

Mandates of the Special Rapporteur on the situation of human rights defenders; the Working Group on Arbitrary Detention; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment

Ref.: AL AZE 3/2026
(Please use this reference in your reply)

23 February 2026

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on the situation of human rights defenders; Working Group on Arbitrary Detention; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, pursuant to Human Rights Council resolutions 52/4, 60/8, 52/9 and 52/7.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning information received about the **conditions of detention, sentencing and transfer of journalists and women human rights defenders Sevinj Abbasova, Nargiz Absalamova and Elnara Gasimova.**

Ms. Sevinj Abbasova, Ms. Nargiz Absalamova and Ms. Elnara Gasimova are journalists and women human rights defenders, who have highlighted cases of corruption in their journalistic work. They have investigated cases of high-level corruption, abuse of power, covered grassroots human rights protests and environmental issues. They previously worked with the media outlet Abzas Media. Abzas Media is an independent Azerbaijani investigative media outlet known for in-depth reporting on corruption, governance, and social justice issues.

The cases of Ms. Abbasova, Ms. Absalamova and Ms. Gasimova were previously raised by Special Procedures mandate holders in AZE 1/2024 dated 16 May 2024. We thank the response of Your Excellency's Government, dated 15 July 2024, including the updates about the conditions of detention. However, concerns remain about their sentencing and the conditions of their detention.

According to the new information received:

Conditions in the Baku pre-trial detention centre

From late 2023 to September 2025, the three women were held in the Baku pre-trial detention centre (Kurdakhani). They have reported being held in inhumane conditions, including being held in cells with unsatisfactory ventilation; with water leaking from the ceiling and walls. During the summer, the journalists were denied access to fans, which was granted to other prisoners. Access to hot water is irregular, and shower facilities are reportedly often broken or filthy.

In March 2025, Nargiz Absalamova reported being injured by detention staff, including an incident in which a supervisor/guard scratched her arm during a forced movement.

In July 2025, Ms. Abbasova, Ms. Absalamova and Ms. Gasimova started a hunger strike, in solidarity with the Abzas Media director, who was transferred to the remote Umbaki prison, demanding his return to Baku. On 22 July 2025, in response to their hunger strike, the prison administration reportedly moved the three women from their regular cells and placed them in solitary confinement cells. These isolated rooms lacked showers, ventilation or open windows.

Sentencing in June 2025

On 20 June 2025, the women journalists and human rights defenders were sentenced by the Baku Court on Grave Crimes. Ms. Abbasova was found guilty on financial crime charges (currency smuggling, tax evasion as part of a group and other economic charges) and sentenced to 9 years of imprisonment. Ms. Absalamova was sentenced to 8 years of imprisonment on the same set of charges, similarly to Ms. Gasimova, who was sentenced to 8 years of imprisonment.

9 September 2025, the Baku Court of Appeal, chaired by Judge Zafar Ahmadov, upheld the convictions and sentences in the “Abzas Media” case, including the sentences of the three female journalists.

Transfer to Lankaran

On 25 September 2025, following their sentencing and unsuccessful appeal, Ms. Absalamova, Ms. Abbasova and Ms. Gasimova were transferred to Lankaran prison in the village of Gurumba. The women were only informed about their transfer an hour before departure and were reportedly not told of their destination until they arrived at Lankaran. The Gurumba facility is located 250 km south of Baku. This distance imposes a significant financial and logistical burden on their families and legal teams.

Before the transfer, reportedly almost all of Ms. Absalamova’s personal belongings were stolen, including clothes, shoes, medicine and hygiene products. Female visitors to the three journalists have been reportedly subjected to sexual harassment by prison guards.

While we do not wish to prejudge the accuracy of these allegations, we would like to express our concern about the allegations of inhuman and degrading treatment in pre-trial detention; the sentencing on what appear to be politically motivated charges linked to their independent reporting work; and their transfer to a remote prison complex.

Additionally, we are also concerned about the alleged smear campaign against the Abzas Media journalists, which appears to be aimed at discrediting journalistic and human rights defenders’ anticorruption work.

