

The Samadov Case

written by briadmin

During and after the war between Armenia and Azerbaijan, a group of public activists expressed anti-war views and were met with backlash from the ruling elite in Azerbaijan. The government labeled the position of peace activists as hostile and pursued them. After the arrests of journalists and socio-political activists began at the end of 2023, the government started portraying peace activists as spies and agents to justify the crackdown and strengthen its narrative that these individuals were agents of foreign states. One such public activist was Bahruz Samadov, a PhD student at Charles University in Prague. He was arrested on charges of treason, and other individuals were also summoned for investigation by the State Security Service. The investigation and trial concluded within 10 months – a fast pace by Azerbaijani standards. On June 23, 2025, the Baku Serious Crimes Court sentenced Samadov to 15 years in prison under Article 274 of the Criminal Code for treason. In this article, we aim to demonstrate that the court verdict is unlawful, baseless, and unjust. First, we will interpret the crime of treason in Azerbaijan, and in the following sections, we will describe the problems in the verdict in the context of evidentiary standards and the credibility of the evidence.

Interpretation of the Treason Charge

To properly understand the Samadov case, we should first analyze the provisions outlined in Article 274 of the [Criminal Code](#), which defines the crime of treason.

State betrayal, that is, deliberate action committed by a citizen of the Republic of Azerbaijan to the detriment of the sovereignty, territorial integrity, state security or defensibility of the Republic: defection to an enemy, espionage, distribution of state secrets to foreign states,

rendering assistance to a foreign state, foreign organization or their representatives in the commission of hostile activity against the Republic –

is punished by imprisonment for a term from ten up to fifteen years or life imprisonment with or without confiscation of property.

From the provision, it is clear that to be considered a perpetrator of this crime, the individual must have deliberately committed one of the following actions:

1. Defecting to an enemy
2. Espionage
3. Providing state secrets to a foreign state
4. Assisting a foreign state, organization, or their representatives in hostile activities against the Republic of Azerbaijan

In addition, these actions must be detrimental to the sovereignty, territorial integrity, state security, or defensive capability of the Republic of Azerbaijan.

According to the verdict, Samadov met three individuals allegedly affiliated with Armenian intelligence – (1) Irina Mikayel Safaryan, known by the pseudonym “Frida,” (2) Sossi Vahram Tatikyan, and (3) Lilith Sergey Shahverdyan – either on the social media platform X (formerly Twitter) or at international conferences. He was accused of treason for allegedly spying and assisting a foreign state and its representatives in hostile activities against the Republic of Azerbaijan under their instruction.

Therefore, the objective elements of the crime accused in the charges include acts of “espionage” and “assisting a foreign state and its representatives in hostile activities against Azerbaijan.” We should dwell on the definitions of these terms as well. For this, we will refer to the commentary on the

Criminal Code of the Republic of Azerbaijan edited by Professor Firudin Samandarov. [\[1\]](#)

The act of espionage is defined in Article 276 of the [Criminal Code](#). According to this article, the subject of the crime must be a foreign national or a stateless person. If such actions are committed by a citizen of Azerbaijan, the offense is classified as treason under Article 274. Article 276 states that the crime involves handing over, stealing, collecting, or storing state secret information and rendering that information to a foreign state, organization, or their representatives, or other information to be used against the security of Azerbaijan upon the instructions of foreign intelligence services. Two types of information are involved:

- 1. State secrets: These are defined by the Law on State Secrets and include information related to military, foreign policy, economic, intelligence, counterintelligence, and operational-investigative activities that are protected by the state and the disclosure of which could harm national security.*
- 2. Other information that could be used against national security: These are not classified as state secrets but are considered potentially harmful by foreign intelligence services. The scope of this category is undefined and unlimited.*

The verdict does not clarify which category of information was involved in Samadov's alleged espionage. Since the verdict does not assert that Samadov had access to or transmitted state secrets, and given that he was not in a position to possess state secrets, it is likely that the accusation pertains to the second category. In this case, the prosecution and the court should have explained how the information in the messages could harm Azerbaijan's security or could be used in such a manner.

