

# CODE OF THE REPUBLIC OF AZERBAIJAN ON THE EXECUTION OF PUNISHMENT

(This Code was approved by the Law of the Republic of Azerbaijan [No. 908-IQ dated July 14, 2000](#))

## General part

### Section I

#### Main provisions of the legislation on the Execution of Sentences [\[2\]](#)

### Chapter I

#### General provisions

##### Article 1. Legislation on the execution of sentences

The legislation on the execution of sentences, which determines the rules and conditions for the execution and serving of sentences imposed by the court, *as well as the application of other measures of a criminal nature*, consists of this Code, other normative legal acts of the Republic of Azerbaijan, and international treaties to which the Republic of Azerbaijan is a party. [\[3\]](#)

##### Article 2. Goals and objectives of the Code of Execution of Sentences

2.1. The purpose of this Code is to reform prisoners and prevent the commission of new crimes by both prisoners and other persons.

2.2. The purpose of this Code is to regulate the rules and conditions for the execution and serving of sentences, *as well as the application of other measures of a criminal-legal nature*, to determine the principles of correction of convicts, and to protect the rights and freedoms and legitimate interests of convicts.

2.3. In accordance with the tasks assigned to it, this Code determines the general provisions and principles of the execution of sentences provided for in the Criminal Code of the Republic of Azerbaijan, other criminal-legal measures, the application of means of correction to convicts, the rules and conditions for the execution and serving of sentences, the legal status of convicts, the procedural activities of institutions and bodies executing sentences, the participation of relevant state authorities, other institutions, departments or organizations, public associations and citizens in the correction of convicts, the rules for the release of convicts from serving sentences and assistance to persons released from serving sentences.

##### Article 3. The Code of Execution of Sentences and international legal acts

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3.1. This Code takes into account international legal acts to which the Republic of Azerbaijan is a party regarding the execution of sentences and the rules for the treatment of prisoners.

3.2. If international treaties to which the Republic of Azerbaijan is a party establish norms from the provisions of this Code, the rules of international treaties shall apply.

3.3. This Code is based on the principle of non-admission of *torture or other cruel, inhuman or degrading treatment* in the treatment of prisoners, in accordance with the Constitution of the Republic of Azerbaijan, relevant laws and principles and norms of international law. [\[4\]](#)

#### Article 4. Normative legal acts on the execution of sentences

Relevant executive authorities may adopt normative legal acts based on legislation on the execution of sentences.

#### Article 5. The validity of the Code of Execution of Sentences in terms of space and time

5.1. This Code shall apply throughout the territory of the Republic of Azerbaijan.

5.2. Execution of sentences, as well as the application of correctional measures to convicts and assistance to persons released from serving sentences, shall be carried out in accordance with the legislation in force at the time of their execution.

#### Article 6. Grounds for the execution of sentences

The basis for the execution of sentences and the application of other criminal-legal measures to convicts is a legally binding court verdict or a court decision amending this verdict, as well as amnesty or pardon. [\[5\]](#)

#### Article 7. Principles of the legislation on the execution of sentences

The legislation on the execution of sentences is based on the principles of legality, humanism, democracy, equality before the law of convicted persons and legal entities subject to criminal law and individualization of the execution of sentences, appropriate use of coercive measures and correction of convicted persons, encouragement of their obedience to the law, and enhancement of the corrective effect of punishment. [\[6\]](#)

#### Article 8. Correction of prisoners and its main means

8.1. The reformation of prisoners is the encouragement of obedience to the law, the formation of respect and honor for man, society, labor, and the rules and traditions of coexistence.

8.2. The main means of reforming prisoners are the following:

8.2.1. the established procedure (regime) for the execution and serving of the sentence;

8.2.2. educational work;

8.2.3. socially useful work;

8.2.4. general education;

8.2.5. *vocational education* and training; [\[7\]](#)

8.2.6. public impact.

8.3. Correctional measures are applied to prisoners taking into account the type of punishment, degree and nature of the social danger of the committed crime, and the personality and behavior of the prisoner.

## Chapter II

### Legal status of prisoners

#### Article 9. Fundamentals of the legal status of prisoners

9.1. The Republic of Azerbaijan respects and protects the rights and freedoms and legitimate interests of prisoners, ensures the legality of the application of correctional measures to prisoners, legal protection and personal safety during the execution of sentences.

9.2. During the execution of sentences, the rights and freedoms of convicted persons belonging to the citizens of the Republic of Azerbaijan shall be guaranteed, with the restrictions and exceptions established by the Criminal and Criminal Procedure Codes of the Republic of Azerbaijan, this Code and other legislative acts. Convicts shall bear the duties arising from the rights and freedoms, except in the cases established by legislation.

9.3. Foreign or stateless convicted persons shall enjoy the rights and bear the duties established by the legislation on the legal status of foreigners and stateless persons and in international treaties to which the Republic of Azerbaijan is a party, with the exception of the restrictions established by the Criminal and Criminal Procedure Codes of the Republic of Azerbaijan, this Code and other legislative acts.

9.4. The rights and obligations of prisoners, as well as the restrictions on these rights and obligations, are determined by this Code and other regulatory legal acts, taking into account the conditions for the execution and serving of the type of punishment.

#### Article 10. Fundamental rights of prisoners

10.1. During the execution and serving of sentences, the rights and freedoms of prisoners shall be ensured by legislation. The rights and freedoms of prisoners may be restricted in accordance with the procedure established by legislation.

10.2. During the execution and serving of sentences, prisoners have the following rights:

10.2.1. to serve the sentence in conditions that ensure respect for the human person;

10.2.2. to engage in community service;

10.2.2-1 . *engaging in physical education and sports* ; [\[8\]](#)

10.2.3. to rest;

10.2.4. receive a pension or social benefit;

10.2.5. receive medical care, including first aid, in outpatient or inpatient settings, depending on the medical opinion;

10.2.6. to receive information about their rights and obligations, including the procedure and conditions for the execution of the sentence imposed by the court;

10.2.7. to apply for the protection of their rights and freedoms in the state language or language in accordance with the procedure established by the legislation of the Republic of Azerbaijan with proposals, applications and complaints, and, if necessary, to use the services of an interpreter provided by the institution or body executing the sentence for these purposes;

10.2.7-1. to express his/her opinion on or appeal against decisions taken regarding the execution and of the sentence; [\[9\]](#)

10.2.8. to participate in the performance of religious rites;

10.2.9. to receive legal assistance;

10.2.9-1. Receive free psychological assistance in accordance with the procedure established by the Law of the Republic of Azerbaijan "On Psychological Assistance"; [\[10\]](#)

10.2.10. to receive education and undergo vocational training;

10.2.11. Foreign, stateless or refugee prisoners should contact their diplomatic and consular missions in the Republic of Azerbaijan or national or international organizations that have taken measures for their protection on personal matters as soon as possible;

10.2.12. to apply to the court with an application for postponement or cancellation of the sentence, exemption from serving the sentence due to illness, exemption from serving the sentence due to pregnancy, conditional early release from the sentence, replacement of the remaining part of the sentence with a lighter type of punishment, change of the type of penitentiary in application of amnesty, inclusion of the period of detention in a medical institution in the execution of the punishment, early removal of the conviction, and to the President of the Republic of Azerbaijan for pardon, directly or through their legal representatives, as well as through their defenders and legal representatives in the case of minors or prisoners suffering from physical disorders or mental illness;

10.3. The staff of the institution or body executing the sentences shall be courteous in their relations towards the convicts. The convicts shall not be subjected to cruel or degrading treatment. Punitive measures may be applied to the convicts only in accordance with the law.

10.4 Prisoners shall not be subjected to medical or other experiments which may endanger their life or health.

10.5. The procedure for exercising the rights of prisoners is determined by this Code and other regulatory legal acts.

10.6. When exercising the rights of prisoners, violations of normative legal acts, international treaties and legal entities are not allowed.

## Article 11. Main duties of prisoners

11.1. Prisoners must fulfill the duties established by law for citizens of the Republic of Azerbaijan and observe the relevant norms of behavior accepted in society.

11.2. Prisoners must comply with the requirements of this Code, as well as other regulatory legal acts adopted in accordance with it.

11.3. Prisoners must comply with the lawful requirements of the staff of the institution executing the sentence.

11.4. Prisoners must behave courteously towards the staff of the institution executing the sentence and visitors to the prison, as well as other prisoners.

11.5. If prisoners fail to fulfill their duties, as well as the legal requirements of the state institution or body executing the sentence, they shall be held liable in accordance with the penalties established by law.

11.6. *Prisoners shall undergo mandatory state dactyloscopic and mandatory state genomic registration cases stipulated by the Law of the Republic of Azerbaijan "On State Dactyloscopic and Genomic Registration of the Republic of Azerbaijan".* [\[12\]](#)

## **Article 12. Right to personal security of prisoners**

12.1. Prisoners have the right to personal security.

12.2. If a prisoner serving a sentence of imprisonment for a fixed term or life imprisonment is threatened with death, health or personal injury by other prisoners or other persons, he has the right to submit an application or oral appeal to the prison administration to ensure his safety. [\[13\]](#)

12.3. The administration of the penitentiary institution executing the sentence shall conduct measures to transfer the convict to a safe place or to take other measures to eliminate the danger. [\[14\]](#)

## **Article 13. Ensuring freedom of conscience and religious belief of prisoners**

13.1. Prisoners shall be guaranteed freedom of conscience and religious belief. They shall have the right to practice or not to practice the religion of their choice.

13.2. *In prisons of the unit type, prisoners may be allowed, at their request, to visit places of worship within the administrative territorial unit where the sentence is being served.* [\[15\]](#)

13.3. Religious figures of religious associations registered in accordance with the established procedure are invited to prisons at the request of prisoners. Prisoners are allowed to perform religious rites in prisons, use religious paraphernalia and literature. The prison administration shall provide appropriate space for this purpose.

13.4. Providing that the personal security of religious figures is ensured, they may be allowed to visit prisoners held in single cells, disciplinary and fine isolation cells, and cell-type rooms of regime prisons.

13.5. At the request of prisoners whose lives are in danger due to a serious illness, religious figures may be invited to prisons to perform necessary religious rites.

## **Article 14. Appeals of prisoners and rules for their consideration**

14.1. Proposals, applications and complaints of prisoners may be submitted in writing and orally.

14.2. Proposals, applications and complaints of persons deprived of their liberty addressed to organizations specified in Article 10.2.12 of this Code shall be sent by the administration of the penitentiary institution. Persons sentenced to other types of punishment shall freely submit proposals, applications and complaints. [\[16\]](#)

14.3. Proposals, applications and complaints of prisoners regarding the decisions and actions of the officials of the institution or body executing the sentence do not suspend the execution of those decisions and actions.

14.4. The body or officials to whom prisoners send proposals, applications and complaints shall consider them within the period established by law and inform the prisoner in writing of the outcome.

14.5. Officials of the institution or body executing the sentence shall receive the convicts on the days and hours specified and notified to them.

### Chapter III

#### **Institutions and bodies implementing punishment and other measures of a criminal-legal nature and control over their activities** [\[17\]](#)

##### **Article 15. Institutions and bodies executing punishment and other measures of a criminal-legal nature**

15.1. The punishment in the form of community service shall be executed by the bailiff of the institution that issued the sentence, as well as the place where the convict lives, and the punishment in the form of a criminal legal measure in the form of special confiscation, as well as the place where the convict has his property. [\[18\]](#)

15.1-1. Criminal legal measures in the form of fines and special confiscation imposed on legal entities shall be executed by the enforcement officer of the location of the legal entity. [\[19\]](#)

15.1-2. Criminal legal measures in the form of deprivation of the right of a legal entity to engage in activities and liquidation of a legal entity are implemented by the relevant executive authority.

15.2. The punishment in the form of forced deportation outside the borders of the Republic of Azerbaijan is executed by the relevant executive authority in accordance with the procedure specified by the legislation upon the presentation of the institution or body executing the main punishment.

15.3. The punishment in the form of deprivation of the right to hold a certain position or engage in a certain activity is executed by the executive officer at the place of residence of the convict in the administration of the penitentiary institutions. The requirements of the sentence in the form of deprivation of the right to hold a certain position or engage in a certain activity are implemented by the bodies authorized to revoke the permit to engage in the relevant type of activity at the place of residence of the convict, as well as in accordance with the law.

15.4. The punishment in the form of deprivation of the right to drive a vehicle shall be enforced by the body that granted the right to drive a vehicle.

15.5. The punishment in the form of correctional labor is executed by an enforcement officer.

15.5-1. The punishment in the form of restriction of freedom is executed by the bailiff at the place of residence of the convict. [\[20\]](#)

15.6. The execution of sentences of imprisonment for a fixed term and life imprisonment shall be carried out by the relevant penitentiary institutions. [\[21\]](#)

15.7. Punishment in the form of deprivation of a special or military rank, honorary title or award shall be enforced by the court that issued the sentence. The requirements of the sentence shall be enforced by the court that issued the sentence.

deprivation of a special or military rank, honorary title and state award shall be implemented by the body that awarded that rank, honorary title or state award.

15.8. Punishment in the form of restriction on military service is carried out by the commander of the military unit at the place of service of the military personnel, and punishment in the form of detention in a disciplinary military unit is carried out by the commander of the military unit established for these purposes.

15.9. Supervision of conditionally sentenced prisoners is carried out by enforcement officers.

15.10. The mechanism for implementing the rules for the execution and serving of sentences of persons sentenced to detention in a disciplinary military unit, imprisonment for a fixed term, imprisonment shall be determined by the Internal Disciplinary Regulations adopted by the executive authorities in accordance with the characteristics of these types of sentences. [\[22\]](#)

15.11. Institutions or bodies executing sentences are established or liquidated in accordance with the procedure established by the legislation of the Republic of Azerbaijan.

#### *Article 15-1. Probationary supervision* [\[23\]](#)

15-1.1. Probation supervision – consists of a system of complex socio-legal measures aimed at monitoring the fulfillment of duties imposed by law and court decisions on prisoners sentenced to non-custodial sentences, conditionally sentenced, conditionally released from prison or suspended from serving their sentences, and other persons specified in Article 15-1.2.3 of this Code, and at the correction, social adaptation and rehabilitation of prisoners.

15-1.2. Probationary supervision shall be applied to the following persons:

15-1.2.1. persons sentenced to punishments such as fines, deprivation of the right to drive a motor vehicle, deprivation of the right to hold a certain position or engage in a certain activity, community service, compulsory labor, or restriction of freedom;

15-1.2.2. persons who have been conditionally sentenced, conditionally released from punishment or whose sentence has been postponed;

15-1.2.3. Persons who have been prescribed compulsory medical measures for the purpose of treatment of alcoholism or drug addiction.

15-1.3. Probation supervision is carried out by the relevant executive authority.

15-1.4. Enforcement officers carrying out probation supervision shall, in addition to those established in this Code, the Laws of the Republic of Azerbaijan “On Enforcement” and “On Enforcement Officers”, perform the following duties:

15-1.4.1. to apply electronic monitoring devices to prisoners based on a court decision and to monitor the prisoner’s compliance with the rules for using these devices;

15-1.4.2. if the location of the prisoner is not determined, to take preliminary measures to search for the prisoner within 10 days;

15-1.4.3. if the location of the convicted person is not determined within more than 10 days, to take a decision to declare him wanted, send a copy of the decision to the relevant executive authority, and also submit a petition for the arrest of the convicted person in accordance with the procedure established by the Criminal Procedure Code of the Republic of Azerbaijan;

15-1.4.4. to implement measures aimed at the reformation, social adaptation and rehabilitation of prisoners subject to probation control.



## *Article 15-2. Features of the application of electronic control tools*

15-2.1. *Electronic monitoring devices shall be applied to persons sentenced to community service or restriction of liberty. In cases determined by the court, electronic monitoring devices shall also be applied to persons sentenced to probation or conditionally released from prison.* [\[24\]](#)

15-2.2. *The list of electronic surveillance tools and application rules shall be determined by the executive authority.*

15-2.3. *Supervision of the execution of the specified duties of the convict to whom electronic monitoring devices have been applied is carried out by the enforcement officers.*

15-2.4. *When a person is assigned the task of carrying an electronic surveillance device and service, to keep it in working order, the electronic surveillance device is given to him or her for use and the rules for its use, the inadmissibility of any interference, as well as the inadmissibility of removal of the device from the electronic surveillance device when it is attached to the person, as well as the legal consequences of these actions, are explained and a protocol is drawn up about this.* [\[25\]](#)

15-2.5. *If a person to whom an electronic surveillance device has been applied damages the device or makes it unusable in any other way, its cost shall be charged to that person.*

## **Article 16. Provision of information about the place of execution of the sentence**

16.1. *Officials of the institution or body executing the sentence must, with the consent of the convict, inform his family or one of his close relatives, or a person indicated by the convict, about the execution of the sentence imposed on him, the place of serving the sentence, the movements of the convict during the term of the sentence, and the conditions of release.* [\[26\]](#)

16.2. *With the consent of foreigners or stateless persons serving a sentence of imprisonment for a fixed term or life imprisonment, the institution or body executing the sentence shall immediately inform the diplomatic or consular representations of their states in the Republic of Azerbaijan, as well as international organizations that have assumed patronage over them.* [\[27\]](#)

## **Article 17. Application of compulsory medical measures to prisoners**

17.1. *If a court imposes compulsory medical measures on a convicted person due to alcoholism, drug addiction, as well as a mental disorder that does not exclude intelligibility, these measures shall be implemented by the institution or body executing the sentence during the term of the sentence.* [\[28\]](#)

17.2. *If it is determined that a prisoner has suffered from alcoholism or drug addiction during the term of his sentence, or has a mental disorder that does not exclude his sanity, the institution or body executing the sentence shall submit a proposal to the court regarding the application of compulsory medical measures against that person.*

17.3. *Compulsory medical measures shall be applied to persons sentenced to imprisonment for a fixed term or life imprisonment, taking into account the requirements of relevant legislation and the Code.*



*Article 17-1. Features of the application of compulsory medical measures for the purpose of*  
*alcoholism or drug addiction* [\[28\]](#)

17-1.1. Treatment of persons sentenced to imprisonment and subject to compulsory medical measures for alcoholism or drug addiction shall be carried out by penitentiary institutions during the serving their sentence. [KMQ2](#)

17-1.2. The rules for conducting compulsory treatment of drug-addicted prisoners serving sentences in penitentiaries shall be determined by the relevant executive authority.