We note with concern that this case is prone to have a chilling effect on human rights defenders and journalists in Azerbaijan, especially those working against corruption, discouraging them from exercising their rights.

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 about the factual and legal basis of the sentencing of Ms. Abbasova, Ms. Absalamova and Ms. Gesimova, and explain whether and how this is in compliance with Azerbaijan's obligations under international human rights law.
3. Please provide information about their conditions of detention in the Baku pretrial detention centre, including their placement in punitive isolation cells following their hunger strike, and explain whether and how these were compatible with international standards, including the United Nations Standard Minimum Rules for the Treatment of Prisoners.
4. Please provide information about the decision to transfer the three women to the remote Gurumba facility, indicating its reasons and how was the safety and well-being of the detainees taken into account.
5. Please indicate what measures have been taken to ensure that human rights defenders and journalists in Azerbaijan, including those working against corruption, can exercise their right to freedom of expression and carry out their legitimate work freely and in a safe and enabling environment without acts of intimidation and harassment.

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.

Further, we would like to inform your Excellency's Government 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.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence 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.

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

Mary Lawlor
Special Rapporteur on the situation of human rights defenders

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

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

Alice Jill Edwards
Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment

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 the following human rights standards.

We would like to refer your Excellency's Government to article 19 of the International Covenant on Civil and Political Rights ("ICCPR"), acceded to by Azerbaijan on 13 August 1992.

Article 19 of the ICCPR guarantees the right to hold opinions without interference 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, protects the freedom of the press as one of its core elements and includes not only the exchange of information that is favourable, but also that which may criticize, shock, or offend.

In its [general comment No. 34](#), the Human Rights Committee stated that States parties to the ICCPR are required to guarantee the right to freedom of 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" (CCPR/C/GC/34, para. 11). The Committee states that article 19 also covers the right of a free press and other media able to comment on public issues without censorship or restraint and to inform public opinion and a corresponding right of the public to receive media output. Free press and other media should be able to comment on public issues without censorship or restraint and to inform public opinion, and the public has a corresponding right to receive media output (paragraph 13). States parties should recognize and respect that element of the right of freedom of expression that embraces the limited journalistic privilege not to disclose information sources (paragraph 45).

The Committee further asserts that there is a duty of States to put in place effective measures to protect against attacks aimed at silencing those exercising their right to freedom of expression (para. 23). Recognizing how journalists and persons who engage in the gathering and analysis of information on the human rights situation and who publish human rights-related reports, including judges and lawyers, are frequently subjected to threats, intimidation and attacks because of their activities, the Committee stresses that "all such attacks should be vigorously investigated in a timely fashion, and the perpetrators prosecuted, and the victims, or, in the case of killings, their representatives, be in receipt of appropriate forms of redress" (para. 23).

Any restriction on the right to freedom of expression must be compatible with the requirements set out in article 19(3) ICCPR. Under these requirements, restrictions must (i) be provided by law; (ii) pursue one of the legitimate aims for restriction, which are the respect of the rights or reputations of others and the protection of national security or of public order (*ordre public*), or of public health or morals; and (iii) be necessary and proportionate for those objectives. The State has the burden of proof to

demonstrate that any such restrictions are compatible with the Covenant, and restrictions must always be “the least intrusive instrument among those which might achieve their protective function” ([CCPR/C/GC/34, para. 34](#)).

Article 19(3) may never be invoked to justify the muzzling of any advocacy of democratic tenets and human rights (paragraph 23). Nor, under any circumstance, can an attack on a person, because of the exercise of their freedom of opinion or expression, including such forms of attack as arbitrary arrest and torture, be compatible with article 19(Id.). The Human Rights Committee also explicitly noted that the penalization of a media outlet or journalist solely for being critical of the government or the political social system espoused by the government can never be considered to be a necessary restriction of freedom of expression (paragraph 42).

We wish to reiterate the principle enunciated in Human Rights Council resolution 12/16 (A/HRC/RES/12/16). The Resolution calls upon all States to refrain from imposing restrictions that are not consistent with article 19(3), *inter alia*, on reporting on human rights, government activities, and corruption in government (paragraph 5(p)(i)).