One of the most significant pieces of information allegedly transmitted was a link from the Ombudsman's website. If this is considered espionage, then the Ombudsman should also be held accountable for making the information publicly accessible. Another item of information concerned a journalist named Shahla Karim and a social media post by historian Altay Goyushov about the arrest of public activist and former diplomat Emin Ibrahimov. These are publicly available pieces of information. The verdict does not explain how such public data could pose a threat to Azerbaijan's national security or how foreign intelligence agencies could exploit it.

Therefore, the espionage charge is unsubstantiated in the verdict.

Another aspect of the charge concerns "assisting a foreign state, organization, or its representatives in conducting hostile activities against the Republic of Azerbaijan." This includes actions performed by an Azerbaijani citizen at the instruction of or in cooperation with foreign actors to support such activities. These actions may involve inciting national, religious, or ethnic hatred, harboring individuals engaged in hostile activities, or providing material or logistical support. According to the verdict, Samadov did not incite hatred. On the contrary, he advocated for peace and coexistence. The verdict does not specify any particular act that constituted incitement to hostile activity.

Analysis of the Evidence Cited in the Verdict

1. Messaging

The current court verdict is legally problematic and flawed. The Supreme Court of the Republic of Azerbaijan's Plenary [Decision](#) dated December 24, 2021, interprets the requirements regarding the drafting, structure, and reasoning of court verdicts. Here, we will analyze the problems of the Samadov verdict in the context of that decision.

According to Article 352.3 of the Criminal Procedure Code of the Republic of Azerbaijan, regardless of the type of verdict, every verdict must consist of an introduction, a descriptive-reasoning section, and a conclusion. This requirement must be followed when issuing a verdict, and the sections of the verdict must be drafted in accordance with the provisions of the criminal procedure law regarding their content. In the verdict issued against Samadov, the reasoning section is virtually absent. Only the information presented as evidence is listed, and those data are not analyzed or reasoned in the verdict.

The descriptive-reasoning section of the verdict states:

Bahruz Valeh oglu Samadov, while in Prague, Czech Republic in 2020, became acquainted on the social network X with Irina Mikayel Safaryan, who was cooperating with the special services of the Republic of Armenia and had been recruited as a covert agent under the pseudonym "Frida." Between May 3, 2023, and May 10, 2024, while in that country as well as at his residence in Baku at 90 Nakhchivanski Street, Apartment 103, and elsewhere, he corresponded with her via the WhatsApp instant messaging service. During this correspondence, she instructed him to collect and send information regarding: [1] developments in the Karabakh and other regions of Azerbaijan, [2] the programs and order by which Azerbaijani IDPs from the First Karabakh War would return to their homes, and [3] construction and rebuilding work in those areas.

In response, Bahruz Samadov collected information on these topics and questions and conveyed them to Irina Safaryan via WhatsApp. He also prepared and shared misinformation and provocative content aimed at inciting national, ethnic, and religious hostility within the territory of the Republic of Azerbaijan on his personal Facebook and Instagram accounts under the names "Bahruz Samedov" and "Bahruzistan." In doing so, he committed espionage and aided a foreign state, organization, or their representatives in hostile activities

against the Republic of Azerbaijan, thereby committing treason.

Criminal procedural legislation sets specific standards for evidence. In this case, the court accepted Samadov's social media conversations with the individuals of Armenian origin, witness statements, and social media posts as evidence. The court considered these conversations to be transmission of information. However, all three sets of conversations involved ordinary, everyday topics. The content of the messages consisted of public information already known to the press. We present shortened versions of these conversations below.

The first conversation cited as evidence is a WhatsApp exchange between Samadov and Irina Safaryan on May 13, 2023. In it, Safaryan asks for documents about human rights and democracy in Azerbaijan, and Samadov sends her a [link](#) published on the Ombudsman's website. He also notes that an English translation of the Azerbaijani Constitution is available online.

Irina Safaryan: I need your help. I have to find some official documents about Azerbaijan on HRD.

Bahrüz Samadov: HRD?

Irina Safaryan: Human Rights and Democracy.

[...]

Bahrüz Samadov: <https://ombudsman.az/en/view/pages/59>

Irina Safaryan: Yes, I already have this. I need a document like the constitution. Something where human rights and democracy are reflected (or declared).

