

Mandates of 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

Ref.: AL AZE 2/2025
(Please use this reference in your reply)

26 August 2025

Excellency,

We have the honour to address you in our capacities as Working Group on Arbitrary Detention; Special Rapporteur in the field of cultural rights; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and Special Rapporteur on minority issues, pursuant to Human Rights Council resolutions 51/8, 55/5, 52/9 and 52/5.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning **the alleged arrest, detention and charges of Mr. Igbal Abilov and Mr. Bahruz Samadov, which appear 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.**

Concerns about the targeting of political opponents, human rights defenders and activists in Azerbaijan have been raised by Special Procedures mandate holders, including on 17 October 2024 (AL AZE 4/2024), 13 October 2023 (AL AZE 3/2023); 1 May 2024 (AL AZE 1/2024), and 4 June 2024 (AL AZE 2/2024). Many were detained on charges widely considered spurious, often involving allegations of financial crimes.

We thank your Excellency's Government for the responses provided to AL AZE 4/2024, AL AZE 3/2023, AL AZE 1/2024, and AL AZE 2/2024 on dates 10 December 2024, 8 December 2023, 15 July 2024 and 14 August 2024, while we respectfully encourage you to provide a response to communication AL AZE 4/2005. Despite these responses, we remain concerned that the issues raised in that communication have not been fully addressed, as we continue to receive information indicating that similar allegations to the ones raised in the said communications keep taking place, and we are concerned that the same patterns highlighted in previous communications to your Excellency's Government persist, including the targeting of opposition figures, human rights defenders and activists for their work.

Mr. **Igbal Abilov** is an historian, ethnographer, and an academic specializing in the ethnic minorities of the South Caucasus, Turkey, and Iran. He lectures on international relations at Belarusian State University and has authored several publications. As an ethnic Talysh, he is the chief editor of the HERALD of Talysh National Academy – the scientific journal of Talysh Studies. This journal benefits from the collaboration with leading scientists from Russia, Azerbaijan, France, Iran, the Netherlands, Armenia, and the northern part of Cyprus, and it has published on Talysh history, ethnography, culture, and language. Mr. Igbal Abilov has lived in Belarus since his childhood.

Mr. **Bahrüz Samadov** is an Azerbaijani political analyst and a PhD candidate at Prague's Charles University. He is a regular contributor to numerous international and regional publications and media, often writing critical pieces about political developments in Azerbaijan. He was also an outspoken critic of the Second Karabakh War, fought in 2020, and has written about retaliation against anti-war advocates.

According to the information received:

Arrest, detention and charges against Mr. Igbal Abilov

During a visit to his family in Azerbaijan, Mr. Igbal Abilov was detained by Azerbaijani security forces. On 22 June 2024, he was questioned for six hours and released.

On 27 June 2024, he attempted to return to Belarus but was prevented from boarding the plane and had his passport confiscated.

On 22 July 2024, Mr. Igbal Abilov was reportedly arrested in his village and transferred to a detention center in Baku. His family was not notified of his arrest and detention.

On 24 July 2024, a court in Baku remanded him to four-month detention on charges under articles 274 (high treason), 281.3 (public calls for anti-state activities made under the instructions of foreign organizations or their representatives) and 283.1 (incitement of national, racial, social or religious hatred and enmity) of the Criminal Code of Azerbaijan. It is reported that no substantial evidence supported any of these charges, which may suggest that his detention is politically motivated and directly linked to his longstanding academic work on the Talysh language, identity, and culture.

Since Mr. Igbal Abilov's initial interrogation, which was conducted without proper legal representation, no further investigative actions have taken place. In the first month, he reportedly faced significant psychological pressure. He was not allowed to sit or lie on his bed and was sometimes forced to lie on the concrete floor. In September 2024, he was transferred to a three-person cell. His family is only allowed to send clothing once every two months.

