

Election Monitoring and Democracy Studies
Center

Measures against the COVID-19
pandemic in Azerbaijan:
Deepening pressure on freedoms and

POLITICAL CRISIS



BRIEFING DOCUMENT

Baku, September 2020



Measures against the COVID-19 pandemic in Azerbaijan: Deepening pressure on freedoms and Political Crisis

Briefing Document

I. Summary

This document analyzes the measures taken by the state with regards to the coronavirus pandemic (COVID-19) in Azerbaijan and the implementation of quarantine rules and describes the new political situation in the country in the light of increasing political persecution during the quarantine period. The Election Monitoring and Democracy Studies Center (EMDS) referred to national legislation, information and documents from various government agencies, and media reports, as well as its observations while preparing this document.

The measures taken by the Cabinet of Ministers to combat the pandemic after the confirmation of the first coronavirus case in Azerbaijan on 27 February, and the rules of the subsequent quarantine were accompanied by restrictions on human rights and freedoms in the country. During the last six months, restrictions on freedom of movement within the country, entry to and exit from the country, and a special permit for leaving houses were applied. During this period, entrepreneurial activities were restricted, special regimes for the activities of education and medical institutions, compulsory use of personal protective equipment, other restrictive measures were adopted.

EMDS considers that during the lockdown regime, the decision of the Cabinet of Ministers to restrict or prohibit the constitutional rights and freedoms of citizens was not within its constitutional powers. Although Article 71 of the Constitution stipulates that state bodies may function only based on the present Constitution, in the manner and within the boundaries prescribed by law, there is no constitutional legal basis for the adoption of this special regime.

During the pandemic period, EMDS also observed disproportionately serious punishment for quarantine violations, police abuses in the application of quarantine rules, and politically motivated persecution. In particular, EMDS notes that the application of the quarantine regime occurred three weeks after the early parliamentary elections on 9 February 2020, which had a negative impact on the public discussions about the election results.

The early parliamentary elections were heavily criticized by domestic and international observers, marred by irregularities and the suppression of political freedoms. As a result, the country entered a period of the pandemic with a political crisis due to strained relations between the state and the public as a result of the 9 February elections.

EMDS regrets that despite the calls of local human rights activists, who said that there were 104 political prisoners in the country before the pandemic, the authorities have not demonstrated a political will to release them. On the contrary, political persecution and the number of politically motivated arrests have increased.

The administrative measures taken by the police for violating the rules of quarantine were mass in scale and radically different from the best practices of the Council of Europe in this area. As a result, both the arrests and the imposition of fines for breaching quarantine rules in Azerbaijan have not necessarily protected the citizens' interests.

EMDS recommends the authorities abide by its international obligations in ensuring human rights and freedoms and the best practices of the Council of Europe countries in the fight against the pandemic and considers it necessary to ensure parliamentary and civil society oversight of the executive authorities in the implementation of the quarantine measures.

EMDS also recommends that courts should be more equitable in dealing with administrative offences and stop video and photo recordings made against the will of detainees for administrative offences. To eliminate the issue of mutual distrust between the public and the authorities, as well as to prevent the deepening of the political crisis, the politically motivated cases should be objectively investigated, and those considered political prisoners should be released.

II. Introduction

This document analyzes the measures taken by the state with regards to the coronavirus pandemic (COVID-19) in Azerbaijan and the implementation of quarantine rules and describes the new political situation in the country in the light of increasing political persecution during the quarantine period. Following the confirmation of the first coronavirus case in Azerbaijan on 27 February, an Operational Headquarters was established under the Cabinet of Ministers to prevent the threat of COVID-19 disease and monitor the situation. Although the Operational Headquarters was established based on the Action Plan of the Cabinet of Ministers "On the prevention of the spread of new coronavirus disease in the Republic of Azerbaijan", this document is still not available to the public. So far, only the structure of the Operational Headquarters, consisting of 35 high-ranking [officials](#), and the rules of quarantine-organizational [measures](#) have been announced.

