

Law of the Republic of Azerbaijan

On Psychological Care

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Article 42. Oversight of Compliance with the Rights and Lawful Interests of Persons in the Provision of Psychiatric Care

42.1. The Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan and members of the National Preventive Group shall have the right to enter psychiatric institutions at any time, without hindrance and without prior notice; to meet and converse individually with persons held therein, as well as with any other person who may provide relevant information, either in private or, where they deem necessary, in the presence of a specialist or interpreter; to examine and obtain copies of all documents confirming the lawfulness of *the detention of persons held or previously held in such psychiatric institutions*, as well as documents relating to the treatment of such persons and the conditions of their detention; to draw up records; to document the course and outcomes of the measures they undertake; *to make photographic, audio and video recordings using technical means*; to be received without delay by the administration of psychiatric institutions; and, in the case of the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan, to issue relevant recommendations to psychiatric institutions and receive responses to such recommendations within the prescribed period.

42.2. Associations of psychiatrists and other public associations may, in accordance with their charters (statutes), exercise public oversight over compliance with the rights and lawful interests of persons in the provision of psychiatric care, at the request or with the consent of such persons.