Bahrüz Samadov: This is all I have. I don't think there's anything else.

Irina Safaryan: Laughing emoji. Nothing else?

Bahrüz Samadov: *The Constitution?*

Irina Safaryan: *One that's publicly accessible?*

Bahrüz Samadov: *[in reply to his own "The Constitution?" message] It's only available in English, in online format.*

On December 20, 2023, Safaryan sent Samadov a link and began a conversation. This was a link to one of the European Union's programs aimed at citizens of the Eastern Partnership countries. In the exchange, Safaryan asked Samadov about the program and said that she intended to apply. She then noted that she needed to submit recommendation letters from three people and asked Samadov to write one for her, requesting his personal details. Samadov replied that he was familiar with the program and could write the letter. He then sent her his information to use as a reference.

Irina Safaryan: *Bahrüz, what do you think about this?*

Bahrüz Samadov: *I know this program. Register here. If you need any advice about it, let me know. I have contacts there. I can inform them. Just let me know once you've registered.*

[...]

Irina Safaryan: *I'll gather all the required information and fill it out tonight... They're asking for one personal and two professional contacts for recommendation letters. What should I write here? I'll list one from my university. For the other, I'm thinking of putting you and one more person. Can I list my friends from Armenia or the European Union? Which would be better, do you think?*

Bahrüz Samadov: *Do it however you prefer. Just let me know. I can write it for you.*

Irina Safaryan:

Reference 1

Name

Position

Organisation

Phone

I need this information from you.

[...]

Bahrüz Samadov:

Bahrüz Samadov

PhD Candidate

Charles University, Institute of Political Studies

bahrüz.samadov@fsv.cuni.cz

+420602237283

Irina Safaryan: *Wish me luck.*

Bahrüz Samadov: *Good luck. Just let me know a bit in advance when you need my recommendation.*

In the February 2, 2024, conversation, Safaryan asked about a meeting of Azerbaijani political migrants held in Strasbourg and inquired about their ideology. Samadov replied that, overall, they supported democracy but were also nationalist.

Irina Safaryan: *January 27, Strasbourg, Azerbaijani political migrants. I read about it and wanted to ask if you know anything. How did the meeting go? Who participated? Anything you know.*

Bahrüz Samadov: *What exactly do you want to know about the meeting in Strasbourg? About the organizer?*

Irina Safaryan: *They say it was a gathering specifically of political migrants. I immediately thought of you and Sevinc. Do you know who organized that meeting?*

Bahrüz Samadov: *Yes, I looked into it. But what use is it to us? It was a meeting of patriots who hate us. People like Chingiz Sultansoy and other unreasonable types were there.*

Irina Safaryan: *Who do they support, and what is their goal?*

Bahrüz Samadov: *They support Azerbaijan's classical position. There's nothing unusual.*

Irina Safaryan: *Do they also want Karabakh?*

Bahrüz Samadov: *What would they want from Karabakh?*

Irina Safaryan: *I want to know if they think Karabakh belongs to them and that Armenians should not live there. Or are they*

more liberal? I actually have no information about the classical Azerbaijani position. I want to know what their goal is. Do they want to take everything into their own hands? Or are they trying to make life better for ordinary people?

Bahrüz Samadov: *They're like that too. They just don't say it openly. Many of them hate me. They're generally pro-democracy, but there are many nationalists among them. Azerbaijan is a lost cause.*

In the court verdict, immediately following the above dialogue dated February 2, 2024, the following two-sentence exchange is included without any explanation. However, as the verdict itself notes, this exchange actually took place three months later, on May 10, 2024:

Irina Safaryan: *If Azerbaijan were a lost cause, we would have taken back our lands.*

Bahrüz Samadov: *I hope for change.*

Since the verdict offers no context for the above dialogue, it is very difficult to interpret. Moreover, the court decision is written in Azerbaijani, while the dialogues themselves originally took place in English. The decision does not include the original English texts. As a result, some meaning may have been lost through this double translation. We assume, for example, that the phrase rendered in Azerbaijani as "itirilmiş hal" was originally expressed as "lost cause." In the February 2 conversation, Samadov calls Azerbaijan's traditional opposition nationalist and describes Azerbaijan as a "lost cause." It is hard to say exactly what he means. It seems that Samadov believes the traditional opposition is not sufficiently democratic and does not differ ideologically from the government. Therefore, by calling Azerbaijan a lost cause, he likely means that the political situation is not expected to improve in the near future and that there is no hope left for change in Azerbaijan. In the dialogue dated May 10, 2024 – presented without any context – Safaryan writes that Azerbaijan is not a lost cause. She says that if it were, then