On 30 March 2020, the Cabinet of Ministers announced a list of rules and restrictive [measures](#) related to a strict quarantine regime with the decision "On additional measures to prevent the spread of COVID-19 infection in the territory of the Republic of Azerbaijan". Since then, the Cabinet of Ministers has renewed and extended the restrictive measures by issuing nine different decisions.

The restrictions due to the Covid-19 pandemic included the following measures:

- restrictions on freedom of movement within the country, leaving and returning to the country (or the application of a special regime);
- application of a special permit regime for citizens to leave their homes;
- restrictions on activities of business entities (complete ban on activity or application of special labour regimes);
- compulsory use of personal protective equipment;
- restriction of the access to court (justice), application of a special regime for detainees in penitentiaries;
- application of special regimes in education and health.

During the quarantine period, citizens were allowed to gather in public places initially up to 10 people, and later up to five people. Thus, the freedom of assembly has been restricted over the past five months. In general, during 88 days of the quarantine period¹, citizens were required to get a special permit to leave their homes for limited hours (two-three hours).

As the application of the quarantine regime occurred three weeks after the early parliamentary elections on 9 February 2020, the public discussions around the results of the elections gradually decreased. It should be noted that the early parliamentary elections, which were heavily criticized by [domestic](#) and [international observers](#), did not differ from previous elections, and took place in the context of serious violations of the law and the suppression of political freedoms. The continuous lack of political dialogue during the elections resulted in the country entering the pandemic period with a political crisis. Twenty days after the elections, Adalat Valiyev, Head of Department for Relations with Political Parties and Legislative Authority at the Presidential Administration, started a series of meetings with the leaders of various political parties, especially those whose representatives were elected to the Parliament. Although these meetings were presented as a dialogue between the opposition and the government, the [meetings](#) were not organized around specific issues, and the participation of the media and the public was not ensured. Musavat and Popular Front Parties [refused](#) to participate in these meetings, citing the lack of clarity in the format and subject of the meetings.

Local human rights groups report that there were [104 political prisoners](#) in Azerbaijan before the pandemic. The number of politically motivated arrests has increased since the quarantine started. A group of activists initiated a campaign to collect signatures in support of an amnesty act and pardon decree that would release some prisoners due to very poor medical conditions and limited access to healthcare at penitentiary facilities. However, neither the central executive power nor the Parliament reacted to this [appeal](#).

On 17 March, the Parliament adopted [amendments](#) to the law on “Information, Informatization, and Protection of Information” and to the Code of Administrative Offences, erecting a new restriction to freedom of expression. The authorities justified the amendments as a measure to prevent the spread of manipulative and false information on social media as part of the COVID-19 response. The amendment prohibits the dissemination of information on the Internet that causes a danger to human life and health or violates public safety. The conditions for the application of the new rules were not specified which increases the chances of abuse of the law, as well as aggravated the responsibility of social media users for the dissemination of information.

In the context of the fight against the pandemic, the Parliament amended the Code of Administrative Offenses three times in March-June. As a result of these changes, the scope of administrative penalties for violation of quarantine rules has been expanded, and sanctions have been stiffened.

During the lockdown period, EMDS observed disproportionate penalties for quarantine violations, insufficient protection of socio-economic rights of citizens, abuse of quarantine rules, and politically motivated persecutions.

¹ SMS permit was requested for leaving home for 2-3 hours during the period of 5 april – 18 may və 21 june – 5 august

In preparing the document, EMDS relied on information and documents from various government agencies, reports from several organizations and media outlets, as well as its observations. EMDS is grateful to experts Anar Mammadli, Emin Abbasov and Abulfaz Gurbanli for their contribution to the preparation of the document.

III. Restrictive legal norms on quarantine rules

Although quarantine rules in the context of the fight against the pandemic constitute a case of an emergency, no separate law has been adopted in this regard. The quarantine rules were adopted under the [Law](#) on Sanitary and Epidemiological Safety and the relevant [rules](#) of the Cabinet of Ministers. Unfortunately, the latest decision has not been published on the official website and electronic publications of the Cabinet of Ministers for a long time which is in violation of the requirement of the Law on Normative Legal Acts to officially publish decisions within 72 hours².

