

NATIONAL CONFERENCE: LIFE IMPRISONMENT IN AZERBAIJAN

RECOMMENDATIONS of the conference participants¹

5 July 2011

The conference participants make the following recommendations to the state bodies of the Republic of Azerbaijan to implement the following measures at their earliest opportunity:

1. Implement article 79(1) of the Criminal Procedure Code (entered into for 1 September 2000), which makes provisions for trial by jury for life imprisonment cases.
2. Undertake a genuine review of all the outstanding cases of those prisoners sentenced to death prior to abolition; taking into consideration the amount of time already spent in detention, any fair trial issues, and the extent to which individuals pose a continuing threat to society.
3. Make the parole system for life sentence prisoners more flexible and transparent, ensuring that all release procedures are clearly defined in law, are accessible, meet due process safeguards, and are subject to appeal or review.
4. Ensure full access to the judicial system for prisoners serving a life sentence.
5. Provide prisoners with a right to access their personal files for the purposes of preparing appeals to administrative sanctions or any other disciplinary measures.
6. Ensure all life sentenced prisoners have at least 4m² of space in their living accommodation as required under international European standards.
7. Improve the quality of prison food (food of nutritional value adequate for health and strength, of wholesome quality and well prepared and served) for those serving a life sentence. Appropriate dietary food should be available for those prisoners who have special health requirements.
8. Ensure that all necessary medical and psychiatric facilities are available to life sentenced prisoners, and in particular improve access for life sentenced prisoners to specialised hospitals. Ensure that all the lifers are screened for tuberculosis (TB) upon admission.
9. Ensure that those serving a life sentence are able to effectively access psychiatric treatment and have regular access to psychologists and social workers. Given the high number of life sentenced prisoners, there should be a sufficient number of psychologists available in the prison system. A psychiatric commission should be established and operational in order to make appropriate decisions about the need for specialised treatment of mentally disturbed prisoners.

¹ Approximately 30 participants attended the conference, including government officials, non-governmental organisations, prison officials, academics, and representatives of inter-governmental bodies (the EU, OSCE and the ICRC).

- 10.** Medical files of life sentenced prisoners should be made accessible to prisoners themselves, their families and invited medical specialists.
- 11.** Increase the daily amount of time that life prisoners are able to access suitable exercise in the open air.
- 12.** Create conditions for life sentence prisoners to effectively engage in physical and sporting activities as a way of maintaining health and to keep prisoners actively engaged.
- 13.** Ensure that those serving a life sentence are able to effectively access sufficiently paid employment of a useful nature to keep prisoners actively employed for a normal working day.
- 14.** Ensure that life sentence prisoners are able to effectively access education programmes.
- 15.** Ensure access for life sentence prisoners to a qualified representative of any religion when required, and establish a prison chaplain institution.

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