Armenians would have been able to retake Karabakh. It is difficult to interpret this statement, as the connection between the two ideas is unclear. Samadov responds by saying that he hopes for change in Azerbaijan. Given that these are informal messages exchanged via WhatsApp, it is unreasonable to expect detailed explanations or consistent argumentation in the conversation. At the same time, because the context of the conversations is not provided, we are unable to interpret them definitively. In any case, Samadov did not commit any criminal act here, and his expression of hope for change should be seen as political opposition to the government – not as an act of treason.

In the next exchange, they discuss developments in Armenia. Later, Safaryan asks about Azerbaijan's resettlement plans in Karabakh and the return of Azerbaijanis to the region. Samadov replies with information widely known from the media, mentioning the plans for Shusha and Khankendi, and stating that he knows nothing about Hadrut and Karkijahan.

Bahrüz Samadov: *How are you?*

Irina Safaryan: *Everything is very difficult. The situation in Armenia. The footage from Artsakh [Karabakh] and missing home.*

Bahrüz Samadov: *What's your view on the protests in Armenia?*

Irina Safaryan: *Considering that all my friends are there – very positive. These “monsters” should have been chased out long ago.*

Bahrüz Samadov: *Yes, Pashinyan is ruining the country.*

Irina Safaryan: *Even though there was war, if it weren't for Pashinyan, we might not have lost everything. Tell me, how many Azerbaijanis will voluntarily move there to live? I'm not counting those who will be bussed in.*

Bahrüz Samadov: *He made a lot of mistakes. Kocharyan was smarter. I think maybe 60% of the IDPs [would return]. It's hard to say for sure.*

Irina Safaryan: *Is there any kind of program where people can register?*

Bahrüz Samadov: *I haven't heard of anything like that.*

Irina Safaryan: Then find out what their plan is for these lands. It breaks my heart that we may have lost everything forever.

Bahrüz Samadov: The plan is to resettle people. Are you referring specifically to Nagorno-Karabakh or the surrounding areas? If you mean Stepanakert, then apart from there and Shusha, there is no plan for any other part of Nagorno-Karabakh.

Irina Safaryan: What about Hadrut? Karkijahan? Why are they building a mosque in Hadrut?

Bahrüz Samadov: I don't know. No one lives there.

Secondly, the verdict includes a translation from English of a conversation between Samadov and a user named Sossi Tatikyan on the social network X, dated July 25, 2024. There is only one exchange in the record, which concerns a post by historian Altay Goyushov about the arrest of Emin Ibrahimov – an activist and a former diplomat. After seeing Goyushov's post, Tatikyan notices that Ibrahimov appears to still be posting on X and does not understand how that is possible. Eventually, she realizes that Ibrahimov posted before being arrested. The verdict notes that Goyushov had written the following on his X account: "A former Azerbaijani diplomat, Emin Ibrahimov, has been sentenced to four months in detention. The persecution against him is completely unjustified. He declared in court that he would go on a hunger strike." Tatikyan sent the link to this post to Samadov and asked him:

Sossi Tatikyan: I don't understand, because he [Emin Ibrahimov] is still posting on Twitter.

[...]

Bahrüz Samadov: Who? That's impossible.

Sossi Tatikyan: [After sending Samadov a link to the account "x.com/eminibrahimov8"] Isn't this the same person?

Bahrüz Samadov: Yes, but that was two days ago. The day he was detained.

Sossi Tatikyan: But he made that post after Altay's initial

message.