We would furthermore like to refer your Excellency’s Government to article 9 of the ICCPR, which guarantees everyone the right to liberty and security of person.

Article 9 prohibits arbitrary arrest and detention. As interpreted by the Human Rights Committee in general comment No. 35 (CCPR/C/GC/35), the notion of “arbitrariness” is not to be equated with “against the law” but must be interpreted more broadly to include elements of inappropriateness, injustice, lack of predictability, and due process of law, as well as elements of reasonableness, necessity, and proportionality (paragraph 12). According to the same general comment (paragraph 17) and the jurisprudence of the Working Group on Arbitrary Detention, 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.

The right to security of person, also guaranteed by article 9, protects individuals against intentional infliction of bodily or mental injury, regardless of whether the victim is detained or non-detained (paragraph 9). The Human Rights Committee clarified that States parties must take both measures to prevent future injury and retrospective measures, such as enforcement of criminal laws, in response to past injury (Id.). States parties must respond appropriately to patterns of violence against categories of victims such as intimidation of human rights defenders and journalists (Id.). They should also prevent and redress unjustifiable use of force in law enforcement (Id.).

We would also like to refer your Excellency’s Government to the absolute and non-derogable prohibition of torture and other cruel, inhuman, or degrading treatment or punishment, as enshrined in article 7 of the ICCPR and articles 2 and 16 of the Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment (“CAT”), acceded to by Azerbaijan on 16 August 1996. Article 12 and 16 of the CAT further require the competent authorities to undertake a prompt and impartial investigation wherever there are reasonable grounds to believe that such act has been committed.

We would like to remind your Excellency's Government of article 10 of the ICCPR, which requires that all persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person. In this regard, we would like to refer your Excellency's Government to the UN Standard Minimum Rules for the Treatment of Prisoners adopted by the General Assembly on 17 December 2015 (the Mandela Rules). We wish to draw your Excellency's Government's particular attention to rules 58, 61, and 120 regarding communication with family and lawyers.

Furthermore, we would like to refer your Excellency's Government to the fundamental principles set forth in the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, adopted on 9 December 1998 (also known as the UN Declaration on Human Rights Defenders). Articles 1 and 2 of the Declaration state that everyone has the right to promote and strive for the protection and realization of human rights and fundamental freedoms at the national and international levels and that each State has a prime responsibility and duty to protect, promote, and implement all human rights and fundamental freedoms.

Likewise, we would like to bring to the attention of your Excellency's Government the following provisions of the UN Declaration on Human Rights Defenders:

- Article 6(a)-(c), which provides for the right to know, seek, obtain, receive, and hold information about all human rights and fundamental freedoms; to freely publish, impart, or disseminate to others views, information, and knowledge on all human rights and fundamental freedoms; and to study, discuss, form, and hold opinions on the observance, both in law and in practice, of all human rights and fundamental freedoms and to draw public attention to those matters.
- Article 9(1), which establishes that in the exercise of human rights and fundamental freedoms, including the promotion and protection of human rights, everyone has the right to benefit from an effective remedy and to be protected in the event of the violation of those rights.
- Article 12(2) and (3), which provides that the State shall take all necessary measures to ensure the protection of everyone against any violence, threats, retaliation, *de facto* or *de jure* adverse discrimination, pressure, or any other arbitrary action as a consequence of their legitimate exercise of the rights referred to in the Declaration. In this connection, everyone is entitled, individually and in association with others, to be protected effectively under national law in reacting against or opposing, through peaceful means, activities, and acts, including those by omission, attributable to States that result in violations of human rights and fundamental freedoms, and acts of violence perpetrated by groups or individuals that affect the enjoyment of human rights and fundamental freedoms.

Finally, we would like to refer your Excellency's Government to the recent report (A/HRC/49/49) of the Special Rapporteur on the situation of human rights

defenders, in which she stressed that protection frameworks applicable to human rights defenders should apply to human rights defenders working against corruption.