Mr. Igbal Abilov was not allowed to receive newspapers or academic literature. After four months, he was allowed to receive fiction books. He is allowed to enter the prison library, but only to select books. His time outdoors is limited to three 20-minute sessions per week. His drinking water supply is restricted to five litres per week. Homemade food is banned, with only certain vegetables, fruits, cheeses, some dried fruits, biscuits, and sausages permitted. Although lights-out is officially announced at 10 p.m., the lights are never turned off, and sleep masks are prohibited, making rest difficult.

On 2 May 2025, a closed court session was unexpectedly held before the announcement of the verdict, during which the prosecutor requested an 18-year prison sentence for Ms. Igbal Abilov. No official information or details about

the charges have been made public. All objections and legal motions submitted by his lawyers were reportedly summarily dismissed.

The court was expected to consider the appeal against the 18-year prison sentence on 1 August 2025, but the hearing was postponed. Mr. Abilov's legal representation was not informed beforehand. At the time of writing a new date had not been announced.

It is reported that Mr. Igbal Abilov is accused of collaborating with Armenian intelligence services and attempting, in coordination with them, to incite ethnic tensions and national hatred in Azerbaijan. It appears his charges may be connected with his broader research on the cultural characteristics of various ethnic and religious groups, including Turkic culture and language in the South Caucasus and the Middle East, and particularly on the Talysh language and its cultural figures, during which he reportedly communicated with academics outside of Azerbaijan, including Armenian scholars.

Arrest, detention and charges of Mr. Bahruz Samadov

On 21 August 2024, Mr. Bahruz Samadov was arrested during a raid at his grandmother's apartment in Baku by six agents of Azerbaijan's State Security Service. The raid occurred approximately at 4.30 p.m. The police entered the apartment under the pretext of searching for drugs, which was allegedly planted to justify Mr. Samadov's arrest. During the raid, the police confiscated Mr. Samadov's personal items, including mobile devices, laptops and identification documents.

On 23 August 2024, Mr. Bahruz Samadov appeared before the Sabayil District Court in Baku, where he was charged under articles 274 (high treason) for engaging and advocating for peace with Armenians and sentenced to four months of pre-trial detention. After his court appearance, Mr. Samadov invoked the Christian trinity, highlighting his religious identity. On the same day, a colleague and friend of Mr. Samadov was detained and forced to make statements against Mr. Samadov. That individual was released the next day with a travel ban.

On 27 August 2024, Mr. Bahruz Samadov's lawyer appealed for his pre-trial release, which was denied. The Baku Appellate Court upheld the decision of the Sabayil District Court. On the same day, another friend of Mr. Samadov was detained at the airport as a witness in Mr. Samadov's case and later released with a travel ban.

On 28 August 2024, a member of Mr. Bahruz Samadov's family filed a complaint with Azerbaijan's Ombudsperson regarding the conditions of Mr. Samadov's detention and his treatment, including an incident where Mr. Samadov was physically assaulted by security officers after requesting a Bible. This beating reportedly left him with bruises and breathing difficulties.

On 31 August 2024, following the complaint, Mr. Bahruz Samadov was reportedly moved from solitary confinement to a shared cell, improving his

detention conditions slightly, allowing him sporadic communication with his lawyer and family and access to reading materials.

On 6 September 2024, the Sabayil District Court dismissed a judicial review complaint submitted by Mr. Bahruz Samadov, which challenged the legality of the searches and seizures during his arrest. The appeal process against this decision is ongoing.

On 23 June 2025, after 10 months of pre-trial detention, the Baku Grave Crimes Court sentenced Mr. Samarov to 15 years in prison on charges of high treason. The proceedings were held behind closed doors, and the conviction was based on allegations widely regarded as politically motivated and unsubstantiated.

On 21 June 2025, two days before the verdict was handed down, Mr. Samarov attempted to take his own life while in detention. Although he survived, it is clear that this whole ordeal has taken a severe psychological toll on him, and that he is at high risk of attempting again.