Bahrüz Samadov: *No, I don't think so... I don't see it that way.*

Bahrüz Samadov: *[Later, Samadov sent Tatikyan a link (<https://t.co/XCg6zZ6YcX>) and wrote] Emin was detained two days ago. He made that post in the afternoon and was detained afterward.*

Sossi Tatikyan: *Hmm. I saw Altay's first message about his detention before that.*

In the descriptive section of the verdict, the third allegation presented as fact is as follows:

In 2023, Bahrüz Samadov met Lilith Sergey Shahverdyan, who was cooperating with the special services of the Republic of Armenia, on the social network X. He met her at various times in the city of Prague, Czech Republic, and in the city of Tbilisi, Georgia. Through her Telegram channel named "Lilith Stepanakert," Lilith Shahverdyan communicated with Bahrüz Samadov between October 13, 2023, and May 12, 2024, while he was in Prague as well as at his residence in Baku, located at 90 Nakhchivanski Street, Apartment 103, in the Nizami district, and in other places. During these exchanges, she instructed him to write articles on various topics for use against the Republic of Azerbaijan. She also sent him the photograph of a citizen of the Republic of Azerbaijan and tasked him with collecting information about that person. By writing those articles and sending the requested information to Lilith Shahverdyan, Bahrüz Samadov committed espionage and assisted a foreign state, organization, and their representatives in conducting hostile activities against the Republic of Azerbaijan, thereby committing treason.

Samadov's correspondence with Lilith Sergey Shahverdyan, conducted in Russian and English, is translated in the verdict to Azerbaijani. In a message dated October 13, 2023, Lilith writes to Samadov:

Lilith Stepanakert: *Instead of chasing after girls, write*

articles against Azerbaijan. Be a man.

Bahrüz Samadov: *Okay.*

In the exchange dated October 23, 2023, Lilith asks whether there are any memoirs written by Azerbaijani internally displaced persons. Samadov cites Gunel Movlud's novel *Düşərgə* (*The Camp*). (It appears that the translator of the Court Decision was unfamiliar with the novel, as it is referred to as *Lager* – its name in Russian – in the verdict.)

Lilith Stepanakert: *Bahrüz, have you seen any memoirs by Azerbaijanis who were displaced in the 1990s? Anything scholarly or literary?*

Bahrüz Samadov: *I think Gunel Movlud wrote one. The novel Lager.*

Lilith Stepanakert: *About life in a refugee camp?*

Bahrüz Samadov: *I haven't read it. It's about refugees in the 1990s, in camps and in Europe.*

Lilith Stepanakert: *Thanks.*

In this conversation, dated November 15, 2023, Lilith first asks for Samadov's opinion on an article but then withdraws her request. She then asks him about Telegram groups and chats that were also mentioned in witness statements. Samadov replies that there are two groups where they discuss politics.

Lilith Stepanakert: *Read this article and tell me what you think.*

Bahrüz Samadov: *I'll read it soon.*

Lilith Stepanakert: *No need anymore.*

Bahrüz Samadov: *Why?*

Lilith Stepanakert: *I sent the author a nasty message. He had been in Karabakh at the beginning of the month. On a press*

tour. All of his articles are about Aliyev's glorious victory. I'd really like to read your group chats.

Bahrüz Samadov: They're in Azerbaijani. We have two group chats. One has about 20 people. We talk politics and curse the Azeris. The other has 7 or 8 people. We talk about the same topics.

Lilith Stepanakert: Laughs. Who's in there? Ayxanchik?

Bahrüz Samadov: Rustam, Atuf, Samad, Samir.

In a message dated May 11, 2024, Lilith says that she does not think it is right that no one from Karabakh or Armenia is participating in the conference to be held in Paris the next day. Samadov replies that the event is purely an academic conference.

Lilith Stepanakert: Tomorrow, there will be discussions on these topics at the conference in Paris. I don't think it's right that Artsakh is not represented at such events. Not even a single person from Armenia is attending.

Bahrüz Samadov: It's a purely academic conference.

In a message dated May 12, 2024, Lilith sends Samadov the Facebook page of a journalist named Shahla Karimli and asks if he knows her. Samadov says he does, and they discuss her move to Shusha.

Lilith Stepanakert: Do you know her?

Bahrüz Samadov: Yes. She's not normal.

Lilith Stepanakert: Heydar said she's actually quite normal.

Bahrüz Samadov: No.

