22 July 2024 about his arrest and detention. On the same date, it was reported that the lawyer [REDACTED], with whom a contract had been signed by the family members to defend the rights of Igbal Abilov, was contacted and invited to the investigation. However, due to the lawyer being abroad, it was stated that he would not be able to participate in the investigation. On July 24, 2024, lawyer [REDACTED] was introduced to I. Abilov and involved in the criminal process and a relevant letter was addressed to the Temporary Detention Facility and Investigation Isolator of the State Security Service to ensure his participation, allowing him to meet and communicate confidentially with the accused without any restrictions on the number or duration of visits. On July 26, 2024, [REDACTED] visited the Temporary Detention Facility and Investigation Isolator of State Security Service, where he requested for a meeting with the accused person, whose rights he is defending. His request was immediately granted, and he was allowed to conduct the first meeting in a confidential manner, with no time limitations.

55. In connection with the allegations about violations of the rights of Mr. Bahruz Samadov, the relevant applications received by the Ombudsman were immediately investigated and relevant inquiries were made. In response to the allegation regarding his detention in solitary confinement, it was reported that he was held in a shared cell for two people in the Temporary Detention Place and Investigation Isolator of the State Security Service. Furthermore, it was reported that he was provided with an unlimited number of books; he met and contacted by phone with his family member; and that a condition was created for him to maintain private meetings and confidential communication with his lawyer without any time restrictions during the period of his detention.

56. In the course of the visits, the situation of ensuring the rights set forth in the following national and international legal framework is monitored: (1) The Standard Minimum Rules for the Treatment of Prisoners – The Nelson Mandela Rules; (2) The International Pact on Civil and Political Rights; (3) The Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment; (4) The European Convention for the Protection of Human Rights and Fundamental Freedoms; (5) The Constitution of the Republic of Azerbaijan; (6) The Law of the Republic of Azerbaijan on Ensuring the Rights of Persons Held in Places of Deprivation of Liberty; (7) The Code of Execution of Punishments of the Republic of Azerbaijan; (8) Other legal and normative acts in the field of ensuring equality and antidiscrimination; and (9) The Constitutional Law on the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan.

57. The conditions of detention of individuals indicated in the communication have been analyzed in the context of the Nelson Mandela Rules and other international legal documents, and the following conclusions were made:

- *The material conditions in the living space:* the cells are clean, with adequate ventilation and lighting, the bedding meets standards, and hygiene and sanitation rules have been followed.
- *Nutrition:* It has been observed that the food is provided in accordance with the regulations, with special dietary requirements and religious beliefs taken into account. The meals are sufficiently nutritious, of good quality, and well-prepared, and the provision of drinking water has been satisfactory.
- *Medical assistance:* Basic medical services were provided, regular check-ups and emergency calls were accessible and available, and the necessary equipment, medications, and sufficiently qualified medical personnel for examination and treatment were present.
- *Social connections:* Meetings with families and phone calls for the detainees were provided. In addition, they were able to maintain unhindered contact with their lawyers.

58. The detainees reported that they were not subjected to physical and psychological pressures but only requested more frequent contact with their family members and an increase in legal consultations. They did not complain about their conditions of detention, treatment, nutrition, and health services and reported that they were not subjected to inhuman or cruel treatment or discrimination whatsoever, and they were ensured satisfactory detention condition and health services.

59. The enjoyment of the right to equality was also assessed, since the Ombudsman has been vested with authority to implement functions of an independent mechanism for monitoring and promotion of the right to equality and prevention of discrimination pursuant to the relevant amendment made to the Constitutional Law on the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan in 2024. According to the observations of the Ombudsperson's representatives: Main procedures and internal rules were applied equally to all detained persons; No instances of discrimination in the provision of food, health services, and legal assistance; and it was observed that staff refrained from ethnic discrimination and hate speech.

60. In general, the complaints and applications about the discrimination received by the Ombudsman have been analyzed, and recommendations were made to prevent the repetition of violations of the rights. The national legislation prohibits discrimination in various norms however, the country has no general law on anti-discrimination. The Ombudsman's "916" Call Center, social media accounts, official websites, and all alternative means have been made accessible to the public for submitting complaints aimed at preventing violations and restoring violated rights.