Reportedly, Mr. Bahruz Samadov has been targeted primarily due to his engagement in human rights, political, and other activities, and notably for his advocacy for peaceful relations between Azerbaijan and Armenia. He has been vocally critical of Azerbaijan's military actions and was a signatory of a peace statement in 2020. His involvement with Azerbaijani-Armenian peace efforts is viewed by Azerbaijani authorities as a betrayal, alleging that he acted under the orders of Armenian contacts, thereby committing espionage and aiding a foreign state.

Control and restrictions on ethnic minorities culture in Azerbaijan

Reports indicate that discussions on ethnic minority rights, particularly concerning the Talysh community, are highly restricted in the absence of official approval. Concerns have been raised about the erasure of historical references in state archives, including alterations to historical names - for instance, references to the Talysh Khanate reportedly being replaced with Lankaran Khanate in history textbooks. Additionally, restrictions on the use of the Talysh language have been reported. Notably, in early 2024, a cultural event commemorating International Native Language Day, where children were scheduled to recite Talysh poetry, was reportedly prohibited.

Without wishing to prejudge the accuracy of the above-mentioned allegations, we express great concern about the alleged arrest, detention and charges against Mr. Igbal Abilov and Mr. Bahruz Samadov, which appear to be related to the legitimate exercise of their cultural rights, right to freedom of opinion and expression and academic freedom, as well as the control and restrictions on ethnic minorities culture in Azerbaijan.

We are greatly concerned that Mr. Abilov and Samadov's arrests and trial have assimilated activities of academic research, promotion of a minority cultural identity and advocacy for peace, with high treason. Both individuals mentioned in this letter appear to have been targeted based on the display of their cultural affiliation and the

legitimate exercise of their rights to express their identity, use their language, seek, share and impart information of all kinds regardless of frontiers in the context of their academic research, and advocacy for peace, which may reflect a pattern of discrimination and persecution by Azerbaijani authorities for ethnic minorities members and individuals.

We are furthermore concerned at the information indicating that these arrests and detentions are not isolated events, but allegations depicting a pattern of arbitrary detention, and at the subsequent closed trials and unknown charges and verdicts against members of minorities communities and individuals who exercise their cultural rights, freedom of opinion and expression and academic freedom in Azerbaijan.

We reiterate our concern at what appears to be a misuse of national security legislation to suppress and punish the free exercise of cultural rights, freedom of opinion and expression and academic freedom in Azerbaijan, targeting individuals who cooperate with professionals and academics from different countries and regions. In addition to the allegations of direct violation of the human rights of the individual concerned, we are alarmed that cases such as the one described above have a notable negative impact on freedom of expression on the population as a whole, sending a chilling message to all those wishing to express themselves and participate freely in social, academic and cultural life. The allegations appear to be part of a concerning trend of subjecting individuals to arbitrary detention and judicial harassment with the apparent purpose of stifling dissent, criticism and opposition, entailing grave breaches of rule of law standards in addition to the human rights mentioned.

Should they be confirmed, the allegations could amount to violations of several human rights rules and standards contained in the Universal Declaration of Human Rights (UDHR) and in the International Covenant on Civil and Political Rights (ICCPR) and International Covenant on Economic, Social and Cultural Rights (ICESCR), both ratified by Azerbaijan on 13 August 1992.

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.
2. Please provide information on the legal and factual basis for the arrest and detention of Mr. Igbal Abilov and Mr. Bahruz Samadov. Please clarify why Mr. Igbal Abilov was charged with “high treason” (article 274 of the Criminal Code), “foreign-agent-instructed public appeals against state” (article 281.3), and “incitement of ethnic hatred” (article 283.1), and why Mr. Bahruz Samadov was charged with “high treason” (article 274).