It should be noted that the 25th article of the law on Sanitary and Epidemiological Safety authorizes the Cabinet of Ministers to apply special regimes only within its competence and in the relevant areas or facilities in the prescribed manner. However, the decision of the Cabinet of Ministers, as an executive body, to restrict or prohibit the constitutional rights and freedoms of citizens in the country was not within its constitutional competence³. For example, Article 71 of the Constitution stipulates that state bodies may function only on the basis of the present Constitution, in the manner and within the boundaries prescribed by law. However, there is no constitutional legal basis for the adoption of this special regime. Because such extraordinary competence of the executive power could be ensured only in the manner prescribed by the Constitution⁴ - by a presidential decree based on parliamentary approval.

In addition, according to the Constitutional Law "On the regulation of the implementation of human rights and freedoms in the Republic of Azerbaijan", human rights and freedoms can be limited only by law. This includes a law adopted by the Parliament or normative legal acts adopted within the scope of the authority given by the Parliament to the executive power in case of an emergency.

Prior to the pandemic, Article 211 of the Code of Administrative Offenses entailed imposition on individuals of fines in the amount of 100 - 200 AZN for violating anti-epidemic regime, sanitary-hygienic, and quarantine regimes. However, after the outbreak of the pandemic - on 17 March 2020, the Parliament amended the relevant article of the Code of Administrative Offenses to extend fines on individuals to legal entities, as well as to add up to one month of administrative detention for individuals. After that, the Parliament made two amendments to the Code of Administrative Offenses - on 2 June 2020 and 29 June 2020, which aggravated the

² See: Article 83.2 of relevant law

³ Constitutional law on Normative Legal Acts, article 19

⁴ Constitution of AR, article 112

responsibility for quarantine rules. Thus, the scope of the administrative offence on "violation of the anti-epidemic regime, sanitary-hygienic and quarantine regimes" provided for in Article 211 of the Code of Administrative Offenses was tripled, and the administrative liability for these acts was [aggravated](#).

It should be noted that the national legislation on administrative offences should take into account the nature of the offence, the circumstances characterizing the offender, the degree of his/her guilt, property status, as well as mitigating and aggravating circumstances. However, the analysis of about 100 court decisions on the application of Article 211 during the quarantine period, posted in the electronic court information system of four district courts in Baku, indicates that such considerations were not taken into account by the courts. The courts did not list in cases any facts about the place of work, property status, fixed or unstable income of the persons appealing against the decisions on administrative fines, and did not express a legal position in this regard. This indicates that the courts or relevant executive authorities did not pay sufficient attention to ensure fairness in the application of penalties.

Unfortunately, a warning is not among the listed penalties for violating the rules of the pandemic. For this reason, the police impose a fine as a type of administrative penalty on individuals, regardless of the circumstances in which the violation occurs. This is a rather extreme form of administrative punishment for individuals and it significantly degrades people's circumstances by ignoring the adequacy of the punishment.

IV. Disproportionate application and abuse of quarantine rules

EMDS's observations show that administrative fines for breaching quarantine rules often did not meet the criteria of proportionality and necessity. This trend has attracted special attention in terms of the number of administrative fines. For example, according to the official report of the Ministry of Internal Affairs, during the period of 17 March and 21 July, about 195,000 people were fined for violating the requirements of the special quarantine regime, 788 of them were detained. 193,560 people, including 17,820 people for not using a medical mask, were [fined](#). Thus, in fact, during the four months of the quarantine regime, one out of every 52 individuals in the country was sanctioned for administrative violations. For comparison, in the United Kingdom, where the quarantine regime was applied at about the same time as Azerbaijan (27 March – 20 July), the number of administrative sanctions imposed by the British and Welsh police for violating public health regulations was 18,669 (3 [fines](#) per 10,000 people in England and Wales).