17-1.3. Upon completion of the compulsory treatment course assigned to drug-addicted prisoners serving sentences in penitentiary institutions, the medical advisory commission of the relevant executive authority (hereinafter referred to as the medical advisory commission) shall evaluate the compulsory medical measures taken by the medical advisory commission. The procedure for the assessment of the compulsory medical measures taken by the medical advisory commission shall be determined by the rules provided for in Article 17-1.2 of this Code.

17-1.4. When the need for the continuation of compulsory medical measures imposed on drug-addicted prisoners serving their sentence in a penal institution disappears due to the improvement of their health and psychological condition, the issue of canceling compulsory medical measures shall be resolved by the court at the place of serving sentence upon the recommendation of the administration of the penal institution carrying out compulsory treatment, based on the opinion of the medical advisory commission. [\[29\]](#)

17-1.5. Treatment of persons sentenced to a sentence not involving deprivation of liberty and subject to compulsory medical measures for the purpose of treating alcoholism or drug addiction shall be carried out in specialized medical institutions subordinate to the relevant executive authority. [KMQ2](#)

17-1.6. When a person is sentenced to a non-custodial sentence and is also ordered to undergo compulsory medical treatment for alcoholism or drug addiction, the court shall send a copy of the legally effective decision to a specialized medical institution for execution, as well as to an enforcement officer for supervising implementation of compulsory treatment.

17-1.7. Compulsory treatment in specialized medical institutions is carried out in accordance with conditions and rules approved by the relevant executive authority.

17-1.8. The execution of the requirements of the court decision on compulsory treatment in a specialized medical institution shall be supervised by the bailiff.

17-1.9. Early release from compulsory treatment or extension of the period of compulsory treatment of a person undergoing compulsory treatment in a specialized medical institution shall be carried out on the basis of a court decision in cases provided for in the Law of the Republic of Azerbaijan "On the Circulation of Drugs, Psychotropic Substances and Their Precursors".

**Article 18. Supervision of the execution of sentences by the relevant executive authorities**

The relevant executive authorities shall exercise control over the activities of institutions and persons executing sentences. The rules for exercising this control shall be determined by regulatory legal acts.

**Article 19. Judicial control**

19.1. Officials of the institution or body executing the sentence must immediately inform the court that issued the sentence and issued the order for the execution of the sentence about the execution of the sentence. DOWN

ence imposed on the convict, the place of serving the sentence, the movements and release of the convict.

19.2 The court shall supervise the execution of the sentence in accordance with the provisions established by the criminal procedural legislation when resolving issues of postponement or cancellation of the serving of the sentence, exemption from serving the sentence due to illness, exemption from serving the sentence due to the term of execution of the conviction, replacement of the unserved term of the sentence with a lighter type of sentence, change of conditions of detention in a penal institution, application of amnesty, inclusion of the period of detention in a medical institution, term of imprisonment, and early removal of the conviction.

19.3. The court shall consider complaints received regarding the activities of the institution executing the sentence and adopt an appropriate decision.

## **Article 20. Participation of public organizations in the rehabilitation of prisoners**

20.1. Public organizations participate in the rehabilitation of prisoners and exercise public control over the activities of institutions or bodies executing punishment.

20.2. The rules for the participation of public organizations in the rehabilitation of prisoners, the implementation of control over the activities of institutions or bodies executing the sentence are determined by regulatory legal acts.

## **Article 21. Participation of the Prosecutor's Office in achieving the purpose of punishment**

The participation of the prosecutor's office in achieving the purpose of the penalties imposed by the courts is carried out in the manner established by criminal procedural legislation when considering appeals on issues related to the execution of a verdict or other final court decision at a court hearing.

## **Article 22. Visits to penal institutions**

22.1. Deputies of the Milli Majlis of the Republic of Azerbaijan authorized by the legislative bodies, investigators or investigators conducting investigative and other procedural actions on criminal cases under the jurisdiction of the relevant executive bodies, prosecutors exercising procedural supervision over the investigation and preliminary investigation, as well as judges exercising judicial supervision functions, may, in the performance of their duties, visit institutions serving sentences of imprisonment for a fixed term and life imprisonment. <sup>[30]</sup>

22.1-1. *The Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan and members of the National Preventive Group have the right to enter prisons at any time, without hindrance and without notice, to meet and talk with the persons detained there, as well as with any other person who may provide information, in person or, if deemed necessary, in the presence of a specialist or interpreter, to familiarize themselves with and take copies of all documents confirming the legality of the detention of detainees, previously detained persons in those prisons, as well as those relating to the treatment of detainees and the conditions of their detention, to draw up acts, to record the course and results of the measures they have taken, to make photo, audio and video recordings using technical means, to be received by the administration of the prisons without delay, and the Commissioner for Human Rights (Ombudsman)*

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*iblic of Azerbaijan also has the right to make relevant recommendations to the prisons and to receive* [\[31\]](#)  
*to those recommendations within the established period.* [\[31\]](#)

22.2. Representatives of *media entities* and other persons specified in this Code may visit ins  
serving sentences of imprisonment for a certain period of time and life imprisonment only in c  
in accordance with the procedure established by the relevant executive authority. [\[32\]](#)

22.3. The procedure for admission to institutions serving sentences of imprisonment fo  
term and life imprisonment shall be determined by the relevant executive authority.

22.4. Filming, photography, and videotaping of prisoners in penitentiary institutions, inte  
them, and using audio and video technical equipment are carried out with their consent.

22.5. Filming, photography and video recording of facilities ensuring the safety and prot  
prisoners shall be carried out with the permission of the relevant executive authority.

## **Special part**

### **Section II**

#### **Execution of sentences not related to the isolation of the prisoner from society**

#### **Chapter IV**

#### **Execution of a fine**

##### **Article 23. Procedure for the execution of a fine-type punishment**

23.1. The convict must pay the fine by transferring it to the appropriate bank account no l  
one month from the date the sentence enters into legal force. *The enforcement officer shall n*  
convict that if the fine is not paid, the fine will be forcibly withheld from him.

23.2. If the convict fails to pay the fine within one month for a valid reason, in accordance  
Criminal Procedure Code of the Republic of Azerbaijan, the court may, upon the convict's ap  
decide to postpone the payment of the fine for a period of up to six months or to pay it in inst  
*with an indication of the period .* [\[33\]](#)

##### **Article 24. Mandatory collection of fines**

24.1. If the convict fails to pay the fine within the established period, the execution of the p  
the form of a fine shall be carried out by the court that issued the sentence in the manner presc  
the legislation of the Republic of Azerbaijan in a compulsory manner, that is, by directing  
convict's private property or share in common property.

24.2. The fine shall be levied on the wages or other earnings of the convicted person in t  
that he has no property or such property is insufficient to fully pay the fine.

##### **Article 25. Body executing a fine**

The execution of a fine imposed as a main punishment or as an additional punishment in the case of a suspended sentence is carried out *by the enforcement officer* of the place where the convict works, or where his property is located, and the execution of a fine imposed as an additional punishment to other main punishments is carried out by *the enforcement officer* of the place where the convict is serving the main punishment.

#### Article 26. Consequences of evading payment of a fine

If the convict refuses to pay the fine after an official warning and does not have any property, shares in common property or other income, the court may, upon the recommendation of the *bailiff*, replace this type of punishment imposed as the main punishment with community correctional labor, *restriction of freedom* or imprisonment for a certain period. [\[34\]](#)

#### Article 27. Completion of the execution of a fine

*The enforcement officer* shall inform the court that issued the judgment about the full payment of the fine.

### Chapter V

#### Execution of a punishment in the form of deprivation of the right to hold a certain position or engage in a certain activity

#### Article 28. Procedure for the execution of a punishment in the form of deprivation of the right to hold a certain position or engage in a certain activity

28.1. When deprivation of the right to hold a certain position or engage in a certain activity is imposed as the main punishment or as an additional punishment to a punishment not resulting in imprisonment for a certain period of time, as well as in the case of a suspended sentence, the court shall send a copy of the legally effective verdict to the employer of the place of work of the convict for the purpose of enforcing the punishment, as well as to the *bailiff* for the purpose of supervising the execution of this *punishment*.

28.2. When deprivation of the right to hold a certain position or engage in a certain activity is imposed as an additional punishment to a punishment of imprisonment for a certain period, the administration of the penitentiary institution shall, after the expiration of the main punishment, in cases where the convict is conditionally released from punishment or the unserved part of the punishment is replaced by a lighter punishment, send a copy of the verdict *to the enforcement officer of the place of residence of the convict for the execution of the punishment*.

28.3. was repealed. [\[35\]](#)

28.4. ~~If the convict is called up for active military service or accepted for military service during the execution of the sentence, the enforcement officer shall send a copy of the verdict to the relevant commissariat or the convict's place of service for the execution of the sentence.~~ [\[36\]](#)

**Article 29. Obligations of the employer during the execution of a punishment in the deprivation of the right to hold a certain position or engage in a certain activity**

29.1. The employer shall, within three days of receiving a copy of the judgment, terminate employment contract with the convicted person deprived of the right to hold a certain position or engage in a certain activity in accordance with the procedure provided for by the legislation. *in accordance with the court judgment, make a note in the centralized electronic information system of the executive authority, and in the cases specified in Part 2-1 of Article 7 of the Labor Code of the Republic of Azerbaijan, in the convict's work book, on what grounds, for what period and for what position or type of activity he was deprived of the right to hold. The court that issued the judgment shall be immediately* informed of this. [\[37\]](#)

29.2. The employer may, with the consent of the convicted person, provide the prisoner with an opportunity to engage in another position or other type of activity, unless this is contrary to the sentence.

29.3. When concluding an employment contract with a person sentenced to deprivation of the right to hold a certain position or engage in a certain activity, if there is no relevant entry *in the centralized electronic information system or in the employment record book in the cases specified in Part 2-1 of Article 7 of the Labor Code of the Republic of Azerbaijan*, the employer, upon presentation of the relevant executive authority supervising the execution of this punishment, shall make a note in the electronic information system or employment record book on the grounds, for what period and for what position or type of activity he was deprived of. [\[38\]](#)

29.4. A person specified in Part 2-1 of Article 7 of the Labor Code of the Republic of Azerbaijan who has served a sentence in the form of deprivation of the right to hold a certain position or engage in a certain activity, or who has been released from this sentence in accordance with the procedure established by law, shall, upon his request, be given a duplicate of this book with a note on the sentence instead of the work book. [\[39\]](#)

**Article 30. Duties of the institution or body executing the sentence during the execution of a punishment in the form of deprivation of the right to hold a certain position or engage in a certain activity**

While persons sentenced to an additional punishment in the form of deprivation of the right to hold a certain position or engage in a certain activity are serving the main punishment, the institution or body executing the punishment may not involve these persons in activities prohibited by the sentence.

**Article 31. Duties of the court during the execution of a sentence in the form of deprivation of the right to hold a certain position or engage in a certain activity**

31.0. The bailiff of the place where the prisoner lives :

31.0.1. monitors the convict's compliance with the requirements of the court's decision on deprivation of the right to hold a certain position or engage in a certain activity;

31.0.2. checks the employer's compliance with the requirements stipulated in the court's decision on the deprivation of the right to hold a certain position or engage in a certain activity.

**Article 32. Calculation of the term of execution of a sentence in the form of deprivation of the right to hold a certain position or engage in a certain activity**

*The term of execution of a sentence in the form of deprivation of the right to hold a certain position or engage in a certain activity is calculated in accordance with Article 46.3 of the Criminal Code of the Republic of Azerbaijan.* [\[40\]](#)

**Article 33. Consequences of non-execution of a punishment in the form of deprivation of the right to hold a certain position or engage in a certain activity**

33.1. If a person sentenced to deprivation of the right to hold a certain position or engage in a certain activity engages in work prohibited by the sentence, or engages in an activity prohibited by the sentence, *the enforcement officer* shall notify the employer, propose that measures be taken within a certain number of days to terminate the convicted person's activity prohibited by the sentence, and warn him that failure to execute the sentence will result in liability.

33.2. If a convicted person deprived of the right to hold a certain position or engage in a certain activity intentionally evades serving the sentence, as well as if an official intentionally fails to execute the sentence in the form of deprivation of the right to hold a certain position or engage in a certain activity, they shall be liable in accordance with the procedure stipulated by the legislation of the Republic of Azerbaijan.

## **Chapter VI**

### **Execution of punishment in the form of community service**

**Article 34. Procedure for the execution of punishment in the form of community service**

34.1. The punishment in the form of community service shall be carried out by *an enforcement officer* in public places determined by the relevant executive authority of the territory where the convicted person resides. *The types of work to which persons sentenced to community service shall be subjected shall be determined by the relevant executive authority.* [\[41\]](#)

34.1-1. *The relevant executive authority shall send the list of places where public works will be carried out to the relevant administrative-territorial unit and information on the number of persons necessary for the implementation of those works to the relevant executive authority by the beginning of the next month.*

34.1-2. *The bailiff shall issue a referral to a person sentenced to community service to work in a certain number of workplaces on the list of places where community service will be performed. When any information is received regarding the places where community service will be performed, the bailiff shall submit a request to the relevant executive authority. The request must be answered no later than five days.* [\[42\]](#)

34.2. Persons sentenced to community service shall be required to serve their sentence within a certain number of days from the date of receipt by the bailiff of a copy of the court judgment and the relevant instructions for the execution of the court judgment that has entered into legal force.



34.3. *The enforcement officer shall register the convicts, explain to them the rules and conditions for the execution of the sentence, agree with the relevant executive authority on the list of places where community service will be carried out, monitor the behavior of the convicts, keep records of the places they have worked, visit the places where the person is required to perform community service at least once a month, draw up a protocol, and take other measures to implement the sentence in accordance with the procedure established by this Code.* [\[43\]](#)

#### **Article 35. Conditions for serving and executing a sentence in the form of community service**

35.1. Prisoners must comply with the internal disciplinary rules of the institution where they perform community service, approach work conscientiously, work in the places designated for them, for the period specified in the sentence, use electronic monitoring devices in accordance with the procedure established by the relevant executive authority, carry the electronic monitoring device around the place where community service is performed, service it to keep it in working condition, and inform the executive officer of this when changing their place of residence. [\[44\]](#)

35.2. Granting a convict another leave of absence at his main place of work does not suspend the execution of the sentence in the form of community service.

35.3. A prisoner serving a sentence of community service or his/her legal representative must apply to the court for release from punishment in accordance with the procedure established by law.

#### **Article 36. Calculation of the term of punishment in the form of community service**

36.1. The duration of the punishment in the form of community service is calculated in hours.

36.2. The duration of the punishment in the form of community service shall, as a rule, be determined at least twelve hours per week. The duration of the punishment in the form of community service shall not exceed four hours on days of rest, voting, holidays that are not considered working days, national mourning days and the convict's free time from his main work or education, and two hours on working days, or four hours with the convict's consent. The duration of the execution of this punishment shall not exceed two hours per day for convicts under the age of fifteen, and three hours for convicts from the age of fifteen to sixteen. In the event of good reasons, the enforcement officer must allow the convict to work less than the specified time per week. [\[45\]](#)

#### **Article 37. Obligations of the employer during the execution of a sentence in the form of community service**

*The employer shall provide the relevant executive authority with accurate and complete information on the places available for the performance of community service, and when each convict is assigned to community service at the place where community service is to be performed, he shall compile a schedule of the times during which the convict must perform community service and send it to the executive officer no later than three days before the performance of the work assigned to the convicts, keep records of their working hours, and immediately inform the executive officer about any cases of evasion from performing community service.* [\[46\]](#)



## Article 38. Liability of persons serving sentences in the form of community service

38.1. If a convict violates the rules for serving a sentence in the form of community service, the *enforcement officer* shall issue an official warning that he/she will be held liable.

38.2. If a convict intentionally evades serving a sentence in the form of community service, shall submit a proposal to the court to replace the sentence with a sentence in the form of *residence freedom or imprisonment for a certain period*, in accordance with the Criminal Code of the Republic of Azerbaijan. [\[47\]](#)

## Article 39. Prejudicial evasion of serving a sentence in the form of community service

39.0. The following are considered to be convicts who have intentionally evaded serving a sentence in the form of community service:

39.0.1. Those who, without good reason, fail to attend public functions more than twice a month;

39.0.2. Violators of labor discipline in places of execution of punishment more than twice a month;

39.0.2-1. Those who refuse to carry an electronic surveillance device, damage it or otherwise make it unusable, or fail to service it without justifiable reason to keep it in working order; [\[48\]](#)

39.0.3. Those who are hiding in order to avoid serving their sentence.

## Chapter VII

### Execution of punishment in the form of correctional labor

#### Article 40. Place of execution of punishment in the form of correctional labor

In the form of correctional labor, the sentence is served at the convict's main place of work.

#### Article 41. Procedure for the execution of punishment in the form of correctional labor

41.1. Persons sentenced to correctional labor shall remain in the position or job they held before their conviction. These persons may be transferred to another position or job only in accordance with the procedure and on general grounds established by labor legislation.