3. Please indicate how their arrest and detention are in line with Azerbaijan's international human rights obligations as well as due process, including the right not to be subjected to arbitrary arrest or detention.
4. Please indicate how the arrest and detention of Mr. Igbal Abilov and Mr. Bahruz Samadov complies with Azerbaijan's obligation to safeguard and guarantee cultural rights and freedom of opinion and expression, under international human rights law.
5. Please provide information about measures taken to ensure that individuals are able to exercise their right to freedom of opinion and expression, including through the expression of dissenting opinions, and their academic freedom, in a safe and enabling environment, without fear of harassment, criminalisation or acts of intimidation of any kind in retaliation for their cultural work.
6. Please provide information about any measures your Excellency's Government has taken or intends to take to ensure the protection and exercise by all of cultural rights, including the rights of ethnic, religious and linguistic minorities to use and transmit their language, and perform cultural, religious and artistic practice without fear of discrimination and reprisals.

This communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#) within 60 days. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent any irreparable damage to the life and personal integrity of Mr. Ashraf Omar and Mr. Bahruz Samadov and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person(s) responsible for the alleged violations.

We also urge your Excellency's Government to adopt the necessary steps to promptly and impartially review Mr. Igbal Abilov and Mr. Bahruz Samadov's case and, if found to be unsubstantiated in view of international human rights obligations, to release them as soon as possible, discarding the charges brought against them. Additionally, we urge the Government to exhaustively investigate the allegations described above and adopt appropriate measures to ensure accountability and redress of the human rights breaches that may have been committed. Further, we respectfully ask your Excellency's Government to review the policies, legislation and practices that are having a grave and unjustified impact on the cultural rights, academic freedom and freedom of opinion and expression, including in the form of art, in Azerbaijan.

Further, we would like to inform you that after having transmitted the information contained in the present communication to the Government, the Working Group on Arbitrary Detention may also transmit the case through its regular procedure in order to render an opinion on whether the deprivation of liberty was arbitrary or not. The present communication in no way prejudices any opinion the Working Group may

render. The Government is required to respond separately to the allegation letter and the regular procedure.

We may publicly express our concerns in the near future as, in our view, the information upon which the press release will be based is sufficiently reliable to indicate a matter warranting immediate attention. We also believe that the wider public should be alerted to the potential implications of the above-mentioned allegations. The press release will indicate that we have been in contact with your Excellency's Government's to clarify the issue/s in question.

Please accept, Excellency, the assurances of our highest consideration.

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Vice-Chair on communications of the Working Group on Arbitrary Detention

Alexandra Xanthaki
Special Rapporteur in the field of cultural rights

Irene Khan
Special Rapporteur on the promotion and protection of the right to freedom of opinion
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Special Rapporteur on minority issues

Annex

Reference to international human rights law

In connection with above alleged facts and concerns, we would like to draw the attention of your Excellency's Government to its obligation to respect and protect individual rights guaranteed under the Universal Declaration of Human Rights (UDHR), and in the International Covenant on Economic, Social and Cultural Rights (ICESCR) and International Covenant on Civil and Political Rights (ICCPR), both ratified by Azerbaijan on 13 August 1992.

In particular, we refer to articles 2 and 15 of ICESCR, articles 2.3, 9, 10, 14, 16, 19 and 27 of ICCPR, as well as articles 2 and 5 of ICERD, which guarantee the right to liberty and security of the person, the obligation to treat all persons deprived of their liberty with humanity and respect for their dignity, the right not to be subject to arbitrary arrest or detention, the right to fair proceedings before an independent and impartial tribunal, the right to recognition everywhere as a person before the law, the absolute prohibition of enforced disappearance, the right to freedom of opinion and expression, including in the form of art, the right to participate in cultural life including the freedom indispensable for creative activities, and the specific rights of ethnic, religious or linguistic minorities to enjoy their own culture, to profess and practice their own religion, or to use their own language.