From 17 March to 22 July, law enforcement agencies of Ukraine drew up 20,000 administrative [protocols](#) on the application of quarantine sanctions. However, research by an independent journalist indicated that out of about 3,000 cases submitted to the courts, the courts made a decision only about [238 cases](#). More than half of the protocols drawn up by the police for violating quarantine rules in Ukraine were either rejected by the courts or returned to the police. However, a different experience has been observed in Azerbaijan in this regard. For example, analysis of more than 100 court decisions ruled in July-August in four districts of Baku

(Sabunchu, Nasimi, Binagadi, and Nizami), indicate that only two of the citizens' complaints against these decisions were **upheld** - one by the Sabunchu court, the other by the Nasimi District Court. During this period, complaints of citizens were not granted or returned to the police. The courts upheld all protocols of administrative detention issued by the police during the lockdown regime.

A comparison of fines with Georgia, Turkey, and Ukraine by the EMDS shows that Azerbaijan ranks first in the number of imposed administrative sanctions⁵.

The increase in the number of administrative detentions during the quarantine period does not comply with the existing provisions of the Code of Administrative Offenses. For example, the general rule for administrative detention, set out in Article 30 of the Code, is that administrative detention is established and applied only in exceptional cases for special types of administrative violations. However, the decisions of the above-mentioned four district courts in Baku indicate that there were no fundamental guarantees of the right to a fair trial in the application of administrative detention. In these districts, the materials submitted by the police for administrative detention resulted in a court decision.

The closure of the country's borders during the pandemic has severely restricted the ability of thousands of citizens temporarily residing and studying in various foreign countries to return to Azerbaijan. Azerbaijani labour migrants in Russia faced a more deplorable situation in this regard. After the border with Russia was closed on 18 **March**, hundreds of citizens who wanted to return from Russia to Azerbaijan were forced to live in deplorable conditions on the border. About 400 people living in the quarantine zone for up to three months in Russia's Dagestan region staged a protest on 15 June. The rally was violently broken up, and many citizens were beaten and injured by Russian law-enforcement. A criminal case has been **opened** against 10 Azerbaijanis who resisted the police during the protests. After that, the Azerbaijani authorities intensified the admission of citizens into the country.

During the pandemic, mass administrative violations were observed regarding restrictions on holding parties, weddings and funeral ceremonies. During the quarantine period, a large number of people were held administratively or criminally liable for organizing or participating in wedding or funeral ceremonies. Some detainees were brought to police stations, confessed to repentance in video interviews were broadcasted on national television. According to credible reports received by EMDS, most people did not voluntarily consent to such video recordings. In this regard, it should be noted that Article 51 of the Code of the Administrative Offenses establishes a rule on the inadmissibility of dissemination of information on administrative offences. According to this rule, if in the course of the proceedings on an administrative violation, photographic, video, or audio recordings were conducted, it may not be disseminated in the media without the consent of the victim and the person against whom proceedings are conducted.

At the same time, filming of “apology” videos of people by police for administrative detention or other sanctions for violating quarantine rules, and the public dissemination of such videos breach the law and violate the right to privacy. Such practice by the police is a violation of the

⁵ See: Appendix

right to privacy guaranteed by Article 37 of the Constitution and Article 8 of the European Convention on Human Rights.

On 7 June, police **confronted** with local residents for using disproportionate force while detaining one resident in the Dadash Bunyadzada street for breaching the rules of the tightened quarantine regime. The next day, the Quick Police Regiment conducted an operation using excessive force and ill-treatment, and forcibly took the citizens to the police station. During the operation, both physical violence and psychological pressure were used, and the detention process was filmed in violation of privacy laws. One of the detainees, Karim Suleymanli, **told** media outlets that the detained citizens had been slapped and insulted at the 29th police station in the Yasamal district.

In general, during the quarantine period, videos showing police officers using force, ill-treatment, and sometimes physical violence against those who breach quarantine rules in various parts of the country were **released**. In some cases, police officers **abused** the quarantine regime by fining people who did not wear masks in their cars or on the street, where the mask-wearing was not required by law.

EMDS investigations indicate that most administrative detention trials were conducted without the presence of the detainee's lawyer in a blatant breach of due process. The state also did not provide those unable to hire lawyers with public defenders in violation of the law and deprived them of quality legal assistance.

