

Petition

To the President of the Republic of Azerbaijan, Mr. Ilham Aliyev,

**By the representatives of the civil society of Azerbaijan, human rights defenders,
lawyers and advocates, political activists and citizens from various institutions,**

**To issue a decree of pardon and for the adoption of an act of amnesty to release some
convicts during the COVID-19 pandemic.**

Mr. Ilham Aliyev,

As in most countries across the world, COVID-19 pandemic has significantly affected the social-economic life and public and political activities of the citizens in Azerbaijan in negative terms. Currently, the economy and business, alongside public life have been brought to a standstill, jobs are closed and the opportunities for the free movement have been restricted. According to the statistics, our country is now experiencing the heaviest period in the last three months, in terms of the spread of the virus.

The protection of vulnerable groups becomes especially significant in times of such humanitarian and social-economic disaster. The public health crisis due to the COVID-19 pandemic may result in more undesirable complications for the people kept in detention centers and on remands. Thus, the adoption of an act of amnesty for convicts who have been held to criminal responsibility emerges as an exceptional necessity to protect their safety and right to health. The matter remains actual also for the reason that the number of people kept in detention centers is remarkably above the intended standards which lead to the worsening of the conditions for the convicts. As a result, in some cases, the deprivation of freedom becomes an affront to human dignity and even a cruel punishment. Thus, the international legal obligations of the Republic of Azerbaijan are violated. Moreover, the generally low-quality of the food provided for the convicts in detention centers and remands negatively affects the immunity of the convicts. Another aspect all countries worry about is that the prevention of the spread of the virus in case of infection of one convict is extremely hard which may have a domino effect in such environments and cause aggravated damage.

Considering the situation stated above, we deem the prioritising the protection of human right and freedoms during the COVID-19 pandemic and wish the adoption of an act of amnesty and ask for it to cover the following categories of convicts first;

- Persons convicted for or currently accused of the crimes that do not pose a great public danger
- Persons who are convicted for lesser grave crimes and served at least half of term of the punishment or unserved part of the punishment is less than two years.

- Women, war veterans, people who are underage and over 60 years of age
- Persons serving punishment in forms of other than deprivation of freedom (with some exceptions)
- Persons conditionally deprived of freedom up to 3 years

Additionally, we consider the issuance of a pardon decree will serve to stabilize the situation in the penitentiary system and increase the international reputation of the country. Thus, we suggest the inclusion of the convicts who are considered as people arrested with political motivation according to the reports of the local human rights defenders and the 30 January 2020 resolution of the Parliamentary Assembly of the Council of Europe into the list of pardoned people

We hope that the actions enlisted above, alongside the instructions of the new Prosecutor General to minimise the number of petitions and presentations, will have political and legal significance in terms of building mutual trust in state-citizen relationships during the pandemic, avoiding aggravated damages of the pandemic and upholding the humanist values in Azerbaijan.