41.2. Convicts who have become seriously ill after the sentence has been passed or their legal representatives may apply to the court with an application to replace this type of punishment with a lighter type of punishment. Until the court decides on this application, the specified persons shall continue to be involved in serving correctional labor.

#### Article 42. Organization of the execution of punishment in the form of correctional labor

42.1. The rehabilitation of prisoners serving sentences in the form of correctional labor is carried out on the basis of their participation in community service. The employer at the place of serving a sentence shall monitor the behavior of the prisoner and assist *the executive officer in carrying out educational work with him*. DOWN

42.2. Persons sentenced to correctional labor must comply with the established procedure serving their sentence and must appear at the summons of the enforcement officer executing the sentence. If this requirement is not met without good reasons, the convicted person may be brought. Forcible bringing is carried out by a court decision.

#### Article 43. Execution of punishment in the form of correctional labor

43.1. The sentence in the form of correctional labor shall be enforced from the day the convict enters into legal force.

43.2. The bailiff shall, within three days of receiving a copy of the judgment and the instruction to the person sentenced to correctional labor, send a copy of the judgment and a notification in the prescribed form to the employer. If the convict leaves his previous place of work and does not work anywhere, the bailiff shall offer the convict to find work within three months and, if necessary, shall assist in finding work. If the convict fails to find work within the specified period without good reasons, the measures provided for in this Code shall be applied to him.

43.3. An unemployed prisoner must find a job on his own or register with the employment service body in the presence of an enforcement officer. The prisoner cannot refuse a job offered to him by the employment service body.

#### Article 44. Conditions for the execution of punishment in the form of correctional labor

44.1. Money shall be deducted from the earnings of persons sentenced to correctional labor during the period of execution of the sentence in the amount determined by the court verdict and in the manner prescribed by this Code for the benefit of the state.

44.2. The period of execution of the sentence in the form of correctional labor shall be included in the total length of service of the convict.

44.3. Persons sentenced to correctional labor shall have the right to use leave as determined by legislation.

#### Article 45. Calculation of the term of execution of a sentence in the form of correctional labor

45.1. The term of execution of the sentence in the form of correctional labor is calculated in months and days during which the convict worked and deductions were made from his earnings.

45.2. The number of days worked by the convict must correspond to the number of working days per calendar month determined by the court for the sentence. If the convict does not work the specified number of working days and there are no grounds established by this Code for counting the unused days towards the term of the sentence, the execution of the sentence in the form of correctional labor shall continue until the convict has fully worked the specified number of working days.

45.3. The time during which the prisoner does not work for valid reasons and his salary is not paid in accordance with the law shall be counted towards the term of execution of the sentence. The temporary loss of working capacity confirmed by medical documents, as well as the time spent on sick leave, shall be included in this term.

45.4. If the total number of days worked by convicts in agricultural enterprises is not less than the annual minimum established for farm workers or the minimum for its separate periods, the time

When they are not given work for objective reasons shall also be counted towards the term of the sentence.

45.5. The period of imprisonment imposed on the convict as an administrative punishment preventive measure in connection with another criminal case during the execution of the sentence in the form of correctional labor shall not be counted towards the period of execution of the sentence in the form of correctional labor.

#### Article 46. Deductions from the earnings of persons sentenced to correctional labor

46.1. Deductions from the earnings of persons sentenced to correctional labor shall be made from the total amount of earnings, including taxes and other payments, as well as regardless of enforcement documents.

46.2. Deductions from earnings are made for each month worked when the salary is paid for the part of the month worked when the convict is dismissed. The amount of money is deducted from the earnings of persons working on a substitute basis at their workplace. [ [49](#)]

46.3. Deductions from earnings shall not be made from pensions and benefits, lump-sum payments not provided for in the wage system, amounts paid as compensation for expenses related to trips, and other payments.

46.4. Deductions from the earnings of prisoners shall include both the monetary and in-kind parts of their earnings. The in-kind part of the earnings withheld from the prisoners shall remain at the disposal of the employer, and its value shall be transferred to the benefit of the state. The amount of money withheld shall be transferred to the benefit of the state on the day of payment of wages for the month.

46.5. Deductions are made when calculating the results of the economic year, including the part of the income.

46.6. If the court's verdict is canceled or changed by terminating the case, the amounts deducted from the convict's earnings shall be returned to him in full or the amounts withheld in excess.

#### Article 47. Obligations of the employer at the place of execution of the sentence in the form of correctional labor

47.0. The employer at the place of execution of the sentence in the form of correctional labor

47.0.1. communicates the content of the court ruling to the labor collective;

47.0.2. monitors the behavior of prisoners at the workplace and assists *the enforcement officer in* conducting educational work with them;

47.0.3. monitors the observance of labor discipline by prisoners and assists them in improving their qualifications;

47.0.4. informs *the enforcement officer* in advance about the application of incentive and disciplinary measures against the convict and about the convict's evasion from serving the sentence, transferring to another job, or dismissal from work ;

47.0.5. correctly and timely makes deductions from the convict's earnings for the benefit of the state and transfers the amounts withheld to the benefit of the state in accordance with the established procedure;

47.0.6. fulfills the conditions stipulated in this Code for the execution of a sentence in the correctional labor.

**Article 48. Duties of the enforcement officer executing the sentence in the form of correctional labor**

48.0. *The enforcement officer* executing the sentence in the form of correctional labor :

- 48.0.1. assists persons sentenced to correctional labor in finding employment, if necessary;
- 48.0.2. monitors the correctness of deductions from the earnings of convicts and the enforcement officer's compliance with the conditions established in this Code for the execution of the sentence;
- 48.0.3. conducts educational work with prisoners;
- 48.0.4. applies the incentive and punitive measures provided for in this Code to prisoners;
- 48.0.5. maintains individual registration of convicted persons;
- 48.0.6. organizes the search for prisoners whose whereabouts are unknown in accordance with the established procedure.

**Article 49. Rewards and disciplinary measures applied by the employer to persons sentenced to correctional labor**

Persons sentenced to correctional labor are subject to remuneration and disciplinary measures by the employer in accordance with the procedure established by labor legislation.

**Article 50. Incentive measures applied by enforcement officers to persons sentenced to correctional labor**

For exemplary behavior, the prisoner may be thanked by *the enforcement officer* or a punishment issued reprimand may be lifted.

**Article 51. Punitive measures applied by enforcement officers to persons sentenced to correctional labor**

51.1. If persons sentenced to correctional labor violate the rules for the execution of the sentence, *the enforcement officer* may issue a warning or reprimand to the convicted person.

51.2. A written explanation shall be obtained from the convict before a reprimand is issued. A reprimand may not be issued to the convict after one month has passed from the date of discovery of the offense. The convict may appeal the reprimand to a superior officer.

51.3. If persons sentenced to correctional labor evade serving their sentence, *the enforcement officer* shall issue them an official warning.

51.4. In the event that persons sentenced to correctional labor *intentionally* refuse to serve their sentence after an official warning, *the enforcement officer* shall submit a proposal to the court to increase the unserved portion of the correctional labor with a sentence of *restriction of freedom* or imprisonment for a certain period of time in accordance with the Criminal Code of the Republic of Azerbaijan. [\[50\]](#)

***Execution of a sentence in the form of restriction of liberty***

***Article 51-1. Procedure for commencing the execution of a sentence in the form of restriction of liberty***

51-1.1. The enforcement officer executing the sentence of restriction of liberty shall, within 3 days of receipt of a copy of the court's legally effective judgment and the instruction on the execution of the judgment, send a written notification to the person sentenced to restriction of liberty to appear and register.

51-1.2. The convict must appear before the body supervising the execution of the sentence within 3 days of receiving the order provided for in Article 51-1.1 of this Code. Convicts who fail to appear for no good reason shall be brought forcibly by the decision of the executive officer approved by the head of the probation agency. The decision shall be executed by the relevant executive authority. [\[52\]](#)

51-1.3. The bailiff shall register the convict, explain to him the requirements of the court verdict, the execution of the sentence, the legal consequences of violating these rules, including the obligation to wear an electronic monitoring device, the rules for servicing it to keep it in working condition, as well as the inadmissibility of any interference or removal of the device, attach the electronic monitoring device to the convict, and draw up a protocol on this.

***Article 51-2. Calculation of the term of execution of a sentence in the form of restriction of liberty***

51-2.1. The term of execution of a sentence of restriction of liberty shall be calculated from the date when the convicted person is registered with the body executing the sentence.

51-2.2. The period of imprisonment imposed on the convict as an administrative punishment or as a preventive measure in connection with another criminal case during the execution of a sentence of restriction of liberty shall not be counted towards the period of execution of that sentence.

***Article 51-3. Procedure for serving a sentence in the form of restriction of liberty***

51-3.1. Punishment in the form of restriction of freedom shall be served at the place of residence of the convicted person.

51-3.2. The convicted person must fulfill the duties specified in the court verdict and, at the request of the bailiff, provide a written explanation regarding the issues of serving the sentence. In order to monitor the prisoner's compliance with the rules and conditions of the execution of the sentence, the bailiff has the right (at night) to enter his place of residence and check on the spot the fulfillment of the specified duties. In this case, a corresponding protocol is drawn up.

51-3.3. Permission for a convicted person to temporarily leave his place of residence or the boundaries determined by the court (only within the territory of the Republic of Azerbaijan) at certain times shall be granted by the bailiff in the following exceptional cases:

51-3.3.1. serious illness of close relatives that poses a threat to their life or death (up to seven days);

51-3.3.2. the inability of a person to stay at their place of residence for a certain period of time due to a natural disaster or other emergency;

51-3.3.3. *marriage of close relatives (up to two days);*

51-3.3.4. *the need to provide medical assistance to the person arises (if it is impossible to provide the medical assistance at the place of residence or in a medical institution within the territorial boundaries determined by the court);*

51-3.3.5. *on weekends and holidays, as an incentive measure.*

51-3.4. *If, due to medical indications, a convict is placed in a medical institution outside the territory of his/her place of residence for inpatient treatment for more than seven days (if this is not possible in institutions located within the territory of his/her place of residence), the place of execution of the sentence shall be the relevant medical institution, with the restrictions established for him/her remaining in force.*

51-3.5. *The application of a convict to temporarily leave his place of residence or the territorial boundaries determined by the court shall be considered without delay and a reasoned decision shall be made in accordance with Article 51-3.3 of this Code. The time during which the convict is allowed to temporarily leave his place of residence or the territorial boundaries determined by the court shall be counted towards the term of execution of the sentence.*

51-3.6. *The bailiff shall submit a request to the court at the place of residence of the convict serving a sentence of restriction of freedom on the basis of the application for changing the place of residence (only within the territory of the Republic of Azerbaijan). The court shall make a decision on granting permission to the convict to change the place of residence in the following exceptional cases:*

51-3.6.1. *when the marital status of the prisoner changes;*

51-3.6.2. *when the convict acquires ownership rights over another residential area;*

51-3.6.3. *when a person's illness necessitates the provision of long-term medical care in a medical institution outside the territory of the place of residence (if it is impossible to provide the required medical care at the place of residence or in a medical institution within the territorial boundaries determined by the court).*

#### **Article 51-4. Duties of the bailiff during the execution of a sentence of restriction of liberty**

51-4.0. *An enforcement officer executing a sentence of restriction of liberty shall:*

51-4.0.1. *keeps records of the prisoner;*

51-4.0.2. *monitors the prisoner's compliance with the rules and conditions of execution of the sentence established by this Code;*

51-4.0.3. *conducts educational work with the prisoner;*

51-4.0.4. *applies the incentive and punitive measures provided for in this Code to the convicted person;*

51-4.0.5. *organizes the search for a prisoner whose whereabouts are unknown;*

51-4.0.6. *performs other duties arising from the execution of the sentence.*

#### **Article 51-5. Educational work with a person sentenced to a penalty of restriction of liberty**

51-5.1. *The bailiff shall carry out educational work with a person sentenced to a penalty of restriction of freedom by conducting individual conversations with him aimed at ensuring a conscientious attitude to education, and compliance with the rules of conduct accepted in society. In this case, the individual character and reasons for the committed crime of the convict shall be taken into account.*

51-5.2. *The active participation of prisoners in educational activities is encouraged and taken into account when determining their rehabilitation.*

#### **Article 51-6. Incentive measures applied to a person sentenced to a penalty of restriction of liberty**



51-6.1. A person sentenced to a penalty of restriction of liberty may be thanked by the enforcement officer for exemplary compliance with the rules for the execution of the penalty, previously issued reprimands may be cancelled and permission may be granted to spend days off and holidays outside the established territorial boundaries.

51-6.2. The measures of encouragement and punishment applied to a person sentenced to a penalty of restriction of liberty, as well as his active participation in educational measures, shall be taken into account when determining the correction of the convicted person.

#### **Article 51-7. Consequences of violation of the procedure for the execution of a sentence in the form of restriction of liberty**

51-7.1. If a person sentenced to a penalty of restriction of liberty violates the rules for serving the sentence or refuses to fulfill the duties assigned to him, the executive officer shall issue him a reprimand in the form of a written decision. The reprimand shall be issued in writing by a reasoned decision.

51-7.2. The following acts committed by a person sentenced to a penalty of restriction of liberty shall be considered evasion of the duties imposed on him:

51-7.2.1. Failure to appear at the body supervising the execution of the sentence without good reason after receiving a written notification from the enforcement officer to appear and register to serve the sentence;

51-7.2.2. failure to fulfill the duties determined by the court without a valid reason;

51-7.2.3. failure to appear when summoned by the enforcement officer to provide a written explanation regarding the issues of serving the sentence;

51-7.2.4. Application of a disciplinary measure in the form of administrative arrest.

51-7.3. A written explanation shall be obtained from the convict before the reprimand is imposed. A reprimand may be imposed on the convict after one month has passed from the date of determination of the act. The convict may appeal the reprimand to a superior officer or to the court.

51-7.4. If a person sentenced to a penalty of restriction of liberty consistently or wilfully refuses to fulfill the duties imposed on him, the enforcement officer shall submit a petition to the court for the replacement of the unserved part of the penalty with a penalty of deprivation of liberty for a certain period of time.

51-7.5. If a convicted person, who has been reprimanded for evading the performance of his duties, commits the acts provided for in Article 51-7.2 of this Code twice more within a year, it shall be considered as a failure to perform his duties.

51-7.6. The following acts are considered to be willful evasion of execution of a sentence in the form of restriction of freedom:

51-7.6.1. Unauthorized departure of a prisoner from the designated territorial boundaries

51-7.6.2. the prisoner refuses to carry an electronic monitoring device, damages it or otherwise renders it unusable, or fails to service it without justifiable reason to keep it in working order; [\[53\]](#)

51-7.6.3. the convict leaves his place of residence for more than 10 days without the permission provided for in Articles 51-3.3 or 51-3.6 of this Code.

#### **Chapter VIII [\[54\]](#)**

#### **Execution of a sentence in the form of restriction of liberty**



## **Article 52. Place of execution of a sentence in the form of restriction of liberty**

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52.1. Persons sentenced to a punishment of restriction of liberty shall, as a rule, serve their sentences in special institutions located close to their place of residence.

52.2. Convicts whose sentences have been commuted to a sentence of restriction of liberty shall be sent to other special institutions to serve their sentences.

52.3. The administration of a special institution executing a sentence of restriction of liberty shall provide assistance in the labor and living conditions of persons sent to serve the sentence.

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## **Article 53. Sending of persons sentenced to a punishment of restriction of liberty to the place of execution of the sentence**

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53.1. Persons sentenced to a punishment of restriction of liberty or whose punishments have been replaced by this type of punishment shall go to the place of execution of the punishment independently. The administration of the penitentiary institution or *the bailiff* shall, based on the court's verdict, issue an order to the convicted person to go to the place of execution of the punishment. The convicted person who receives the order must arrive at the place of execution of the punishment at the time specified in the order.

53.2. If a convicted person refuses to receive an order to go to the place of execution of the punishment or to go to the place of execution of the sentence, as well as to serve the sentence in another form, the convicted person shall be detained by the police authorities for a period of seven days by decision.

53.3. After being arrested, the convict shall be sent to the place of execution of the sentence in accordance with the procedure established for persons sentenced to imprisonment for a fixed term. If his/her wilful evasion of serving the sentence is determined, a submission shall be made to the court for the replacement of the sentence in the form of restriction of freedom with a sentence in the form of imprisonment for a fixed term.

53.4. After a prisoner is registered by the administration of a special institution, he may be allowed to meet with his family for up to five days.

53.5. If a prisoner who has been allowed to meet with his family does not return to the special institution at the specified time, he shall be detained by the police by a court decision.

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## **Article 54. Calculation of the term of execution of a sentence in the form of restriction of liberty**

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54.1. The term of execution of a sentence of restriction of liberty shall be calculated from the date the convict is registered in a special institution.

54.2. The period of detention of the convicted person as a preventive measure until the sentence enters into legal force shall be calculated by equating one day of detention to two days of punishment in the form of restriction of freedom.

54.3. The time a prisoner is absent from a special institution for more than one day without excuse shall not be counted towards the term of the sentence.

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## **Article 55. Procedure for the execution of a sentence in the form of restriction of liberty**

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55.1. Upon the submission of the bodies executing the sentence, the relevant executive shall determine the territorial boundaries within which prisoners serving sentences in a institution will move;

55.2. Persons serving sentences of restriction of liberty shall be under supervision and shall:

55.2.1. comply with the requirements of regulatory legal acts;

55.2.2. not to leave the territory of the private enterprise without the permission of the administration;

55.2.3. must pay the utility and living expenses of the dormitory designated for them and leave it without the permission of the administration of the private institution;

55.2.4. must participate in renovation work at a private enterprise in shifts, not exceeding to a week, in addition to working hours, without pay;

55.2.5. must carry an identity document of the specified type.