The right to take part in cultural life, including freedom indispensable for scientific research and creative activity

We would like to refer your Excellency's Government to articles 15 of International Covenant on Economic, Social and Cultural Rights (ICESCR) and article 27 of the ICCPR, recognizing the right of everyone to take part in cultural life, to enjoy and contribute to his or her culture and the need for States to respect the freedoms necessary for scientific research and artistic creativity. Under these provisions, State Parties have undertaken to respect inter alia the freedom indispensable for scientific research and creative activity.

The Committee on Economic, Social and Cultural Rights, in its 2009 [general comment No. 21](#) on the right to take part in cultural life recalled the right of everyone not to be subjected to any form of discrimination based on cultural identity, exclusion or forced assimilation, to express their cultural identity freely, to exercise their cultural practices and way of life and to access to their own cultural and linguistic heritage and to that of others. States parties should consequently ensure that their legislation does not impair the enjoyment of these rights through direct or indirect discrimination (paras. 44, 48, 49).

In her first thematic report to the Human Rights Council, the Special Rapporteur in the field of cultural rights stresses that ensuring the mutual protection of cultural rights and cultural diversity shall be based on (a) the recognition of the diversity of cultural identities and expressions; (b) equal treatment and respect for the equal dignity of all persons and communities, without discrimination based on their cultural identities; and (c) openness to others, discussion and intercultural exchanges

([A/HRC/14/36](#), para. 30).

The Special Rapporteur in the field of cultural rights stressed that all persons enjoy the right to freedom of artistic expression and creativity, which includes the right to freely experience and contribute to artistic expressions and creations, through individual or joint practice, to have access to and enjoy the arts, and to disseminate their expressions and creations. States should respect the right of artists to dissent, to use political, religious and economic symbols as a counter-discourse to dominant powers, and to express their own belief and world vision ([A/HRC/23/34](#), paras. 85 and 89 d).

These provisions also address the rights of minorities and of persons belonging to minorities to take part in cultural life and to conserve, promote and develop their own cultural resources. These rights entail the obligation of States parties to recognize, respect and protect minority cultures as an essential component of the identity of the States themselves. Consequently, minorities have the right to their cultural diversity, traditions, customs, religion, forms of education, languages, communication media (press, radio, television, Internet) and other manifestations of their cultural identity and membership ([general comment No. 21](#), para. 32).

We would also like to draw your attention to the report by the Special Rapporteur in the field of cultural rights, stating that fundamental and extremist ideologies aim at forcing or coercing people into specific world visions, beliefs systems and cultural practices, therefore threatening human rights, and especially cultural rights ([A/HRC/34/56](#)). Noting that fundamentalist and extremist assaults on minorities and their cultural sites and practices have become widespread around the world, she also recommended that States develop plans of action that are fully gender sensitive to protect religious, ethnic and sexual minorities and women from extremism and fundamentalism, and implement urgent action policies when such groups are the targets of fundamentalist and extremist threats or violence ([A/HRC/34/56](#), para. 97).

Freedom of opinion and expression

We would like to draw the attention of Your Excellency's Government to article 19 of the ICCPR, which guarantees the right to freedom of opinion and the right to freedom of expression, which includes the right "to seek, receive and impart information and ideas of all kinds, either orally, in writing or in print, in the form of art, or through any other media". This right applies online as well as offline and protects the freedom of the press as one of its core elements. Any restriction to the right to freedom of expression must be provided by law and meet the criteria established by international human rights standards. Under these standards, limitations must conform to the strict test of necessity and proportionality, must be applied only for those purposes for which they were prescribed and must be directly related to the specific need on which they are predicated.

In its [general comment No. 34](#), the Human Rights Committee, interpreting article 19, stated that States parties to the ICCPR are required to guarantee the right to freedom of opinion and expression, including "political discourse, commentary on one's own and on public affairs, canvassing, discussion of human rights, journalism, cultural and artistic expression, teaching, and religious discourse" (paragraph 11). The Committee further asserts that there is a duty for States to put in place effective

measures to protect against attacks aimed at silencing those exercising their right to freedom of expression (paragraph 23).