Lilith Stepanakert: I wrote to her. She saw the message but didn't reply. Why do you say she's not normal? Apart from the fact that she moved to Shusha. Laughs.

Bahrüz Samadov: Exactly because of that.

Lilith Stepanakert: Ridiculous. She's a young girl. What's she going to do there? Nothing will come of it. Her euphoria will

wear off in a few months and she'll come back to Baku.

As can be seen, these are ordinary exchanges and contain nothing significant, nothing unknown to the public, nothing that incites ethnic hatred, and nothing that constitutes a state secret.

One of the key issues that should be considered is whether the people Samadov allegedly “spied for” or “assisted” were in fact representatives of an enemy state, organization, or their agents. The prosecution claims that the Armenian individuals mentioned were affiliated with Armenian intelligence services or were themselves agents. However, the verdict provides no evidence to support this. It does not refer to any information or documents obtained through intelligence or counterintelligence operations. The only basis for the claim appears to be their Armenian ethnicity and the assumption of collaboration with intelligence services. But the law must rely on facts and evidence, not assumptions.

Among the case materials submitted as evidence is an electronic airline ticket issued in Samadov's name. It shows that he planned to fly to Prague on August 23, 2024. No explanation is provided as to how this is relevant to the case. Samadov studies in Prague, so it is entirely natural for him to travel there at the end of summer, just before the academic year begins.

2. Witness Testimonies

Now we will turn to the witness testimonies. Seven witness statements are included in the verdict. Only two of these individuals gave testimony in court. The statements of the remaining five were taken during the preliminary investigation and later read out in court. Statements taken during the preliminary investigation are not considered reliable because they may have been obtained under pressure. The circumstances noted in the verdict and posts published on social media suggest that such pressure did indeed take place. For example,

one of the witnesses, Cavidan Agayev, was detained by the State Security Service when he was leaving to study abroad. His statement was taken, and a travel ban was imposed on him, effectively denying him the opportunity to pursue his education. Although his statement was taken in August 2024, the travel ban was not lifted until January 2025.

Although the verdict does not state it, [media sources](#) confirm that Samed Shikhi was also questioned in connection with this case. He was detained by the State Security Service for one day, and no one was able to reach him during that time.

From the statement of the witness Aliheyder Aliyev, who testified in court and whose testimony is reflected in the verdict, it becomes clear that he learned of his travel ban when attempting to leave for Vienna with his family. About two weeks later, he was summoned to the State Security Service, where an initial preventive conversation was conducted. He was asked why he had not expressed objections to Samadov's posts.

The second witness who testified in court, Rashid Qurbanaliyev, also stated that he voluntarily provided the password to his mobile phone to the State Security Service. He believed that if he refused to give the password, physical pressure would be used against him. That is why he gave it. He said that no threats or physical pressure were applied to him by the State Security Service.

It appears that the witnesses were subjected to various forms of pressure by the State Security Service. Naturally, statements obtained in this manner cannot be considered strong evidence. There is no need to analyze the content of the statements, as they do not contain any information that could be classified as a criminal offense. The main points emphasized by the witnesses were that Samadov was a "leftist," that he had created a group called "Political Analysis and Monitoring Group" on the Telegram network, that he actively engaged in political discussions, and that he joined a

platform called “Bright Garden Voices.” The verdict does not explain how any of these activities relate to the charge of treason. Therefore, the court simply included the statements in the verdict without providing any justification. However, the court should have clarified the connection between these statements and the alleged crime.

It is stated in the Plenum decision regarding the court verdict I mentioned that, according to Articles 33.4, 338.1.2, and 349.5.1 of the Criminal Procedure Code, the court’s verdict can be based only on the evidence examined directly in the court session. According to the requirements of these articles, when interpreting the conclusions the court has reached, it cannot refer to evidence that was not examined during the hearing or that is not reflected in the court hearing transcript.

According to the position of the European Court of Human Rights, court decisions must reflect the measures taken by the court to ensure the presence of a witness who did not attend the trial. However, since no such fact is included in the court decision, it can be assumed that the court did not take any concrete steps to secure the participation of these witnesses in the proceedings and relied solely on statements taken during the preliminary investigation. This constitutes a violation of Samadov’s right to defense.