55.3. Prisoners, their places of detention and their belongings may be inspected.

55.4. In a special institution, it is not allowed for prisoners to acquire, keep and use items prohibited by the Internal Discipline Regulations. If such items and goods are discovered in possession of prisoners, they shall be seized by decision of the administration of the special institution and either destroyed or transferred to a warehouse for storage until the prisoners are released after serving their sentence.

55.5. Married prisoners who do not violate the Internal Disciplinary Rules of the special institution are allowed to live with their families in rented or private housing by decision of the management of the special institution. The registration of such prisoners in the special institution from once to four months is determined by the decision of the management of the special institution.

55.6. Persons sentenced to a penalty of restriction of liberty are allowed to study in correspondence at higher and secondary specialized educational institutions located in the administrative territory of the place of execution of the penalty. [\[55\]](#)

55.7. Medical care for prisoners shall be provided in health facilities located in the institution or closer to it.

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#### Article 56. Labor of persons sentenced to imprisonment

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56.1. Persons sentenced to a penalty of restriction of liberty may work within the administrative territory of the special institution. [\[56\]](#)

56.2. The labor of persons sentenced to a penalty of restriction of liberty shall be regulated by legislation.

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#### Article 57. Duties of the management of a private enterprise

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57.1. Management of a private enterprise:

57.1.1. maintains the registration of prisoners;

57.1.2. explains to the convicts the rules and conditions of the execution of the sentence;

57.1.3. organizes the living conditions of prisoners;

57.1.4. monitors compliance with the rules and conditions of the execution of the sentence;

57.1.5. conducts educational work with prisoners;

57.1.6. applies incentive and disciplinary measures as defined by this Code;

~~57.1.7. conducts preparatory work related to the release of the convicted person from a sentence.~~

~~57.2. The procedure for performing the specified duties is determined by this Code, as well as by regulatory legal acts.~~

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~~Article 58. **Obligations of the employer at the place of work of persons sentenced to a penalty of restriction of liberty**~~

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~~58.1. The employer of persons sentenced to a prison sentence shall organize the work of the persons in accordance with labor legislation and participate in their rehabilitation.~~

~~58.2. When dismissing persons sentenced to a sentence of restriction of liberty, the employer at the place of work must inform the management of the special institution about this.~~

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~~Article 59. **Educational work with persons sentenced to a penalty of restriction of liberty**~~

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~~59.1. Educational work is carried out with persons sentenced to a punishment of restriction of liberty by the administration of the special institution, the public, and the employer at the place of employment of the convicts.~~

~~59.2. The active participation of prisoners in educational activities shall be encouraged and taken into account when determining their rehabilitation.~~

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~~Article 60. **Incentive measures applied to persons sentenced to a penalty of restriction of liberty**~~

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~~60.0. For exemplary behavior and conscientious attitude to labor, the management of a private enterprise may apply the following incentive measures to persons sentenced to a penalty of restriction of liberty:~~

~~60.0.1. to express gratitude;~~

~~60.0.2. withdrawing the imposed penalty ahead of time;~~

~~60.0.3. to allow holidays and weekends to be spent outside the boundaries of the territory of a private enterprise;~~

~~60.0.4. to allow the main leave at the workplace to be spent outside the boundaries of the territory of a private enterprise.~~

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~~Article 61. **Punitive measures applied to persons sentenced to a penalty of restriction of liberty**~~

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~~61.0. If persons sentenced to a punishment of restriction of liberty violate the rules for the execution of the sentence, the administration of the special institution may apply the following disciplinary measures to them:~~

~~61.0.1. warning;~~

~~61.0.2. reprimand;~~

~~61.0.3. prohibiting persons from leaving the dormitory at specified times for a period of up to one month;~~

~~61.0.4. to be placed in a disciplinary detention center for a period of up to five days.~~

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**Article 62. Rules for applying incentive and punitive measures to persons sentenced to a penalty of restriction of liberty**

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62.1. Incentive and punitive measures against persons sentenced to a penalty of restriction of liberty shall be issued in writing.

62.2. When imposing disciplinary measures, the circumstances of the commission of the offense and the personality of the convict and his behavior prior to the commission of the offense shall be taken into account. The disciplinary measure shall be appropriate to the gravity and nature of the offense committed by the convict. The disciplinary measure shall be imposed within ten days from the day the offense was discovered. If an inspection is conducted in connection with the offense, it shall be imposed from the day of its completion, but no later than one month from the time the offense was committed. The disciplinary measure shall be enforced, as a rule, immediately, and in exceptional cases, no later than one month from the day it was imposed. One disciplinary measure shall be imposed for offenses committed at the same time.

62.3. The administration of a special institution has the right to apply incentive and punitive measures to persons sentenced to a penalty of restriction of liberty.

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**Article 63. Prejudicial evasion of execution of a sentence in the form of restriction of liberty**

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63.0. The following cases are considered to be deliberate evasion of execution of a sentence in the form of restriction of liberty:

63.0.1. the prisoner fails to arrive or return to the special institution on time without an excuse;

63.0.2. a prisoner leaving the territory of a special institution without permission.

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**Article 64. Control over persons sentenced to a penalty of restriction of liberty**

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64.1. Supervision over persons sentenced to a punishment of restriction of liberty shall be exercised by the administration of the special institution. The rules for exercising supervision shall be determined by normative legal acts adopted by the relevant executive authority.

64.2. In order to prevent violations of public order, a convicted person may be placed in a disciplinary detention center for a period not exceeding twenty-four hours, pending the resolution of the issue of imposing disciplinary measures on him.

### **Section III**

## **Execution of sentences of imprisonment for a fixed term and life imprisonment**

### **Chapter IX**

## **General provisions on the execution of sentences of imprisonment for a fixed term and life imprisonment**

**Article 65. Place of execution of sentences of imprisonment for a fixed term and life imprisonment**

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65.1. Persons sentenced to a fixed-term imprisonment shall, as a rule, serve their sentences in penitentiaries located near their place of residence. Due to their health condition, in order to ensure personal safety, and in other exceptional circumstances, a convicted person may be sent to penitentiary institutions located in another area to serve their sentence.

65.2. Persons sentenced to life imprisonment or to serve part of their sentence in prison, particularly dangerous recidivism of crimes, as well as foreigners or stateless persons, shall be sent to appropriate penitentiary institutions to serve their sentences, regardless of their place of residence.

#### Article 66. Types of penal institutions

66.1. Penitentiary institutions consist of educational institutions for minors, correctional institutions of various regimes for adults, prisons, and treatment facilities for persons deprived of their liberty. Remand prisons, *being penitentiary institutions*, perform the functions of correctional institutions. Prisoners held in these institutions for economic and domestic service work. [\[57\]](#)

66.2. Penitentiary institutions are divided into station-type, general, strict, and special penitentiaries, and educational institutions are divided into general and strict regime institutions.

66.3. Prisoners who require *examination and* treatment in inpatient conditions in medical institutions shall serve their sentences. [\[58\]](#)

#### Article 67. Sending of persons sentenced to imprisonment for a fixed term and life imprisonment to the place of execution of the sentence

67.1. Persons sentenced to imprisonment for a fixed term or life imprisonment shall be sent to penitentiary institutions to serve their sentences no later than ten days after the administrative pre-trial detention center receives a copy of the sentence and the court's order on its execution. A convict has the right to one short-term meeting with his or her close relatives during this period.

67.2. The term of execution of the sentence, except for convicts transferred from a penal institution of the unit type, shall be calculated from the time the convict is registered in a penal institution of the unit type. The time of detention of the convict as a preventive measure, the time of his transfer from the penal institution to the place of execution of the sentence, shall be calculated towards the term of execution of the sentence. The absence of the convict from the territory of the penal institution of the unit type without permission for more than one day shall be calculated towards the term of execution of the sentence.

#### Article 68. Rules for sending persons sentenced to imprisonment for a fixed term and life imprisonment to the place of execution of the sentence

68.1. Persons sentenced to imprisonment for a fixed term and life imprisonment shall be sent to the places of execution of the sentence and from one penal institution to another. *A convict sentenced to imprisonment in a precinct-type penal institution and not in custody at the time of entry into force of the sentence shall appear at the precinct-type penal institution at the time determined by the relevant instruction submitted by the enforcement officer. If the convict fails to appear at the place of execution of the sentence without a valid reason, the court may, upon the motion of the institution or body executing the sentence and the presentation of the p*

ucting the procedural management of the preliminary investigation in the relevant territory, decide  
[59]  
him.           

68.2. Convicts are sent under escort in compliance with the rules of separate detention. Men are sent separately from women, minors from adults, those convicted of the same criminal case, tuberculosis patients (those who secrete tuberculosis bacilli), persons who have not completed the full course of treatment for venereal diseases, and mentally ill persons are sent separately from each other and from healthy prisoners, accompanied by medical personnel.

#### **Article 69. Detention of prisoners in a detention center, treatment facility or prison for household and domestic service work**

69.1. Persons sentenced for the first time to a term of imprisonment not exceeding five years and persons serving their sentence in general regime penitentiaries may, ~~in exceptional cases~~, with their consent, be detained in a detention center, treatment facility or prison for household and domestic service work. *Persons previously convicted and sentenced to a term of imprisonment not exceeding seven years may, in exceptional cases, with their consent, be detained in treatment facilities for household and domestic service work.*  
[60]  
          

69.2. Detention of a prisoner for household and domestic service work shall be carried out on the basis of a decision of the detention center, treatment facility or prison administration.

69.3. Convicts held in a detention center, treatment facility or prison for household and domestic service work shall be kept in isolation from other persons under the conditions provided for in the Code for general regime penal institutions. These convicts shall have the right to walk for two hours a day when they work in closed buildings or rooms.

#### **Article 69-1. Transfer of persons sentenced to imprisonment for a fixed term or life imprisonment to pre-trial detention centers** [61]

69-1.1. Persons sentenced to imprisonment for a fixed term or life imprisonment may be transferred from a penal institution to an investigative isolation facility for a period not exceeding two months by a court decision in connection with the implementation of investigative actions on criminal cases committed by other persons under consideration of criminal cases committed by other persons in court. In necessary cases, this period may be extended up to four months by a court decision. The issues raised during the pre-trial proceedings shall be considered by the court of first instance at the place where the convicted person is serving his sentence, or by the court of appeal on the basis of a presentation by the prosecutor conducting the procedural management of the preliminary investigation in accordance with Article 520 of the Criminal Procedure Code of the Republic of Azerbaijan.

69-1.2. The conditions of detention of persons transferred from prisons to pre-trial detention centers shall be determined in accordance with Article 69-1.1 of this Code taking into account the detention regime in the pre-trial detention places and the type and regime of the prison institution assigned to them by the court verdict. In such cases, term visits to prisoners provided for in this Code may be replaced with short-term visits or telephone conversations or video calls with their consent. [62]  
          

69-1.3. When persons sentenced to imprisonment for a certain period or life imprisonment are in pre-trial detention centers, suspects or accused in other criminal cases, their transfer from prisons to pre-trial detention centers is carried out DOWN

*court decision based on the presentation of the prosecutor conducting the procedural management preliminary investigation. The period of detention of these persons in pre-trial detention centers is determined within the terms of detention in custody provided for in the Criminal Procedure Code of the Republic of Azerbaijan.*

#### **Article 70. Changing the type of penal institution**

70.1. With the exception of persons sentenced to life imprisonment, prisoners may be transferred from one type of penitentiary institution to another depending on their behavior and attitude to

70.2. Convicted persons with positive characteristics may be transferred from one penitentiary institution to another to serve the remainder of their sentence in the following cases

70.2.1. from prison to correctional institutions - when serving at least half of the prison term determined by the court verdict;

70.2.2. from strict regime prisons to general regime prisons - when at least two-thirds of the sentence has been served. [\[63\]](#)

70.2.3. Convicts who have committed a serious crime for the first time are transferred from general regime prisons to station-type prisons after serving at least two-thirds of their sentence.

70.2.4. Convicts who have committed crimes that are less serious or do not pose a major public danger are transferred from general regime prisons to detention facilities - when they have served at least one-third of their sentence. [\[64\]](#)

70.3. The following prisoners shall not be transferred to a detention facility:

70.3.1. persons convicted of particularly dangerous recidivism of crimes;

70.3.2. persons whose life imprisonment sentence has been commuted to a term of imprisonment;

70.3.3. persons who must undergo mandatory medical measures.

70.3.4. Persons transferred from strict regime prisons to general regime prisons.

70.4. Convicts who intentionally violate the rules of execution of the sentence:

70.4.1. from a detention center-type prison to a prison with the regime type determined by the court in the sentence;

70.4.2. Persons sent to a detention facility by court order shall be transferred to a general regime detention facility;

70.4.3. may be transferred from general, strict and special regime penal institutions to penitentiary institutions for a period not exceeding three years.

70.5. Changing the type of penal institutions is carried out by the court.

#### **Article 71. Procedure for admission of prisoners to penitentiary institutions**

71.1. Prisoners are admitted to prisons by the administration in accordance with the Disciplinary Regulations of the prisons.

71.2. Newly admitted prisoners to penitentiary institutions shall be kept separately from other prisoners for a period of up to two weeks.

71.3. During the period of separate detention of prisoners, the administration of the penitentiary institution shall explain to them their rights and obligations, the conditions of work and rest, and shall create conditions for by law in their *native language or another language they know*, and shall create conditions for



...familiar with the legislative acts regulating the execution of the sentence and the Disciplinary Rules of the penitentiary institutions. [\[65\]](#)

#### **Article 72. Segregation of prisoners in penitentiary institutions**

72.1. In penal institutions, minors shall be kept separately from adults, and men from women.

72.2. Persons sentenced for the first time to imprisonment for a fixed term shall be kept separately from previously convicted persons. Persons sentenced for particularly dangerous recidivism or to life imprisonment shall be kept separately from other prisoners.

72.3. Former employees of the judiciary and law enforcement agencies shall be held in a penitentiary institution. Other convicts may also be sent to that institution in accordance with Article 12.3 of this Code.

72.4. The requirements for the isolation of prisoners specified in Article 72.2 of this Code shall apply to a medical institution intended for persons deprived of their liberty, as well as to a penitentiary institution with an orphanage attached to it. Persons sent to the aforementioned institutions shall be kept in accordance with the conditions determined by the court and established by law for this penitentiary institution.

72.5. Prisoners suffering from various infectious diseases shall be kept separately from each other and from healthy prisoners.

72.6. Convicts serving sentences under different regimes may be held in the same prison separately and in isolation from each other.

#### **Article 73. Serving a sentence in a prison**

73.1. Persons sentenced to imprisonment for a fixed term or life imprisonment shall, as a rule, serve the entire term of their sentence in a penal institution, prison or correctional facility.

73.2. Transfer of a convict from one penal institution to another penal institution of the same type or from one prison to another to serve the unserved part of the sentence is allowed in connection with a convict's illness or to ensure his safety, in the event of reorganization or liquidation of the institution, as well as in other exceptional cases that prevent the convict from remaining in the institution. The procedure for transferring convicts from one penal institution of the same type to another shall be determined by the relevant executive authority.

### **Chapter X**

#### **Regime in penitentiaries**

#### **Article 74. Regime in penal institutions and its basic requirements**

74.1. The regime in penitentiary institutions is the procedure for the execution and enforcement of sentences of imprisonment for a certain period of time and life imprisonment, established by regulatory legal acts. The regime ensures the protection and isolation of prisoners, constant supervision over them, the fulfillment of the duties assigned to them, the exercise of their rights and freedom, the personal safety of staff and prisoners, the separation of prisoners of different categories from each other.

ous conditions of detention, and changes in the terms of execution of the sentence, depending on the type of penitentiary institution determined by the court.

74.2. In penal institutions, the administration determines *the daily schedule*, which is stipulated in the Internal Disciplinary Rules of the penal institutions and is mandatory for prisoners . [\[66\]](#)

74.3. In penal institutions, prisoners shall wear a uniform uniform. The uniform shall be determined by the Internal Disciplinary Regulations of the penal institutions.

74.4. *In order to ensure the rules of execution of the sentence, it is prohibited to give or transfer to the items specified in the Internal Disciplinary Rules of penitentiary institutions, as well as to prepare, carry, transport or use such items by them. If such items are discovered on prisoners, on persons entering or leaving the penitentiary institution, as well as on parcels and packages sent to prisoners, these items shall be seized and an appropriate investigation shall be conducted in accordance with the procedure established by procedure legislation.*

74.5. *The list of items, goods and food products that prisoners are allowed to keep, acquire, send to or receive, parcels and packages, and bring in gifts in penitentiary institutions is determined by the Internal Disciplinary Regulations of the penitentiary institutions .* [\[67\]](#)

74.6. *When other items, goods and food products , except for those provided for in Article 74.5 of this Code, are discovered in a penitentiary institution, they shall be seized by the administration of that institution. An appropriate investigation shall be conducted, and the actions of the convict may be assessed as a violation of the rules for the execution of sentences. The seized items, goods or food products shall be transferred to a warehouse for storage until the convict is released or destroyed in accordance with a reasoned decision of the penitentiary administration. The convict shall be informed of this and a relevant act shall be drawn up. When other items, goods and food products, except for those provided for in Article 74.5 of this Code, are discovered in persons entering or leaving a penitentiary institution, such items shall be returned to the persons who brought them, unless otherwise provided for by law.* [\[68\]](#)

## Article 75. Technical means of control in penal institutions

75.1. The administration of a penal institution has the right to use video and audio recording, electronic and other technical means to prevent prisoners from escaping from the place of execution of their sentence and committing other crimes, violating the rules of execution of their sentence and to obtain information about the behavior of prisoners.

75.2. The administration of the penitentiary institution shall notify prisoners in writing of the application of technical means of control, including the fact that these means pose a threat to their safety and health.