Furthermore, defendants were denied the right to provide his or her explanations or comments on the content of the administrative arrest protocol, as well as to refuse to sign the protocol guaranteed by the Code of Administrative Offenses. At the same time, the rules of informing close relatives, employer, or place of study as well as the legal defendant upon the arrested person's request, and ensuring respect to the personality and dignity of the arrested person were violated. Administrative arrests often did not meet the requirements of legality and proportionality due to the lack of procedural guarantees and the lack of a fair trial to monitor compliance with those guarantees.

Other discrepancies recorded by EMDS during the strict quarantine regime are based on data from the State Traffic Police (STP). For example, according to the information released by the Traffic Police on 13 April 2020, during the period between 1 April and 13 April, 16,483 traffic users were **fined** for violating quarantine regime rules. However, the power to draw up a protocol on administrative liability for violating these rules was **given** to the STP only by a presidential decree signed on 13 April 2020.

V. Increasing political persecutions during the quarantine period

On 19 March, in his Novruz holiday address, President Ilham Aliyev **stated** that the coronavirus pandemic would create new relations, and “the isolation of the "fifth column" may become a historical necessity”. After the speech of the President, a new wave of repressions against the opposition has started. On 22 March, Tofiq Yagublu, a member of the National Council of

Democratic Forces and the Musavat Party, was detained after a traffic incident when a car driven by Elkhan Jabrailov crashed into Yagublu's parked car. Jabrailov claimed that Yagublu had caused the accident and physically assaulted him and his wife. Despite the lack of evidence against him, the Nizami District Court sentenced Tofiq Yagublu to four years and three months in prison. In protest at the ruling, Yagublu started a hunger strike on 2nd of September and after 17th day of hunger strike, Baku Court of Appeal [reversed](#) the initial ruling and put Yagublu under house arrest. The next trial of Appeal Court will be on September 28.

On 31 March, a local human rights activist in Sumgayit, Elchin Mammad, was accused of stealing money from a person who came to his office to receive legal aid and a criminal case was opened against him.

During the quarantine period, leaders and activists of the Popular Front Party of Azerbaijan (PFPA) were subjected to periodic pressure. The member of PFPA, Agil Humbatov, was detained by unknown people after he criticized the government's social policy on Facebook. Two days later, his relatives learned that he was taken to the Baku Psychiatric Hospital No. 1. Humbatov, who was released on July 2, stated that this forced hospitalization is related to his political activism.

Since 13 April, the internet and mobile connections of the leader of the Popular Front Party Ali Karimli have been [cut-off](#), and in some days, it has been completely blocked. The mobile phones of his family members also did not have service. During that period, journalists and party activists who visited Karimli were detained by plainclothed police. In some cases, they were taken to the police station and interrogated. On 16 April, Niyamaddin Ahmadov, member of the PFPA, was detained and sentenced to 30 days of administrative arrest for violating the rules of the lock-down regime. During his detention, on 19 May, a criminal case was opened against Ahmadov at the Prosecutor Office on charges of financing terrorism, and he was [sentenced](#) to four months of pre-trial detention. Fuad Ismayilov, an election activist, was detained twice on 7 March and 22 May and sentenced to 60 days of administrative arrest. Although Ismayilov reported that he was beaten by police in the police station while detained, the court did not provide an additional investigation into his complaint.

On 1 June, members of the "Students' Demand" movement organized a rally in front of the Ministry of Education and demanded the cancellation of the exams and the educational fees for the second semester since ordinary teaching standards could not be maintained due to the COVID-19 pandemic. The police detained the students on charges of breaching the rules of the quarantine regime and disobeying a legal demand of the police officer. The Narimanov District Court [sentenced](#) the movement's founder Rustam Ismayilbeyli to 15 days of administrative detention and fined the other five students 100-200 AZN (50-100 EUR).

In total, according to EMDS, six activists faced politically motivated criminal charges and 33 were administratively detained in the three months following the application of the quarantine regime. During this period, at least 56 government critics and political activists faced one or another form of the political [pressure](#), and in some cases were administratively detained on charges of violating quarantine rules. 29 of them were members of the PFPA.