Further, [Human Rights Council resolution 12/16](#) called on States to refrain from imposing restrictions that are not consistent with article 19(3), including: discussion of government policies and political debate; reporting on human rights; engaging in peaceful demonstrations or political activities, including for peace or democracy; and expression of opinion and dissent, religion or belief, including by persons belonging to minorities or vulnerable groups.

Any limitation on this right must meet the criteria established by international human rights standards, including article 4 ICESCR, as applicable, and 19(3) ICCPR. Under these standards, restrictions must be determined by law, must conform to the strict test of necessity and proportionality, must be applied only for those purposes for which they were prescribed and must be directly related to the specific need on which they are predicated. States have a duty under international law to safeguard this right and not to enact arbitrary restrictions going beyond those allowed by article 19(3) of ICCPR. States further have an obligation to put in place effective measures to protect against attacks aimed at silencing those exercising their right to freedom of expression. Furthermore, any restrictions must be “the least intrusive instrument among those which might achieve their protective function” ([CCPR/C/GC/34, para. 34](#)).

We also wish to refer to the Special Rapporteur on freedom of opinion and expression’s report on *Disinformation and freedom of opinion and expression* ([A/HRC/47/25](#)), where she stated that “in keeping with their obligation to respect human rights, States should (...) refrain from restricting freedom of expression online or offline except in accordance with the requirements of articles 19(3) and 20(2) of the International Covenant on Civil and Political Rights, strictly and narrowly construed”.

Academic freedom

Academic freedom encompasses the liberty of individuals to express freely opinions about the institution or system in which they work, to fulfil their functions without discrimination or fear of repression by the State or any other actor (E/C.12/1999/10, paras. 38-39). The Special Rapporteur in the field of cultural rights stressed that scientific freedom involves respecting the autonomy of higher education institutions and the freedom of faculty and students to, inter alia, express opinions about the institution or system in which they work, and to fulfil their functions without discrimination or fear of repression by the State or any other actor ([A/HRC/20/26](#), para. 40).

Prohibition of arbitrary arrest or detention

Regarding the allegations of arbitrary detention, article 9 of the ICCPR states that no one shall be subjected to arbitrary arrest or detention or deprived of his liberty except on such grounds and in accordance with such procedures as are established by law. As interpreted by the Human Rights Committee in its [general comment No. 35](#), the notion of "arbitrariness" should not be equated with "against the law", but should be interpreted more broadly to include considerations of inappropriateness, injustice, unpredictability and due process, as well as considerations of reasonableness, necessity

and proportionality (paragraph 12). In addition, the Working Group on Arbitrary Detention has established in its jurisprudence that preventive deprivation of liberty, as a precautionary and non-punitive measure, must also comply with the principles of legality, necessity and proportionality to the extent strictly necessary in a democratic society. It may only be ordered in accordance with the limits strictly necessary to ensure that the efficient development of investigations is not impeded and justice is not evaded, and provided that the competent authority substantiates and accredits the existence of the aforementioned requirements. Because of the particularly restrictive nature of pre-trial detention, the imposition of this measure should be the exception rather than the rule.

Furthermore, we would like to recall that in accordance with the jurisprudence of the Working Group on Arbitrary Detention, and general comment No. 35, arrest or detention of an individual as punishment for the legitimate exercise of the rights guaranteed by the ICCPR, including freedom of opinion and expression, is arbitrary.

Finally, we would like to remind your Excellency's Government of the duty of States to investigate and punish serious human rights violations, as established by the Human Rights Committee in its [general comment No. 31](#), which asserts that failure to take the necessary measures to ensure the investigation and prosecution of such violations may in itself constitute a breach of human rights treaties (paras. 15-18). Impunity for such human rights violations can be an essential element contributing to their repetition.