75.3. The procedure for using technical control means is determined by regulatory legal acts.

75.4. The administration of a penitentiary institution may inspect and search prisoners' belongings, clothing, and buildings on the territory of the penitentiary institution. A person's search shall be conducted by a person of the same sex as the prisoners. In urgent cases, nighttime inspection may be conducted in buildings where prisoners live.

75.5. The administration of a penal institution has the right to inspect persons entering and leaving the institution, their belongings, and vehicles, ~~and to seize prohibited items and documents according to the list established by the Internal Disciplinary Regulations of penal institutions .~~ [\[69\]](#)

75.6. The procedure for conducting inspection and search measures is determined by the Disciplinary Regulations of penitentiary institutions.

#### **Article 76. Operational and search activities in penal institutions**

76.1. In accordance with the legislation of the Republic of Azerbaijan, operational-search are carried out in penitentiary institutions. The tasks of operational-search activities in penitentiary institutions are as follows:

76.1.1. ensure the safety of staff, prisoners and other persons;

76.1.2. to detect violations of the rules for the execution of sentences, to prevent and solve crimes prepared and committed in penitentiary institutions;

76.1.3. to search, in accordance with the established procedure, for persons who have escaped from prisons, as well as for persons who have evaded serving sentences of imprisonment for a certain period of time and life imprisonment;

76.1.4. to assist law enforcement agencies in detecting and solving other crimes committed by prisoners.

76.2. Operational and investigative activities in penal institutions shall be carried out under the administration of the penal institution. Relevant executive authorities shall carry out operational and investigative activities on the investigation of criminal cases within their competence together with the administration of the penal institution.

76.3. Control over the implementation of laws in operational-search activities in a penal institution shall be exercised by the Prosecutor General of the Republic of Azerbaijan and prosecutors authorized by him in accordance with the procedure established by the legislation of the Republic of Azerbaijan.

#### **Article 77. Features of detention conditions in penitentiary institutions in emergency situations**

77.1. In the event of mass riots in penitentiary institutions that pose a threat to the life and health of the administration, staff or prisoners, as well as a natural disaster or other emergency, special conditions of detention may be applied to prisoners or prisoners may be transferred to a penitentiary institution of a special regime, based on the decision of the relevant executive authority.

77.2. During the period of application of special conditions of detention in penitentiary institutions, the exercise of the rights of prisoners stipulated in this Code, the activity of production, construction, household, cultural-educational, medical-sanitary and other services may be restricted and the circumstances specified in Article 77.1 of this Code are eliminated. During this period, visits to prisoners shall be suspended and admission to the penitentiary institution shall be carried out in a special regime.

77.3. Application of special conditions of detention in penitentiaries located in the territory of the Nakhchivan Autonomous Republic may also be carried out by decision of the relevant executive authority of the Nakhchivan Autonomous Republic. In this case, the relevant executive authority of the Republic of Azerbaijan shall be immediately informed for approval of the adopted decision.

77.4. In urgent cases, the administration of penitentiary institutions shall independently implement the measures provided for in Article 77.2 of this Code and shall immediately inform the relevant executive authority thereof.

#### **Article 78. Security measures in penal institutions and the basis for their application**

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78.1. Security measures (physical force, special means, service dogs and firearms) may be used against prisoners who do not obey the lawful demands of the staff of penitentiary institutions, resist or participate in mass riots, take hostages, attack citizens or commit other socially dangerous acts, as well as to prevent illegal actions shown during the escape of prisoners from the penitentiary institution, capture of escapees, as well as to prevent these prisoners from causing harm to people around themselves, and to prevent crimes being prepared or committed.

78.2. Handcuffs may be used against prisoners who cause trouble in penitentiary institutions. Physical force, special means and service dogs may be used against prisoners who physically resist or commit other acts of violence, as well as prisoners who escape from custody.

78.3. In cases where persons sentenced to imprisonment for a fixed term or life imprisonment commit attacks or other deliberate acts that directly endanger the lives of the staff of penitentiary institutions or other persons, as well as escape from custody, the use of firearms is permitted as an exceptional measure, if it is impossible to prevent the specified acts by other measures. In cases where women and minors escape from a penitentiary institution, the use of firearms is not permitted.

78.4. The administration of the penitentiary institution must immediately inform the executive authority about the use of firearms.

78.5. The procedure for applying security measures in a penal institution shall be determined by the legislative act.

## Chapter XI

### Conditions of serving sentences in penal institutions

#### Article 79. Conditions of serving sentences for prisoners

79.1. Prisoners may be held in ordinary or improved conditions within a prison, depending on the type of regime.

79.2. Prisoners shall be transferred from one detention facility to another on the grounds specified in this Code.

#### Article 80. Prisoners' access to food and essential goods

80.1. In correctional institutions, prisoners purchase food and essential goods using funds from their personal accounts, using non-cash payments.

80.2. The amount of funds allowed to be spent on prisoners in penitentiary institutions is determined by this Code.

80.3. In addition to the funds allowed for spending, prisoners who exceed work standards or perform assigned tasks in an exemplary manner are allowed to spend an additional *fifteen manats per month*, and in prisons located in hard labor, work with harmful working conditions, or in mountainous regions, an additional *thirty-five manats per month*. [\[70\]](#)

80.4. Persons with disabilities due to 61-100 percent impairment of body functions, children with disabilities, pregnant women, women with children in orphanages under prison supervision, prisoners in treatment

prisons intended for the detention and treatment of persons with infectious diseases are allowed to purchase food products and essential goods in the amount of *fifteen manats per month*. [\[71\]](#)

80.5. The list of food products and other goods permitted for sale to prisoners through the trade network of penal institutions is determined by the Internal Disciplinary Regulations of the penal institution.

#### Article 81. Meetings of prisoners with relatives, lawyers and other persons

81.1. Prisoners are granted short-term visits of up to four hours and long-term visits of one day within the territory of the penitentiary. *In cases where visits are restricted during the anti-epidemic regime, sanitary-hygienic and quarantine regimes, short-term visits are replaced by telephone or video communication at the request of the prisoner.* [\[73\]](#)

81.2. Short-term visits with relatives and other persons shall be granted in the presence of a representative of the penitentiary institution.

81.3. Prisoners shall be granted long-term visits with close relatives (wife, husband, grandparents, children, adoptive parents and stepchildren, grandchildren, brothers and sisters) and the right to live together. At the request of prisoners, long-term visits may be replaced by short-term visits.

81.4. The prison administration shall create conditions for prisoners to meet with other persons whose visits may have a positive influence on them.

81.5. The number and types of meetings are determined by this Code.

81.6. The prison administration shall provide an opportunity for close relatives of a prisoner whose life is in danger due to a serious illness to visit him.

81.7. Upon application by the convicts themselves, their close relatives or their legal representatives, the convicts shall be granted access to lawyers, as well as to other persons entitled to provide legal assistance.

81.8. The number and duration of meetings with prisoners specified in Article 81.7 of this Code shall not be limited and are carried out in compliance with the Internal Disciplinary Regulations of the penitentiaries. Such meetings are not included in the number of meetings specified in this Code.

81.9. A lawyer or other person entitled to provide legal assistance shall be allowed to enter the prison upon presentation of a document confirming his/her identity and authority. Such meetings shall be held in private at the request of the parties.

#### Article 82. Receipt of parcels, gifts and packages by prisoners

82.1. In penal institutions, convicts shall receive a number of parcels, packages or parcels determined by this Code. The maximum weight of a parcel or parcel shall be determined by the postal regulations. The weight of a parcel shall not exceed the weight specified for a parcel.

82.2. There are no restrictions on receiving parcels, gifts or packages for seriously ill, pregnant women prisoners with children in orphanages, prisoners with *disabilities due to 61-100 percent impairment of body functions, and children prisoners with disabilities*. [\[74\]](#)

82.3. Medicines and medical products received by prisoners based on a medical opinion shall be included in the number of parcels, packages or packages determined by Article 82.1 of this Code.

icines and medical products are provided to the medical and sanitary departments of penitentiaries for the treatment of prisoners.

82.4. Parcels, packages and envelopes are inspected by the administration.

82.5. The procedure for prisoners to receive parcels, gifts or packages and inspect them, ~~the list of items that prisoners are prohibited from receiving,~~ shall be determined by the Disciplinary Regulations of penitentiary institutions. *If other items, goods and food products are parcels and packages sent to prisoners, except for those specified in Article 74.5 of this Code, they shall be transferred to a warehouse for storage until the prisoner is returned at the expense of the person who sent the parcel or package, or destroyed in accordance with a decision of the penitentiary administration.* [\[75\]](#)

82.6. With the consent of the penitentiary administration, prisoners may send parcels or packages to their close relatives.

### Article 83. Correspondence of prisoners, receipt and sending of money orders

83.1. Except for the cases provided for in Article 83.3 of this Code, prisoners are allowed to receive and send an unlimited number of letters and telegrams. Prisoners shall send letters and telegrams from their own accounts.

83.2. *Except for correspondence between prisoners and their defense counsel or other persons providing assistance on legal grounds, correspondence received and sent by them may be censored by the prison administration in order to prevent planned crimes, ensure criminal prosecution, the procedure for sentencing, and the life and safety of individuals. In cases where the prison administration has information that the information in the correspondence is directed towards the commission of crimes, the correspondence of prisoners shall be exercised by a reasoned decision of the prison administration. The correspondence addressed to and sent by prisoners may be opened by the prison administration in order to prevent the transmission of items prohibited by law. In this case, reading of such letters shall not be permitted.* [\[76\]](#)

83.3. Correspondence between prisoners held in penitentiaries and who are not relatives is permitted with the consent of the penitentiary administration.

83.4. The delivery of letters addressed to prisoners, as well as the sending of letters from prisoners to their addressees, shall be carried out by the administration of the penitentiary institution no later than three days from the date of receipt of the letter or its delivery by the prisoner. Telegrams shall be delivered to the prisoner by the administration of the penitentiary institution without delay.

83.5. Proposals, applications and complaints addressed to the bodies exercising control over the activities of penitentiary institutions, the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan, the National Preventive Group and the European Court of Human Rights shall be censored and are sent to the relevant authorities no later than one day (except for *days off, voting days that are not considered working days and national mourning days*). [\[77\]](#)

83.6. Prisoners have the right to receive unlimited money orders, as well as to send money orders from their personal accounts to close relatives. Prisoners may send money orders to other persons with the permission of the prison administration.

### Article 84. Telephone and video calls of prisoners [\[78\]](#)



84.1. *Persons sentenced to a fixed-term imprisonment shall have the right to make a telephone call twice a week, and persons sentenced to a life sentence shall have the right to make a fifteen-minute call or video call once a week . The cost of long-distance telephone calls shall be paid for by the personal funds or by close relatives. In the absence of technical means, one telephone call or shall be replaced by one short-term meeting .* [\[79\]](#)

84.2. At the request of a prisoner, in connection with his arrival at a new prison, as w exceptional cases, he may be allowed an additional telephone call or video call by th administration . [\[80\]](#)

84.3. Telephone or video calls between prisoners held in disciplinary or fine detention cent type rooms, and solitary confinement cells may be permitted only in exceptional cases. [\[81\]](#)

84.4. Telephone conversations or video calls between prisoners held in penitentiaries, excep relatives, are not permitted. [\[82\]](#)

84.4-1. Telephone or video calls, as defined by this Code, shall be made at the prisoner's choice. V shall be made in a special room, isolated from other prisoners. [\[83\]](#)

84.5. *In the process of criminal prosecution and execution of punishment, when it is necessary public order, security and regime requirements, prevent the commission of new crimes and other offe protect victims, telephone conversations and video calls of prisoners shall be monitored by a reasoned d the prison administration.* [\[84\]](#)

#### **Article 85. Prisoners' walks**

85.1. Prisoners who are not working outdoors and are kept in a closed room or cell have th walk every day for a period of not less than one hour.

85.2. Prisoners' walks shall be held during the day, in a specially equipped part of th territory, separately for each closed room or cell. The walks may be stopped prematurely if the violates the relevant rules during the walk.

#### **Article 86. Acquisition and possession of literature and writing materials by prisoners**

86.1. Prisoners are allowed to purchase stationery, literature, and subscribe to newspa magazines without restrictions by parcel, gift or package, as well as from funds in their accounts.

86.2. The literature obtained shall not be included in the number of parcels and packages in this Code. Prisoners shall be allowed to keep up to ten volumes of books (magazines).

86.3. Prisoners are prohibited from acquiring, keeping, subscribing to, and distributing put that promote war, violence, extremism, terrorism , and cruelty, incite national, religious, and racial . well as publications that are pornographic. [\[85\]](#)

#### **Article 87. Unaccompanied movement of prisoners**



87.1. Convicts serving a fixed-term sentence in penitentiary institutions for house community service and who have a positive record may be allowed to move unescorted outside the protected area if necessary due to the nature of the work they perform, after serving at least one third of their sentence.

87.2. Persons convicted of especially dangerous recidivism of crimes, persons serving life imprisonment, persons whose life imprisonment sentence has been commuted to a fixed-term imprisonment sentence, persons subject to compulsory medical measures, prisoners serving less than 12 months in a penal institution, prisoners with a reprimand, those convicted again for intentional crimes committed during the period of execution of the sentence, prisoners suffering from tuberculosis (who secrete tuberculosis bacilli) and prisoners who have not completed a full course of treatment for venereal diseases are not allowed to move outside the protected area without an escort.

87.3. Permission to move unescorted outside the protected area shall be granted to a convict on a reasoned decision of the prison administration and agreed upon with the relevant executive authority.

87.4. Prisoners who are allowed to move unescorted may be accommodated in separate residential buildings.

87.5. The behavior of prisoners who are allowed to move unescorted outside the protected area is regulated by the Internal Disciplinary Rules of the penitentiary institutions.

87.6. If the prisoner violates the rules of conduct or the nature of the case changes, the permission to move unaccompanied shall be revoked by a reasoned decision of the prison administration, agreed upon with the relevant executive authority.

#### **Article 88. Living of convicted women outside the penitentiary institution**

88.1. Convicted women who have a conscientious attitude to work and comply with the requirements of the penal regime, as well as who have served at least one third of their sentence may be allowed to live outside the penal institution, by a reasoned decision of the penitentiary administration and agreed with the relevant executive authority, during the period of their release from work during pregnancy or childbirth, as well as until the child reaches the age of three, in accordance with the procedure established by law.

88.2. Convicted women who are allowed to live outside the penitentiary:

88.2.1. are placed in a residential area near the prison and are under constant supervision of the penitentiary administration;

88.2.2. they may wear clothes used in everyday life;

88.2.3. may correspond without restriction, receive money orders and use cash, meet with family members, doctors and other persons, and receive parcels, gifts or packages;

88.2.4. may exercise the right to free movement within the territory, the boundaries of which are determined by the administration of the penitentiary institution.

88.3. In case of regular or intentional violation of the penal regime or rules of conduct by a convicted woman, the permission to live outside the penal institution shall be revoked, and the convicted woman shall be returned to the penal institution to serve her sentence, based on a reasoned decision of the penitentiary administration and agreed upon with the relevant executive authority.

#### **Article 89. Short-term trips outside the prison**

89.1. Prisoners held in district-type penitentiaries, general regime penitentiaries and educational institutions convicted for first-time intentional crimes that do not pose a major public danger or crimes of lesser gravity, as well as crimes committed through negligence, may be allowed to travel outside the prison (within the country only) for a short period of seven days in cases of death or serious illness of their close relatives, or significant material damage to the prisoners or their families as a result of a natural disaster or other emergency. In this case, the time spent on the way there and back shall be taken into account, provided that it does not exceed two days. [\[86\]](#)

89.2. In the cases provided for in Article 89.1 of this Code, the prisoner's application for a short-term trip shall be considered without delay. The administration of the penitentiary institution shall grant permission for a short-term trip, after consultation with the relevant executive authority, taking into account the personality and behavior of the prisoner. The refusal to grant permission for a short-term trip shall be justified. The time spent by the prisoner outside the prison shall be counted towards the term of the sentence. The prisoner's travel expenses shall be paid by him or his relatives. The prisoner shall not be paid wages during the time he is outside the prison.

89.3. Women with children in orphanages in penitentiary institutions may be allowed to take their children outside the prison (within the country only) for a short period of up to fifteen days during their visits to their relatives, guardians or to orphanages.

89.4. Convicted persons convicted for the first time for crimes that do not pose a major public danger or are less serious, as well as for crimes committed through negligence, and whose conduct during detention in general regime penitentiaries or general regime educational institutions has improved in accordance with Articles 113.3 and 124.3 of this Code, may be allowed to travel outside the borders of the penitentiary institutions (only within the country) for a short period of up to seven days, excluding the period of up to two days spent on the road, once a year during their vacation, in accordance with the procedure established by the relevant executive authority, by decision of the penitentiary administration.

89.4-1. A prisoner serving a sentence in a detention facility and engaged in labor activity outside the prison or in the production area of the prison shall be allowed to spend his labor leave outside the prison (only within the territory of the Republic of Azerbaijan) by decision of the prison administration for his exemplary and conscientious attitude to labor and education, and active participation in educational activities. [\[87\]](#)

89.5. The procedure for allowing prisoners to travel outside the prison for short periods shall be determined by the relevant executive authority.

#### **Article 90. Social security of persons sentenced to imprisonment for a fixed term or life imprisonment** [\[88\]](#)

90.1. The conditions and procedure for granting labor pensions to persons sentenced to imprisonment for a fixed term or life imprisonment are determined by the Law of the Republic of Azerbaijan "On Labor Pensions".

90.2. The conditions and procedure for granting social benefits to persons sentenced to imprisonment for a fixed term or life imprisonment are determined by the Law of the Republic of Azerbaijan "On Social Benefits".