On 12 July, new skirmishes broke out at the border between Azerbaijan and Armenia, near the Tovuz district. As a result, the Azerbaijani side had 11 military personnel members and one civilian casualty. Following this, on the night of 14 July, citizens from Baku and surrounding areas initiated a spontaneous rally towards the city centre. During the rally, a small group of people entered the building of the Parliament and damaged some property before police used water cannons, rubber bullets, and tear gas to disperse the crowd in the area and on other streets. Police in riot gear stormed a rally on Friday, removing hundreds of protesters by truck. At least [70 people](#), including activists and journalists, were detained for days in poor conditions at police stations and subjected to ill-treatment.

After the rally, the Ministry of Internal Affairs announced that criminal cases had been launched against [seven](#) people, however, local human rights groups reported that more than 70 people had been [detained](#). On 16 July, commenting on the rally, President Ilham Aliyev accused the PFFA in organizing the protest and [said](#) that legal measures would be taken against them. Following this speech, the arrests of political activists started to increase. Criminal charges were brought against 38 people, who are accused of intentionally damaging property, resisting government officials, and disrupting public order. It should be noted that 32 of the detainees are members of PFFA. 17 of them are facing [criminal charges](#) while 15 were detained administratively.

On 9 September, the Prosecutor General's Office announced that they applied for Interpol red notices for arrest of a group of political refugees living outside of Azerbaijan. The Prosecutor General's Office said that the Nasimi District Court imposed a measure of restraint on political emigrants and government critics living in different European countries - Ordukhan Babirov (Teymurkhan), Gurban Mammadov, Orkhan Agayev, Rafael Piriyevev, Ali Hasanaliyev, Tural Sadigli, Suleyman Suleymanli, and others. An international search has been declared for migrants accused of seizing power by force, forcibly changing the constitutional order, and calling for resistance and violence against government officials, and appeals have been [sent](#) to the Ministry of Internal Affairs, the State Security Committee, and the National Bureau of Interpol.

Thus, during the quarantine period, at least 100 people were persecuted for political motives, and criminal cases were opened against 44 of them. If the courts upheld the criminal charges, the number of political prisoners may increase, along with those arrested during the quarantine period. Currently, local human rights activists [report](#) that the country has 104 political prisoners.

VI. Results

EMDS observed that the quarantine measures applied in Azerbaijan in the fight against the pandemic restrict human rights and freedoms in the country, do not meet the legal requirements of quarantine rules, and are abused by the authorities leading to an increase in politically motivated persecution and came to the following conclusions:

- Although the quarantine rules applied by the Cabinet of Ministers create a special legal regime for emergencies, this process was carried out without the participation of the Parliament, i.e. without a constitutional basis for restricting human rights and freedoms by law.
- As a result of the amendments adopted by the Parliament to the Code of Administrative Offenses, the norms providing for administrative liability for violation of quarantine rules have been expanded three times, and sanctions have been tightened. Thus, through the new provisions of the Code of Administrative Offenses, law enforcement agencies have gained legal opportunities for unlimited and disproportionate use of quarantine rules.
- The administrative sanctions imposed by the police for violating quarantine rules are mass in scale and starkly different from the best practices of the Council of Europe countries in this area. As a result, both the detentions and fines for violating quarantine rules in Azerbaijan did not adequately serve the public interest. The main shortcomings in this area were the gaps in the legislation related to the warning for administrative offences, the exclusion of administrative reproach, as well as the lack of prevention-focused policing activities.
- Allegations of detainees about ill-treatment, physical violence, and humiliation at police stations were not properly or fairly investigated. On the contrary, against the will of the citizens subjected to administrative sanctions, police departments obtained apologies and remorse from them, and video footage of the process was released to the public. Thus, attempts were made to instil in the citizens a sense of compulsory obedience to the quarantine rules and collective obedience to the police.
- Courts failed to perform an independent and impartial judiciary function in bringing detainees to administrative responsibility for quarantine violations, to provide legal assistance to citizens, and to investigate complaints fairly. Almost in all instances, courts upheld the position of the police.
- During the quarantine period, politically motivated pressures dramatically increased contributing to the climate of political fear in the country. In this regard, the persecution of activists, especially the prosecution of opposition members, has deepened the political crisis of citizen and state relations. Despite the widespread public outrage, the trial of opposition political leader Tofiq Yagublu was not fair, and those involved in the 14 July rally were charged with grave crimes. Thus, the ruling political elite has once again demonstrated the lack of political will to solve the problem of political prisoners in the country.