3. Social Media Posts

The verdict includes four posts written by Samadov on the social media platform X. One of them is a post shared by Samadov on April 24, 2023, which was originally published by *Agos*, a newspaper operating in Türkiye, regarding the 108th anniversary of the Armenian genocide. The verdict states:

On April 24, 2023, Bahruz Samadov shared the following material on his account @bahruz_samad on the social media platform X. The post emphasized that the victims of the so-called Armenian genocide do not belong to the past or the

present but that their spirits have returned to remind us of the horrors of that time amid today's injustice. Bahruz Samadov commented on the post with statements such as "What do you mean, Azerbaijanis also committed crimes against Armenian civilians? Historically, Azerbaijanis also committed crimes against Armenians. The Armenian massacres in Baku (1918), the Shusha massacres (1920)." In the same post, Bahruz Samadov expressed views suggesting that the situation would further deteriorate.

The verdict states that in another post dated April 23, 2023, Samadov wrote that Azerbaijan would pursue a policy of ethnic cleansing in Karabakh:

On April 23, 2023, Bahruz Samadov wrote in an article posted on his account @bahruz_samad on the social media platform X that Azerbaijan is implementing an evil policy and that there will be a process of completely removing Armenians from Nagorno-Karabakh. He also stated that it is necessary for the United States to speak out, otherwise ethnic cleansing would be inevitable.

In another post, Samadov wrote the following on his account @bahruz_samad on the X platform: "The Azerbaijani government has no plan or program to 'integrate' the Armenians of Karabakh, nor can it have one. Armenophobia is the pillar of stability, neutrality, and unity in politics – in other words, the foundation of the regime." This post highlights the existence of Armenophobia in society and how it benefits the authorities.

The final post included in the verdict is one where Samadov shared a film posted by Azertag on the X social media platform titled "Hadrut, You Are Free!" and commented on it with the caption "Hadrut, you are free from the local population!"

From these posts, it becomes clear that Samadov's acknowledgment of the Armenian genocide and his claim that Azerbaijanis also committed crimes against Armenians during

the massacres of 1918 and 1920 have been treated as criminal acts. However, these views should be understood in the context of historical debate and within the bounds of freedom of expression. There is no law in Azerbaijan that penalizes those who claim the Armenian genocide did or did not happen. Furthermore, the European Court of Human Rights, in [*Perinçek v. Switzerland*](#), ruled that denying the Armenian genocide is not a criminal offense and must be assessed within the scope of freedom of expression. A similar approach should have been taken in Samadov's case. Freedom of thought and expression is a constitutional right and is enshrined in Article 47 of the Constitution.

Although the verdict states that Samadov also made posts from his personal Instagram and Facebook accounts, no posts from these platforms are included in the case file.

As can be seen, Samadov's social media posts concern criticism of the Azerbaijani government's policies on Karabakh. Characterizing these posts as acts of treason constitutes a serious violation of freedom of expression. The verdict does not provide any justification for treating the social media posts as criminal acts.

Conclusion

The verdict does not prove that the individuals with whom Bahruz Samadov was in contact were collaborating with Armenian intelligence services. It also does not prove that the information allegedly shared with them constituted state secrets or any other information that could be used to the detriment of the security of the Republic of Azerbaijan. Moreover, the witness testimonies included in the verdict do not contain any information that could serve as a basis for the charge of treason. Additionally, most of those statements were obtained under pressure during the preliminary investigation. The majority of the witnesses were not questioned in court, and the verdict contains no information

on any efforts made to ensure their presence. Classifying social media posts as acts of treason is a blatant violation of freedom of expression.

The court's verdict is entirely contrary to the requirements of the Criminal Procedure Code. It lacks a reasoned section. The witness statements were not obtained in accordance with procedural norms, and the statements and communications do not support the classification of the act as a criminal offense. The court failed to justify its decision. The link between the evidence and the conclusion reached in the verdict was not established. The verdict appears less as a fair legal document and more as a punishment targeting a person whose views oppose those of political power.

[\[1\]](#) Azərbaycan Respublikasının Cinayət Məcəlləsinin Kommentariyası, elmi red. Səməndərov F. Bakı, Digesta 2002.