90.3. The conditions and procedure for involving employed persons sentenced to imprisonment for a fixed term or life imprisonment in compulsory state social insurance, as well as providing female prisoners with leave for pregnancy and childbirth, are determined by the Law of the Republic of Azerbaijan "On Social Insurance".

90.4. *For the purpose of determining labor pensions and social benefits, the administrative penitentiary institution shall transmit information determined by the relevant executive authority on persons sentenced to imprisonment for a certain period of time and life imprisonment to the centralized information system of the relevant executive authority within 10 days from the date of admission of such persons to the penitentiary institution in accordance with Article 71.1 of this Code and ensure regular updating of the information.*

## **Article 91. Material subsistence of persons sentenced to imprisonment for a fixed term or life imprisonment**

91.1. Persons sentenced to imprisonment for a fixed term or life imprisonment shall be provided with necessary material and living conditions in accordance with sanitary and hygienic standards in penitentiary institutions.

91.2. The standard of living space for each prisoner in penal institutions, educational institutions and prisons shall not be less than four square meters, and in treatment institutions - five square meters.

91.3. Prisoners shall be provided with individual beds and bedding. They shall be provided with clothing, underwear and footwear *at state expense, taking into account their gender, season and other conditions.* [\[89\]](#)

91.4. *Prisoners shall be provided with three meals a day at the expense of the state, ensuring the functioning of the body. The institutions that employ prisoners may organize their nutrition in accordance with the established norm.* ~~Prisoners who do not receive a salary or pension for reasons beyond their control shall be provided with meals at the expense of the state.~~ [\[90\]](#)

91.5. Food and material and living standards of prisoners shall be determined by the relevant executive authority.

91.6. has been repealed.

91.7. repealed. [\[91\]](#)

91.8. Improved material and living conditions shall be created for pregnant women or women with children under the age of three, as well as for minors, as well as for sick prisoners, and prisoners ~~have been determined to be disabled due to 61-100 percent impairment of body functions~~, and special standards shall be established for them. [\[92\]](#)

91.9. In addition to the amount allowed for spending on food and essential goods, prisoners may purchase footwear and clothing, ~~as well as sportswear~~, permitted for use in penitentiary institutions from the funds in their personal accounts. Prisoners may use paid treatment and preventive and other additional services in accordance with the procedure established by regulatory legal acts.

### **Article 91-1. Physical education and sports in penal institutions** [\[94\]](#)

91-1.1. *The administration of penitentiary institutions shall provide conditions for persons deprived of liberty to engage in physical education and sports and shall organize the holding of sports events.*

91-1.2. *The daily schedule of penal institutions includes physical exercises, including morning gymnastics and engaging in sports for at least one hour a day.*

91-1.3. *Persons serving sentences in penal institutions have the right to purchase sportswear and shoes at their own expense to engage in physical education and sports, in addition to the established norms.*

## **Article 92. Features of financial and living support for pregnant women or women with children under the age of three**

92.1. In penitentiary institutions, orphanages shall be organized for the accommodation of children of convicted women under the age of three. The orphanages shall be provided with the necessary conditions for the normal development and living of children. Convicted women may have their children without restrictions in their free time. They may be allowed to live together with the children.

92.2. Children of convicted women may be given to their relatives with the mother's consent or other persons with the mother's consent and by decision of the guardianship and trusteeship bodies. They may also be sent to appropriate children's institutions after reaching the age of three.

92.3. If the mother of a child who has reached the age of three has no more than one year left until the end of her sentence and she conscientiously fulfills her maternal duty, the administrative organ of the penitentiary institution may extend the child's detention in the orphanage until the end of the sentence.

92.4. Pregnant women have the right to receive special medical care during childbirth and the postpartum period.

## **Article 93. Medical and sanitary provision of prisoners**

93.1. Treatment-preventive, sanitary-preventive and sanitary-epidemiological work in penitentiary institutions shall be organized and carried out in accordance with the legislation, as well as the procedure and conditions for the execution of punishment.

93.2. *Medical and sanitary units shall be organized in penitentiary institutions to provide medical services to prisoners, as well as treatment facilities for the inpatient treatment and maintenance of infectious diseases, alcoholism and drug addiction, and tuberculosis patients.* [\[95\]](#)

*No restriction of the right to receive drug treatment for drug addicts serving sentences of deprivation of liberty shall be allowed. Drug addicts serving sentences of deprivation of liberty and in a state of acute alcoholism shall be kept separate from other patients.* [\[96\]](#)

In order to prevent human immunodeficiency virus infection in penal institutions, the measures stipulated in the legislation of the Republic of Azerbaijan on combating diseases caused by human immunodeficiency virus are implemented. [\[97\]](#)

93.3. The administration of penitentiary institutions shall ensure that prisoners comply with the requirements for personal and personal sanitary and hygiene requirements;

93.4. Force-feeding of prisoners who refuse to eat and whose lives are in danger due to refusal to eat is permitted based on a medical opinion.

93.5. The procedure for providing medical services to prisoners in penitentiary institutions, including organizing and implementing sanitary control, using medical institutions outside the institution, and involving their medical personnel for this purpose shall be determined by regulatory legal acts.

93.6. *Prisoners have the right to apply to medical institutions that provide paid services for medical advice and treatment. Payment for such services and medicines is made by the prisoner or his/her family. In such cases, medical advice and treatment are provided in the medical and sanitary part of the institution.* [\[98\]](#)

penitentiary institution, as well as in the treatment institution under the supervision of *the medical institution*. [\[98\]](#)

#### Article 94. **Financial responsibility of prisoners**

94.1. Inmates in penal institutions shall be liable for material damage caused by:

94.1.1. for damage caused during the performance of labor duties, in accordance with the procedure established by the labor legislation of the Republic of Azerbaijan;

94.1.2. for other damage caused in accordance with the procedure established by the civil legislation of the Republic of Azerbaijan.

94.2. Expenses incurred in connection with the treatment of prisoners who have intentionally inflicted bodily harm on themselves or the capture of a prisoner who has escaped from a prison shall be paid by the prisoners in accordance with the procedure established by law.

### Chapter XII

#### ***Labor, vocational education and vocational training of persons sentenced to imprisonment for a fixed term and life imprisonment*** [\[99\]](#)

#### Article 95. **Involvement in labor of persons sentenced to imprisonment for a fixed term imprisonment**

95.1. Each convict must engage in labor activity in the place and in the work determined by the administration of the penitentiary institution. The administration of the penitentiary institution shall involve the convicts in useful labor, taking into account their gender, age, working capacity, health, and to the extent possible, their qualifications. As a rule, convicts are involved in labor in the production areas of penitentiary institutions, in economic and household work intended to ensure the normal functioning of these institutions, as well as in other production facilities outside penitentiary institutions, in accordance with the established procedure of protection and isolation. Convicts may engage in individual labor in the production areas of penitentiary institution with the permission of the administration. *The number of convicts in economic and household work in penitentiary institutions cannot exceed ten percent of the number of convicts intended to serve their sentence in the institution. The list of works in which the labor of convicts is not allowed is determined by the Internal Disciplinary Rules of penitentiary institutions.* [\[100\]](#)

95.2. Male prisoners over the age of sixty, female prisoners over the age of fifty-five, prisoners with disabilities determined due to 61-100 percent impairment of body functions, children prisoners with disabilities, female prisoners who are more than four months pregnant or have children in children's homes, and prisoners in penitentiaries are allowed to work on a voluntary basis. Minor prisoners are recruited in accordance with labor legislation. [\[101\]](#)

95.3. The labor of prisoners serving their sentences in prison shall be organized only within the prison territory.

95.4. The list of prohibited works and duties, including the use of prisoners' labor, shall be determined by the Internal Disciplinary Regulations of penitentiary institutions.

95.5. The industrial activities of prisoners should not interfere with the main task of penit namely the rehabilitation of prisoners.

95.6. Convicts are prohibited from suspending their work or going on strike to resolve disputes. Refusal to work or suspension of work without good reason is considered a violation of rules for the execution of the sentence and leads to the imposition of disciplinary measures on the convict or their being held financially liable.

#### **Article 96. Working conditions of persons sentenced to imprisonment for a fixed term imprisonment**

96.1. The duration of prisoners' working hours, labor protection and industrial sanitation must be determined in accordance with labor legislation.

96.2. Prisoners shall be granted days off and shall be exempted from work *on voting days, working holidays, and national days of mourning in accordance with the procedure* provided for in legislation. [\[102\]](#)

96.3. Considering the nature of the work performed by prisoners, cumulative accounting of working hours is allowed, except in correctional institutions. The duration of working hours during the accounting period shall not exceed the daily working hours established by law.

96.4. The time of prisoners engaged in paid labor shall be included in their total length of service. The calculation of length of service shall be carried out by the administration of the penitentiary institution based on the results of the calendar year. The working hours of prisoners who cannot or fail to perform their labor duties or who otherwise evade work during the relevant period shall be deducted from their total length of service by a court decision based on the presentation of the administration of the penitentiary institution.

96.5. Prisoners engaged in labor activities have the right to use paid leave determined by legislation every year. The procedure for short-term trips outside the boundaries of penitentiary institutions during the use of leave is determined by Article 89.4 of this Code.

96.6. Convicted women shall be released from work for a period specified in the legislation during pregnancy and childbirth.

96.7. Prisoners who exceed work standards or perform assigned tasks in an exemplary manner shall be granted additional leave as provided for in labor legislation.

#### **Article 97. Compensation for the labor of persons sentenced to imprisonment for a fixed term and life imprisonment**

97.1. Prisoners have the right to remuneration for their labor in accordance with labor legislation.

97.2. The monthly salary of prisoners who have worked the full standard of working hours and fulfilled their labor duties shall not be less than the established minimum amount of remuneration for labor.

97.3. Remuneration for part-time work shall be paid in proportion to the time worked or depending on production.

97.4. The procedure for payment of wages to persons sentenced to imprisonment for a fixed term and life imprisonment shall be determined by the relevant executive authority.



**Article 98. Involvement of persons sentenced to imprisonment for a fixed term  
imprisonment in unpaid work**

98.1. Prisoners may be involved in auxiliary work without pay for the improvement of their territory, with the exception of security facilities, and for the improvement of the cultural living conditions of prisoners.

98.2. Convicts shall, as a rule, be involved in the work specified in Article 98.1 of this Code during their free time. The duration of such work may not exceed eight hours per month.

98.3. Prisoners may be involved in the restoration of security facilities without compensation if these facilities are damaged or destroyed as a result of a natural disaster or other emergency.

**Article 99. Deductions from the earnings of persons sentenced to imprisonment for a fixed term and life imprisonment**

99.1. Deductions are made from the earnings, pensions and other income of prisoners in correctional institutions and prisons.

99.2. *Income tax, compulsory state social insurance contributions and other compulsory payments* deducted from the wages of prisoners. Deductions for writs of execution and other enforcement documents are made from the remaining amount in accordance with the procedure established by law. Alimony for minor children is calculated from the entire amount of the prisoner's earnings. [\[103\]](#)

99.3. *In penal institutions and prisons, at least fifty percent of the monthly salary, pension and other income accrued to them, regardless of all deductible amounts, shall be transferred to the personal account of the convicts, and at least sixty percent of the monthly salary, pension and other income shall be transferred to the personal account of the convicts, male prisoners over sixty years of age, prisoners over fifty-five years of age, prisoners who have been determined to be disabled due to 61-100 percent impairment of body functions, minors or pregnant women, and women prisoners with children in orphanages under penitentiaries.* [\[104\]](#)

99.4. Persons serving sentences in prisons of the unit type, as well as female convicts allowed to live outside the prison in accordance with this Code, shall be granted at least sixty percent of their gross income, regardless of all amounts to be withheld.

**Article 100. Vocational education and training of persons sentenced to imprisonment for a fixed term** [\[105\]](#)

100.1. Vocational education or training shall be provided in prisons for prisoners who do not have a profession or specialty.

100.2. Pregnant women or women in prisons with children in orphanages, male prisoners over sixty years of age and female prisoners over fifty-five years of age, prisoners with disabilities determined to be 61-100 percent impairment of body functions, and children in prisons with disabilities shall be provided with vocational education or vocational training according to their wishes. [\[106\]](#)

100.3. Vocational education or vocational training in correctional institutions shall be carried out during the working day of the convicts.



100.4. Prisoners held in penal institutions shall be released from work for a period specified by legislation to take *vocational education* exams. During this period, they shall not be paid wages, but shall be provided with free meals.

100.5. During the period when prisoners serving sentences in prison-type penitentiaries take *vocational education* exams, their financial support shall be provided in accordance with the conditions established by the relevant executive authority.

100.6. *Vocational education* or training of prisoners shall be encouraged and taken into account when determining their rehabilitation.

100.7. *Vocational education* or vocational training shall be carried out in accordance with the procedure established by the relevant executive authority. [\[107\]](#)

100.8. repealed. [\[108\]](#)

## Chapter XIII

### Educational work with persons sentenced to imprisonment for a certain period of time and for life imprisonment

#### Article 101. Organization of educational work with persons sentenced to imprisonment for a certain period of time and for life imprisonment

101.1. Educational work with prisoners is aimed at forming and strengthening their engagement in socially useful labor, an honest attitude to labor and adherence to socially accepted norms of behavior and increasing their level of education and culture.

101.2. The participation of prisoners in educational measures shall be taken into account when determining their correction, as well as when applying incentive and punitive measures.

101.3. The participation of prisoners in compulsory educational measures may be provided in accordance with the daily schedule of the penitentiary institution. [\[109\]](#)

101.4. Educational work with prisoners shall be carried out taking into account their individual personality traits, character, and the reasons for the crime they committed.

101.5. The necessary material and technical base shall be created in penitentiaries for the organization of educational work with prisoners.

#### Article 102. Main forms of educational work with persons sentenced to imprisonment for a certain period of time and for life imprisonment

102.1. Moral, legal, labor, physical and other educational measures are implemented in penitentiaries for the purpose of reforming prisoners.

102.2. Educational work with prisoners shall be carried out in a differentiated manner, taking into account the type of penitentiary institution, the duration of the sentence, and the conditions of individual, group and mass detention, based on pedagogical and psychological methods.

102.3. When conducting educational work with prisoners, *the media*, including radio and television, and viewing of films, are used, and libraries are organized. [\[110\]](#)

102.4. *Convicts transferred to disciplinary and penal isolation cells, solitary confinement cells, rooms, prisons with strict conditions of detention, as well as to prisons under Article 70.4.3 of this C* [111]  
*disciplinary measure, are not allowed to watch television programs .*

#### Article 103. **Self-help organizations of prisoners in penal institutions**

103.1. In penal institutions, with the exception of persons sentenced to life imprisonment, v organizations of other prisoners shall be established, operating under the supervisor administration of these institutions.

103.2. The participation of prisoners in the activities of voluntary organizations shall be enc and taken into account when determining their rehabilitation.

103.3. The main objectives of self-help organizations are as follows:

103.3.1. to assist in the reformation, education, and spiritual and physical development of p

103.3.2. to develop positive habits in prisoners and encourage their useful initiative;

103.3.3. to participate in resolving issues related to the organization of labor, living condit effective leisure time in the penitentiary;

103.3.4. to strengthen discipline among prisoners and to form positive relationships between

103.3.5. to provide assistance to prisoners and their families.

103.4. Members of self-employed organizations are not granted additional benefits and exempted from their main work in production.

103.5. The establishment of self-help organizations of prisoners and the procedure operation shall be determined by the relevant executive authority.

#### Article 104. **General education of persons sentenced to imprisonment for a fixed term** [11]

104.1. General education of prisoners is carried out in penal institutions. Prisoners over tl forty, *prisoners with disabilities determined due to 61-100 percent impairment of body functions , and prisoners with disabilities* are involved in general ~~secondary~~ education according to their wishes. [

104.2. The general education of prisoners shall be encouraged and taken into accou determining their rehabilitation.

104.3. In accordance with labor legislation, prisoners receiving general education shall be from work to take exams.

104.4. The pedagogical staff of general education institutions under penal institutions sh the administration of penal institutions in carrying out educational work.

104.5. General education of persons sentenced to imprisonment for a fixed term shall be ca in accordance with the procedure established by the relevant executive authority.

104.6. Persons sentenced to life imprisonment shall not be involved in general ec Conditions shall be created for their self-education that do not contradict the procedure and cc for the execution and serving of the sentence.

#### Article 105. **Incentive measures applied to persons sentenced to imprisonment for a fi and life imprisonment**

105.1. The following incentive measures may be applied to prisoners for exemplary and conscientious attitude to labor and education, and active participation in volunteer organizational and educational events:

105.1.1. to express gratitude;

105.1.2. to reward with a gift;

105.1.3. to award a monetary reward of up to *four manats*; [\[114\]](#)

105.1.4. to allow the receipt of additional parcels, packages or packages;

105.1.5. allow additional telephone or video calls; [\[115\]](#)

105.1.6. to allow additional short-term or long-term visits;

105.1.7. to allow additional spending of up to *fifteen manats to purchase food and essential goods*; [\[116\]](#)

105.1.8. withdrawing the imposed punishment ahead of time;

105.1.9. improve detention conditions;

105.1.10. to transfer prisoners held in special regime penitentiaries and who have served one-third of their sentence from cell-type rooms to ordinary residential buildings;

105.1.11. to allow prisoners held in cells in special regime penitentiaries and prisons to take an *additional* walk of up to one hour per month. [\[117\]](#)

105.2. Incentive measures such as allowing prisoners serving sentences in detention facilities to spend their days off and holidays outside the detention facility may also be applied.

105.3. Other incentive measures may be applied to positively characterized prisoners, with the exception of persons sentenced to life imprisonment, based on their applications, in accordance with the procedure provided for in Article 70 of this Code.