VII. Recommendations

EMDS considers it necessary to refer to the international obligations of the Azerbaijani authorities in the protection of human rights and freedoms and the best practices of the Council of Europe countries in the fight against the pandemic, and recommends the following:

- The government should ease the quarantine rules that restrict human rights and freedoms and improve the legislative practice of the Parliament in this area through genuine public discussions.
- The Parliament and civil society organizations should have oversight of the activities of executive bodies related to the quarantine. Opinions of experts, human rights groups, and political parties should be taken into account while developing the future plans and activities of relevant bodies.
- The judicial system should have a more impartial approach to the protocols on administrative violations submitted during the quarantine period, and ensure an objective investigation of citizens' complaints.
- Parliament should amend Article 211 of the Code of Administrative Offenses and add administrative reproach as a form of administrative penalty.
- The government should ensure that sanctions for administrative offences are applied by the relevant authorities, including the police, as a last resort when other means of deterrence are not sufficient and that the principle of prevention is applied.
- The law-enforcement should put an end to the practice of filming and photographing against the will of detainees for administrative offences without their consent.
- The courts should investigate the cases of detainees for participating in political rallies during the quarantine period, as well as for their activity in opposition political groups, objectively and in line with their right to a fair trial. The government should take appropriate measures to eliminate the atmosphere of mutual distrust in the relations between the state and citizens and prevent the deepening of the political crisis.
- The cases of those arrested for political reasons during the pandemic should be objectively investigated and those arrested as a result of the abuse of the law by the authorities should be released immediately.
- The timely communication of detainees and prisoners with their lawyers and families should be ensured, the cases of torture and ill-treatment that raise a public concern should be effectively investigated.

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Appendix:

Number of fined people per 100 thousand from various countries for violating the quarantine regime measures.

Country	Quarantine period	COVID-19 cases	Administrative violations	Fines/arrests	The number of fines*
Ukraine	12.03.2020	60166 (13.07. 2020)	<ul style="list-style-type: none">• Gathering of more than 2 people• Obligation to wear a medical mask in public transport	18000 – 13 July 2020	41
Georgia	21.03.2020- 22.05.2020	394 (19.04. 2020)	<ul style="list-style-type: none">• Gathering of more than 10 people• Prohibition of mass gathering• Prohibition of driving without a permit	4500 – 19 April 2020	112
Turkey	Since 17.04.2020	168340 (05.06. 2020)	<ul style="list-style-type: none">• Travel restrictions at intervals• Obligation to wear a mask• Prohibition of mass gatherings	496841 – 5 June 2020	587
Azerbaijan	Since 14.03.2020	28242 (21.06.2020)	<ul style="list-style-type: none">• Gathering of more than 5 people• Obligation to wear a mask• Leaving the house without a permit• Prohibition of mass gatherings	195000 – 21 July 2020	1820

* The number of fines per 100.000 people

Cited sources:

1. The Constitution of the Republic of Azerbaijan
2. Constitutional Law of the Republic of Azerbaijan on the Normative Legal Acts
3. Constitutional Law of the Republic of Azerbaijan on regulating of implementation of human rights and liberties
4. Law of the Azerbaijan Republic About sanitary and epidemiologic wellbeing
5. Code of Administrative Offenses of Azerbaijan
6. The decision of the Cabinet of Ministers of Republic of Azerbaijan on rules for taking quarantine-organizational, preventive and other necessary measures in case of occurrence or threat of spread of infectious, parasitic and mass non-infectious diseases
7. The decision of the Cabinet of Ministers of Republic of Azerbaijan on additional measures to prevent the wide-spread of the coronavirus infection in the territory of Azerbaijan.