105.4. A petition for pardon may be filed by the administration of a penal institution with the consent of the convicts.

#### **Article 106. Procedure for applying incentive measures to persons sentenced to imprisonment for a fixed term and life imprisonment**

106.1. Incentive measures shall be provided to prisoners in writing.

106.2. Early removal of a sanction as an incentive:

106.2.1. at least three months after the date of imposition of the penalties specified in Articles 107.1.1 and 107.1.2 of this Code;

106.2.2. The penalties specified in Articles 107.1.3 and 107.1.4 of this Code shall be imposed no earlier than six months after the date of their imposition.

106.3. The incentive measure in the form of transfer to ordinary residential buildings shall not be applied again to prisoners transferred from ordinary residential buildings to cell-type rooms in special regime penitentiaries as a disciplinary measure at least one year after the date of the disciplinary measure.

#### **Article 107. Punitive measures applied to persons sentenced to imprisonment for a fixed term and life imprisonment**

107.1. The following disciplinary measures may be applied to convicts who violate the execution of the sentence:

107.1.1. warning;

107.1.2. reprimand;

107.1.3. transfer male prisoners held in correctional institutions and prisons to a penal isolation cell for a period of up to fifteen days, and female prisoners to a penal isolation cell for a period of up to ten days;

107.1.4. transfer prisoners held in special regime penitentiaries from ordinary residential blocks to cell-type rooms.

107.2. In case of intentional violation of the rules of execution of the sentence, a punitive measure may be applied in the form of transferring male prisoners held in general and strict regime penitentiaries to cell-type rooms for a period of one to six months, prisoners held in special regime penitentiaries to single cells for a period of one to six months, and prisoners held in prisons to strict conditional detention for a period of two to six months. These punitive measures may be applied only to prisoners who have been given punitive measures provided for in Articles 107.1.1-107.1.3 of this Code.

107.3. Punishment measures such as a ban on leaving the institution for a period of one month, suspending weekends and holidays outside the institution for a period of three months, or other punitive measures in accordance with the procedure provided for in Article 70 of this Code, shall be applied to prisoners who intentionally violate the rules for the execution of sentences in prison-type institutions. [\[118\]](#)

107.4. The disciplinary measure provided for in Article 107.2 of this Code shall not be applied to prisoners serving sentences in prison-type institutions.

107.5. Other disciplinary measures may be applied to convicts who intentionally violate the execution of the sentence in accordance with the procedure provided for in Article 70 of this Code.

107.6. When a disciplinary measure provided for in Articles 107.1-107.3, 107.5 and 125 of this Code is applied to a convicted person whose detention conditions have been improved as an incentive measure, the improved detention conditions shall be revoked. [\[119\]](#)

#### Article 108. **Intentional violation of the rules for the execution of a sentence**

108.1. The following cases are considered to be a deliberate violation of the rules for the execution of a sentence and are subject to punishment:

108.1.1. consuming alcohol or other substances with strong effects; [\[120\]](#)

108.1.2. taking narcotic *drugs* or psychotropic substances; [\[121\]](#)

108.1.3. petty hooliganism;

108.1.4. threatening, insulting or disobeying the staff of the penitentiary institution;

108.1.5. threatening or insulting other state representatives performing their official duties;

108.1.6. not obeying in a group or actively participating in such groups;

108.1.7. being reprimanded more than three times within a year.

108.1-1. The following cases are also considered to be a biased violation of the rules for the execution of a sentence in prison-type institutions:

108.1-1.1. a prisoner leaves a prison without permission;

108.1-1.2. *Failure of a prisoner to return to the penitentiary institution on time more than twice without an excuse.* [\[122\]](#)

108.2. A deliberate violation of the regime shall be determined by a reasoned decision of the administration at the same time as the imposition of disciplinary measures on the prisoner.

#### **Article 109. Procedure for applying punitive measures to persons sentenced to imprisonment for a fixed term and life imprisonment**

109.1. When imposing disciplinary measures, *the convicted person shall be given the opportunity to explain his/her actions in writing or orally*, taking into account the circumstances of the offence, the personality of the convicted person and his/her behavior during the period of serving the sentence. Disciplinary measures imposed shall be in accordance with the gravity and nature of the offence. Disciplinary measures shall be imposed within ten days from the date of discovery of the offence. If an inspection is conducted in connection with the offence, the disciplinary measure shall be imposed by the date of its completion, but no later than one month from the date of the offence. One disciplinary measure shall be imposed for several offences committed at the same time. [\[123\]](#)

109.2. Punishment measures shall be imposed in writing by a reasoned decision of the administration of the penitentiary. *The convict shall have the right to file a complaint with the executive authority or court against the application of the punitive measures provided for in Articles 107.5 and 125 of this Code. If there are grounds, the punitive measure may be canceled. Filing a complaint shall not suspend the execution of the punitive measure, except for cases where a decision has been made to suspend the execution of the punitive measure in accordance with Article 109.2-1 of this Code.* [\[124\]](#)

109.2-1. *In cases where a complaint is filed, the issue of suspension of the enforcement of the disciplinary measure complained of shall be immediately considered by the complaint instance, upon the application of the interested person or on its own initiative due to its official duties, and an appropriate decision shall be made.* [\[125\]](#)

109.3. Prisoners are transferred to cell-type rooms and single cells, indicating the duration of disciplinary measures.

109.4. A prisoner transferred to a cell-type room may be subject to other disciplinary measures. Transfer to a cell-type room.

109.5. If a new disciplinary measure is not applied to a convicted person within one year from the date of imposition of a disciplinary measure, he or she shall be considered to have no disciplinary measure.

#### **Article 110. Conditions of detention of persons sentenced to imprisonment for a fixed term and life imprisonment in penal detention centers, cell-type rooms and solitary confinement cells**

110.1. Convicts transferred to penal isolators are not allowed to have meetings, make telephone calls, or video calls, and are prohibited from purchasing food and essential goods, or receiving gifts, or packages. They have the right to a one-hour walk each day. [\[126\]](#)

110.2. Prisoners held in cell-type rooms or single-use cells, as a disciplinary measure, shall have the following rights:

110.2.1. to spend the amount of money determined by this Code for the purchase of *food* and essential goods;

110.2.2. to receive a parcel, package or package;

110.2.3. to take advantage of one hour of walking every day;

110.2.4. to have one short-term visit with the permission of the prison administration.

110.3. Prisoners held in cell-type rooms or single-occupancy cells shall work separately from prisoners.

110.4. *The time spent by prisoners transferred to treatment facilities and medical and sanitary penitentiaries* shall be counted towards the period of serving the imposed punishment, except in self-harm and self-inflicted illness in fine-seclusion rooms, cell-type rooms and solitary confinement cells. [\[127\]](#)

110.5. The material and living provisions of prisoners held in penal isolation cells, cell-type and solitary confinement cells shall be determined in accordance with the norms established for prisoners held in general detention conditions in prisons.

110.6. The period of detention in a penal detention center within a calendar year may not exceed sixty days, and in cell-type rooms and single-occupancy cells - six months.

## **Article 111. Officials applying incentive and punitive measures to persons sentenced to imprisonment for a fixed term and life imprisonment**

The administration of the penitentiary institution shall apply the incentive and punitive measures specified in Articles 105 and 107 of this Code to prisoners.

## **Chapter XIV**

### **Execution of sentences in various types of penitentiary institutions**

#### **Article 112. General regime penitentiaries**

112.1. Persons sentenced to imprisonment for a fixed term for the first time for intentional crimes that do not pose a great public danger, less serious and serious crimes, as well as persons sentenced to imprisonment for a term of more than five years for crimes committed through negligence, as well as persons whose sentences have been replaced by imprisonment for a fixed term shall serve their sentences in general regime penitentiaries.

112.2. Men convicted of negligent, intentional crimes that do not pose a major public danger and less serious crimes shall be held separately from men convicted of serious crimes for the first time. *Persons convicted of serious crimes shall be held separately from men convicted of less serious crimes.* [\[128\]](#)

#### **Article 113. Conditions for serving sentences in general regime prisons** [\[129\]](#)

113.1. In general regime prisons, prisoners may move within the prison territory in accordance with the internal disciplinary rules of the prison.

113.2. Inmates in general regime penitentiaries where persons convicted of negligent, in crimes that do not pose a major public danger and less serious crimes are held:

113.2.1. are kept in ordinary residential buildings;

113.2.2. They may spend up to *fifty manats per month to purchase food* and essential goods ; [\[1\]](#)

113.2.3. are entitled to forty-eight short-term meetings and four long-term meetings per year

113.2.4. are entitled to receive forty-eight parcels, packages or packages per year.

113.3. If the convicts do not violate the rules of execution of the sentence and conscientiously approach the labor, their detention conditions may be improved after serving at least one third of the sentence. In this case, the convicts shall additionally:

113.3.1. may spend up to *fifteen manats per month to purchase food* and essential goods ; [\[131\]](#)

113.3.2. are entitled to four long-term appointments per year;

113.3.3. During their annual vacation, they may make a short trip outside the prison by decision of the prison administration.

113.4. Convicts in general regime penitentiaries where persons convicted for the first time of serious crimes *and transferred from strict regime penitentiaries in accordance with the procedure provided in Article 70.2.2 of this Code* are held: [\[132\]](#)

113.4.1. are kept in ordinary residential buildings;

113.4.2. may spend up to *forty-five manats per month to purchase food* and essential goods ; [\[133\]](#)

113.4.3. are entitled to twenty-four short-term meetings and three long-term meetings per year

113.4.4. are entitled to receive twenty-four parcels, packages or packages per year.

113.5. If the convicts do not violate the rules of execution of the sentence and conscientiously approach the labor, their detention conditions may be improved after serving at least one third of the sentence. In this case, the convicts shall additionally:

113.5.1. may spend up to *fifteen manats per month to purchase food* and essential goods ; [\[134\]](#)

113.5.2. are entitled to twelve short-term meetings and three long-term meetings per year;

113.5.3. are entitled to receive twelve parcels, packages or packages per year.

#### Article 114. **Strict regime prisons**

In strict regime prisons, persons sentenced to a fixed term of imprisonment for the first time for committing especially serious crimes, as well as persons who have previously served a fixed term of imprisonment for a recidivism of crimes, and women sentenced to a fixed term of imprisonment for a particularly dangerous recidivism of crimes, serve their sentences.

#### Article 115. **Conditions for serving sentences in strict regime prisons** [\[135\]](#)

115.1. In strict regime prisons, prisoners may move within the prison territory in accordance with the internal disciplinary rules of the prison.

115.2. Prisoners in strict regime prisons:

115.2.1. are kept in ordinary residential buildings;

115.2.2. they may spend up to *forty manats per month to purchase food* and essential goods ; [\[1\]](#)



115.2.3. are entitled to twelve short-term meetings and two long-term meetings per year;

115.2.4. are entitled to receive twelve parcels, packages or packages per year.

115.3. If the convicts do not violate the rules of execution of the sentence and conscientiously approach the work, their detention conditions may be improved after serving at least half of the sentence. In this case, the convicts shall additionally:

115.3.1. may spend up to *fifteen manats per month to purchase food* and essential goods ; [\[137\]](#)

115.3.2. are entitled to six short-term visits and two long-term visits per year;

115.3.3. are entitled to receive twelve parcels, packages or packages per year.

#### Article 116. **Special regime penitentiaries**

116.1. Men sentenced to imprisonment for a fixed term for especially dangerous recidivists and whose life sentence has been commuted to imprisonment for a fixed term shall serve their sentences in special regime penitentiaries.

116.2. Convicts sent to special regime penitentiaries shall be kept in cell-type rooms. Convicts may be transferred from cell-type rooms to ordinary residential buildings in accordance with the provisions provided for in Article 105.10 of this Code.

#### Article 117. **Conditions for serving sentences in special regime prisons** [\[138\]](#)

117.1. Prisoners in special regime prisons:

117.1.1. are kept in cell-type rooms or ordinary residential buildings;

117.1.2. may spend up to *thirty-five manats per month to purchase food* and essential goods ; [\[139\]](#)

117.1.3. are entitled to six short-term visits and two long-term visits per year;

117.1.4. are entitled to receive eight parcels, packages or packages per year.

117.2. If the convicts do not violate the rules of execution of the sentence and conscientiously approach the work, their detention conditions may be improved after serving at least half of the sentence. In this case, the convicts shall additionally:

117.2.1. may spend up to *fifteen manats per month to purchase food* and essential goods ; [\[140\]](#)

117.2.2. are entitled to two short-term visits and one long-term visit per year;

117.2.3. are entitled to receive three parcels, packages or packages per year.

#### Article 118. **Station-type penitentiary institutions**

118.1. *Persons sentenced to imprisonment for a term not exceeding five years for crimes committed with negligence in district-type penitentiaries and persons transferred from general regime penitentiaries in accordance with Articles 70.2.3 and 70.2.4 of this Code shall serve their sentences. Persons sentenced to imprisonment for serious or less serious crimes transferred from general regime penitentiaries shall be kept separately from other prisoners in district-type penitentiaries .* [\[141\]](#)

118.2. Inmates in station-type penitentiaries shall be kept in the same conditions.

118.3. Male and female prisoners may be held in the same prison type institutions. Persons who have committed a crime by participation shall, as a rule, serve their sentences separately.

Article 119. **Conditions for serving sentences in prison-type institutions** [\[142\]](#)

119.1. *Prisoners in station-type penitentiaries:*

119.1.1. *are kept unguarded but under supervision;*

119.1.2. *carry a specified identity document;*

119.1.3. *may move freely within the institution from the time they wake up until the time they go to*

119.1.4. *may correspond and meet with relatives and other persons without restrictions, and may send and receive parcels, gifts or packages;*

119.1.5. *inmates may talk on the phone or have a video call once a day for fifteen minutes in a penitentiary* [\[143\]](#)

119.1.6. *They may wear ordinary household clothes, carry money and valuables, and use money without restriction.*

119.2. *Utilities, food, material and household, medical and sanitary and other provisions for prisoners serving sentences in a prison-type institution are provided at the state expense.*

119.3. *Convicts who are employed outside the penitentiary in the vicinity of the institution or studying at higher, secondary specialized, or vocational education institutions may, with the permission of the penitentiary administration, move outside the institution, but within the territory of the Republic of Armenia without supervision, for no more than twelve hours a day. In this case, the decision adopted by the penitentiary administration shall determine an individual schedule for each convict to leave the penitentiary and return to the penitentiary.*

119.4. *When deemed necessary by the administration of the penitentiary institution, a prisoner who is employed or educated outside the penitentiary institution shall be checked to see whether he is evading work or education. If the check determines that the prisoner is evading work or education without a valid reason, the decision provided for in Article 119.3 of this Code shall be revoked.* [\[144\]](#)

Article 120. **Prisons**

120.1. Prisons shall hold persons sentenced to imprisonment for a term exceeding five years, persons committing particularly serious crimes, persons sentenced to serve all or part of the sentence for particularly dangerous recidivism of crimes, persons sentenced to life imprisonment, as well as persons transferred from general, strict and special regime penitentiaries in accordance with Article 70.4 of this Code.

120.2. General and strict conditions of detention shall be established for other prisoners held in prisons, with the exception of persons sentenced to life imprisonment and persons held in prisons for household and domestic service work.

120.3. Persons sent to prison for the first time to serve a sentence and persons who have been transferred from strict conditions of detention shall be held in general detention conditions.

120.4. Persons who have previously served a sentence in prison, convicted of crimes committed in prison, transferred to penitentiary institutions or transferred from general conditions of detention to strict conditions of detention as a disciplinary measure in accordance with the established procedure shall be held in strict conditions of detention. The period of stay in strict conditions of detention shall be determined by the court from two to six months.

120.5. Female prisoners, as well as prisoners *who have been diagnosed with a disability due to percent impairment of body functions*, may not be transferred to strict conditions of detention.

120.6. Convicts transferred from general conditions of detention to strict conditions of detention violating the rules of execution of the sentence shall be transferred again to general conditions of detention in accordance with the procedure established by this Code.

#### Article 121. **Conditions of execution of sentences in prisons**

121.1. Except for persons *engaged in household and domestic service work*, prisoners shall be kept in *common cells in prison*. In necessary cases, prisoners may be kept in single cells by a reasoned decision of the prison administration. [\[145\]](#)

121.2. Prisoners shall be placed in cells in accordance with the requirements of Articles 7 and 72.5 of this Code. Persons held in general and strict conditions of detention, persons sentenced to imprisonment, and prisoners held in prison for household and domestic service work shall be kept in isolation and separately from each other.

121.3. Prisoners in general detention in prisons shall:

121.3.1. may spend up to *twenty-five manats per month to purchase food* and essential goods ; [\[146\]](#)

121.3.2. are entitled to four short-term visits and two long-term visits per year;

121.3.3. are entitled to receive six parcels, packages or packages per year;

121.3.4. have the right to one hour of walking every day.

121.4. If prisoners do not violate the rules of execution of the sentence and conscientiously perform the work, their conditions of detention may be improved after they have served at least half of the sentence determined for them to serve in prison. In this case, prisoners may additionally:

121.4.1. may spend up to *fifteen manats per month to purchase food* and essential goods ; [\[147\]](#)

121.4.2. have the right to receive one long-term appointment per year;

121.4.3. are entitled to receive six parcels, packages or packages per year.

121.5. Prisoners in strict conditions of detention in prisons:

121.5.1. may spend up to *fifteen manats per month to purchase food* and essential goods ; [\[148\]](#)

121.5.2. have the right to receive a parcel, package or package once every six months;

121.5.3. have the right to a short-term meeting once every six months;

121.5.4. have the right to one hour of walking every day.

#### Article 122. **Conditions of detention of persons sentenced to life imprisonment** [\[149\]](#)

122.1. Persons sentenced to life imprisonment shall be kept in prisons ~~separately and in no more than two persons~~. These prisoners:

122.1.1. may spend up to *twenty-five manats per month to purchase food* and essential goods ; [\[150\]](#)

122.1.2. are entitled to *six* short-term visits and *two* long-term visits per year ;

122.1.3. are entitled to receive *eight* parcels, packages or packages per year ;

122.1.4. have the right to one hour of walking every day.

122.2. If the convicts do not violate the rules of execution of the sentence and conscientiously approach the labor, their conditions of detention may be improved after at least ten years have passed since the imposed sentence. In this case, the convicts shall additionally:

122.2.1. may spend up to *twenty-five manats per month to purchase food and essential goods* ; [\[151\]](#)

122.2.2. are entitled to two short-term visits and one long-term visit per year;

122.2.3. have the right to receive two parcels, packages or packages per year;

122.2.4. have the right to talk by phone *or have a video call four times a year* . [\[152\]](#)

122.3. If improved conditions of detention are revoked, this incentive measure may be revoked after three years from the date of adoption of the relevant decision.

## Chapter XV

### Features of serving sentences of imprisonment for minors

#### Article 123. Penitentiary institutions for minors

123.1. Juvenile prisoners sentenced to imprisonment for a fixed term shall serve their sentences in general and strict regime correctional institutions.

123.2. In general regime educational institutions, minor girls, as well as minor boys sentenced to fixed-term imprisonment for the first time, shall serve their sentences.

123.3. In strict regime correctional institutions, minor boys who have previously served a sentence of imprisonment for a certain period of time are serving their sentences.

#### Article 124. Conditions for the execution of punishment in correctional institutions [\[153\]](#)

124.1. Minor prisoners may move within the territory of the correctional institution in accordance with the internal disciplinary rules of the correctional institution.

124.2. Convicts in general regime correctional institutions shall:

124.2.1. are kept in ordinary residential buildings;

124.2.2. may spend up to *fifty manats per month to purchase food and essential goods* ; [\[154\]](#)

124.2.3. are entitled to forty-eight short-term and eight long-term appointments per year;

124.2.4. are entitled to receive forty-eight parcels, packages or packages per year.

124.3. In general regime correctional institutions, if convicts do not violate the rules of execution of the sentence, and if they conscientiously approach labor and education, their conditions of detention may be improved after serving at least a quarter of the sentence. In this case, convicts shall additionally:

124.3.1. may spend up to *fifteen manats per month to purchase food and essential goods* ; [\[155\]](#)

124.3.2. are entitled to four long-term appointments per year;

124.3.3. During annual leave, by decision of the prison administration, prisoners may be allowed to travel outside the prison for a short period of time accompanied by their parents or guardians.

124.4. Prisoners in strict regime correctional institutions:

124.4.1. are kept in ordinary residential buildings;

124.4.2. may spend up to *forty manats per month to purchase food* and essential goods ; [\[156\]](#)

124.4.3. are entitled to twenty-four short-term meetings and three long-term meetings per year

124.4.4. are entitled to receive twenty-four parcels, packages or packages per year.

124.5. In strict regime correctional institutions, if prisoners do not violate the rules of execution of the sentence, if they conscientiously approach labor and education, their conditions of detention may be improved after serving at least one third of the sentence. In this case, prisoners may additionally

124.5.1. may spend up to *fifteen manats per month to purchase food* and essential goods ; [\[157\]](#)

124.5.2. are entitled to twelve short-term meetings and three long-term meetings per year.

#### **Article 124-1. Incentive measures applied to prisoners in correctional institutions** [\[158\]](#)

124-1.1. In addition to the incentive measures provided for in Article 105.1 of this Code, minor convicts may be granted an incentive measure in the form of permission to attend sports, cultural, mass and other events outside the institution once, accompanied by a representative of the institution, for exemplary behavior in execution of the sentence, conscientious attitude to labor and education, and active participation in volunteer organizations and educational events.

124-1.2. Prisoners who are allowed to attend sports, cultural, mass and other events outside the institution shall be given an incentive, accompanied by a representative of the institution, shall be given civilian clothes belonging to them during the event.

124-1.3. The period of time for leaving the educational institution shall be determined by the institution administration, provided that it does not exceed eight hours.

124-1.4. Prisoners are not allowed to participate in sports, cultural, mass and other events held at night.

#### **Article 125. Punitive measures applied to prisoners in correctional institutions**

In addition to the punitive measures provided for in Articles 107.1.1 and 107.1.2 of this Code, convicts who violate the rules for the execution of their sentence may be subject to a punitive measure in the form of placement in a disciplinary detention center for up to seven days, provided that they continue their education.

#### **Article 126. Conditions of detention of prisoners in a disciplinary detention center**

126.1. Prisoners transferred to disciplinary isolation facilities shall be allowed to have limited visits, telephone calls , *video calls* , purchase food and essential goods, receive parcels, gifts or packages, watch movies and television programs. They are prohibited from watching movies or playing games. They are allowed to walk for two hours every day.

126.2. Other disciplinary measures may be applied to prisoners held in a disciplinary isolation facility in addition to transfer to a disciplinary isolation cell.

126.3. The period of detention in a disciplinary detention center within a calendar year shall not exceed thirty days.

#### **Article 127. Officials applying incentive and punitive measures to prisoners in correctional institutions**

The administration of the correctional institution applies incentive and disciplinary measures to minor prisoners.

#### Article 128. **Detention of adult prisoners in correctional institutions**

128.1. Convicts who have reached the age of eighteen are, as a rule, transferred from educational institutions to penal institutions. In educational institutions, convicts may be detained up to twenty, based on a court decision.

128.2. Convicts held in correctional institutions after reaching the age of eighteen shall be subject to the conditions of execution of the sentence, food standards and material and living conditions established for minor convicts. The working conditions of these convicts shall be determined in accordance with labor legislation.

#### Article 129. **Transfer of prisoners from a correctional institution to a penitentiary institution**

Convicts who have reached the age of eighteen and are held in correctional institutions who violate the rules for the execution of their sentence, are transferred to a general regime penal institution upon the recommendation of the correctional institution administration and by court decision.

#### Article 130. **Organization of the educational process in educational institutions**

130.1. In order to reform prisoners and prepare them for independent life, a unified educational process is implemented in correctional institutions, aimed at encouraging them to study law, forming a conscientious attitude towards work and education, and increasing their cultural

130.2. General ~~secondary~~ education of prisoners is carried out in general education schools, educational institutions, *vocational education* and training in vocational schools of educational institutions or in the production areas of educational institutions. [\[159\]](#)

130.3. *Special education of prisoners with disabilities shall be organized in correctional institutions in accordance with the conditions established in the opinion of the psychological-medical-pedagogical commission in accordance with the procedure established by legislation.* [\[160\]](#)

#### Article 131. **Public participation in the work of educational institutions**

131.1. In order to assist the administration of the correctional institution in organizing the educational process, strengthening its material and technical base, resolving issues related to the protection of convicts, and creating working and living conditions for those released from serving sentences, a guardianship council shall be established under the correctional institution with the participation of representatives of state enterprises, departments or organizations, public associations, other enterprises, and individuals. The organization and procedure for the activities of the guardianship council shall be regulated by a normative legal act approved by the relevant executive authority.

131.2. In order to increase the effectiveness of the educational impact on prisoners and to assist the administration of the educational institution in its reform work, a parents' committee consisting of parents or other close relatives of the prisoners may be established in these institutions. The act



parents' committee shall be regulated by a normative-legal act approved by the relevant authority.

#### **Section IV**

#### **Execution of punishments such as restriction on military service, detention in a disciplinary unit**

#### **Chapter XVI**

#### **Execution of punishment in the form of restriction on military service**

#### **Article 132. Duties of the commander (chief) of a military unit in connection with the execution of a sentence in the form of restriction on military service**

132.1. The commander (chief) of the military unit shall issue a written order no later than three days after receiving a copy of the verdict and the instruction on the execution of the sentence from the court. The order shall indicate the grounds and for what period the convicted military serviceman shall not be promoted in position or rank in accordance with the verdict and the period of the sentence shall be included in the years of service for the award of the next military rank. The order shall also indicate the amount of deductions from the convicted military serviceman's financial security for the benefit of the state during the period of execution of the sentence. The convicted military serviceman shall be familiarized with the order.

132.2. The commander (chief) of the military unit shall immediately notify the court that is executing the sentence of receipt of a copy of the sentence and the instruction on the execution of the sentence and the direction of its execution.

#### **Article 133. Deductions from prisoners' *monthly allowances* [\[161\]](#)**

*Deductions for the benefit of the state are made from the monthly allowance of military personnel sentenced to a sentence of restriction on military service in an amount determined by a court ruling.*

#### **Article 134. Educational work with prisoners**

The commander (chief) of a military unit organizes and carries out educational work with personnel sentenced to a punishment of restriction on military service, taking into account the degree and nature of the public danger of the committed crime, the personality and behavior of the convicted person as well as his attitude towards military service.

#### **Article 135. Service transfers of prisoners**

135.1. Military personnel sentenced to a punishment of restriction on military service by a court verdict may not be promoted in position or rank during the period of execution of the punishment determined by the court.

135.2. If the convicted person cannot be retained in the position related to command subordinates, taking into account the nature of the committed crime and other circumstances, he shall be transferred to another position in the same military unit or another military unit, based on the presentation of the relevant commander (chief). In this case, the court that issued the sentence shall immediately be informed.

#### **Article 136. Suspension of execution of sentence**

At least three days before the expiration of the period of restriction on military service determined by the court, the commander (chief) of the military unit shall issue an order stating the date from which the execution of the sentence shall be suspended. The order shall be brought to the attention of the military serviceman.

#### **Article 137. Exemption from serving a sentence or replacement of the sentence with another type of punishment in connection with discharge from military service of a person sentenced to a punishment in the form of restriction on military service**

137.1. A person sentenced to a punishment in the form of restriction on military service shall be discharged from military service on the grounds provided for in the legislation until the expiration of the term of punishment determined by the sentence.

137.2. In connection with the discharge from military service of a person sentenced to a punishment in the form of restriction on military service, the commander (chief) of the military unit shall submit a proposal to the court for the replacement of the unserved part of the punishment with another type of punishment. The convict, in turn, may apply to the court with an application for the replacement of the unserved part of the punishment with a lighter type of punishment or for conditional early release from punishment.

### **Chapter XVII**

#### **Execution of punishment in the form of detention in a disciplinary military unit**

#### **Article 138. Disciplinary military units**

138.1. Execution of punishment in the form of detention in a disciplinary military unit shall be carried out by the commander of the military unit established for these purposes. The organizational structure of the disciplinary military unit and its numerical composition shall be determined by the relevant executive authority.

138.2. The rules for sending and accepting prisoners to a disciplinary military unit shall be determined by the relevant executive authority.

138.3. Except for correctional measures such as general education and vocational training, other correctional measures in accordance with the provisions of this Code shall be applied to prisoners in a disciplinary military unit, and in addition, combat training shall be conducted with them.

#### **Article 139. Regime in a disciplinary military unit**

139.1. Within the boundaries of a disciplinary military unit, the rules (regime) for the execution and serving of punishment shall be established, ensuring the protection of prisoners, the duties of control over them, the exercise of their rights, and the safety of military personnel and prisoners in the disciplinary military unit.

139.2. Convicted military personnel must comply with the requirements of the regime established in the disciplinary military unit.

139.3. During the execution of the sentence in a disciplinary military unit, all convicts, regardless of their military rank or previous service, shall wear the uniform established for military personnel.

#### **Article 140. Visits to prisoners in a disciplinary military unit**

140.1. Military personnel sentenced to a disciplinary detention in a military unit have the right to short-term and long-term visits, as well as to telephone or videoconference . [\[162\]](#)

140.2. Prisoners shall be granted short-term meetings with their relatives and other persons and hours determined by the commander of the disciplinary military unit, during their free time for work and training, for a period of up to four hours twice a month. Meetings shall be held in a specially equipped room with the presence of a representative of the military unit.

140.3. Prisoners may be granted long-term visits with their close relatives four times a year for three days with the right to live together in specially equipped rooms of a disciplinary military unit with the consent of the military unit commander, outside the military unit.

140.4. During long-term visits, prisoners are exempted from work and training.

140.5. Convicts held in a disciplinary military unit have the right to have a telephone conversation or video conference twice a month in accordance with the procedure provided for in Article 84 of the Code . At the request of the convict, a long-term or short-term meeting may be replaced by a telephone conversation or video conference . [\[163\]](#)

140.6. In order to receive legal assistance, upon the application of the convicts themselves, their close relatives or their legal representatives, the convicts shall be granted meetings with lawyers as with other persons entitled to provide such assistance. Meetings with a lawyer shall not be included in the number of meetings provided for in Articles 140.2 and 140.3 of this Code. Such meetings shall be held in private at the request of the parties.

#### **Article 141. Receipt of parcels, gifts, packages and money orders by prisoners in a disciplinary military unit**

141.1. Prisoners have the right to receive one parcel, gift or package per month and an additional gift during visits.

141.2. The convict shall open the parcel, package or parcel in the presence of a representative of the disciplinary military unit and take the goods contained therein.

141.3. If goods prohibited to the convict are discovered in packages, parcels or packages, they shall be seized, recorded in the list of the convict's personal belongings and kept together with other belongings until the end of the sentence or destroyed according to a reasoned decision of the commander of the disciplinary military unit, and a relevant act shall be drawn up on this.

141.4. Money sent to the prisoner's name shall be transferred to his personal account, and purchase *food* and necessary goods from that account in the amount of up to *nine manats per month*.

#### Article 142. **Correspondence of prisoners in a disciplinary military unit**

142.1. Prisoners have the right to receive and send an unlimited number of letters and telegrams.

142.2. The received letter shall be presented by a representative of the disciplinary military unit. The prisoner shall open the letter in the presence of the representative. If prohibited items are found in the letter, they shall be confiscated.

142.3. Letters and telegrams of prisoners shall not be censored.

#### Article 143. **Short-term visits of prisoners outside the military unit for disciplinary purposes**

143.1. Convicts held in a disciplinary military unit may be allowed to travel outside the unit for a short-term trip in accordance with the procedure provided for in Article 89.1 of this Code. The time spent by the convict outside the disciplinary military unit in connection with a short-term trip shall be counted towards the term of execution of the sentence.

143.2. Leave provided for military personnel does not apply to prisoners held in a disciplinary military unit.

#### Article 144. **Labor of convicts in a disciplinary military unit**

144.1. Convicts may be engaged in labor in the facilities of a disciplinary military unit or in other facilities determined by the relevant executive authority.

144.2. The labor of prisoners shall be organized in accordance with the rules established by the relevant executive authority.

144.3. The norms and prices established in accordance with the legislation in force shall apply to the work performed by prisoners. Prisoners shall not be paid wages.

144.4. Half of the amount transferred by the employer for the labor of prisoners shall be transferred to the account of the military unit for the improvement of the disciplinary military unit, the creation and development of its independent production base, the payment of the material and household needs of prisoners and the organization of a material reward fund, and the other half shall be transferred to the state.

144.5. Prisoners may be involved in additional work in rotation to improve the territory of the disciplinary military unit, improve the cultural and living conditions of prisoners, and provide them with food. [\[165\]](#)

#### Article 145. **Combat training of prisoners in a disciplinary military unit**

Combat training of prisoners is organized on the basis of a special program developed by the relevant executive authority and is carried out by the commander of the disciplinary military unit. The necessary material and technical base is created for the organization of combat training of prisoners.

#### Article 146. **Educational work with prisoners in a disciplinary military unit**

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146.1. The commander of the disciplinary military unit shall organize and implement educational work with prisoners.

146.2. Commanders of military units where prisoners previously served in military service shall maintain constant contact with the commander of the disciplinary military unit, be interested in the behavior of military personnel who were subordinate to them, and assist in their reform.

146.3. The relevant executive authority shall assist the commander of a disciplinary military unit in conducting educational work with prisoners.

#### **Article 147. Public councils of prisoners in a disciplinary military unit**

147.1. In order to assist the commander of a disciplinary military unit in the work of re-educating prisoners, a public council of prisoners shall be established from among persons distinguished by exemplary behavior and conscientious attitude to labor and military service.

147.2. Members of the public council shall be elected at general meetings of prisoners. The composition of the public council shall be approved by the commander of the disciplinary military unit. The commander of the military unit shall exercise control over the activities of that council.

147.3. The public council shall assist the commander of the military unit in the implementation of educational measures and the prisoners' leisure time, and shall conduct explanatory work with the prisoners.

#### **Article 148. Incentive measures applied to prisoners in a disciplinary military unit**

148.0. The following incentive measures are applied to prisoners for exemplary and conscientious performance in labor and military service, and active participation in the work of the public council:

148.0.1. to express gratitude;

148.0.2. to reward with a gift or cash reward of up to *four manats*; [\[166\]](#)

148.0.3. to grant a short-term or long-term additional appointment;

148.0.4. withdrawing an imposed penalty ahead of time;

#### **Article 149. Punitive measures applied to prisoners in a disciplinary military unit**

149.1. The following disciplinary measures shall be applied to convicts who violate the execution of the sentence:

149.1.1. reprimand;

149.1.2. reprimand;

149.1.3. severe reprimand;

149.1.4. to be detained in the main detention center for a period of up to ten days.

149.2. Prisoners are kept in single cells in the main ward of a disciplinary military unit.

#### **Article 150. Procedure for applying incentive and punitive measures to prisoners in a disciplinary military unit**

The rights of commanders (chiefs) regarding the issuance of incentive and punitive measures and the procedure for their application, as well as their registration, are determined in accordance with the requirements of the Disciplinary Charter of the Armed Forces of the Republic of Azerbaijan.

**Article 151. Material, living and medical support of prisoners in a disciplinary military unit**

151.1. Necessary material and living conditions shall be created for prisoners in accordance with the requirements of the Internal Service Charter of the Armed Forces of the Republic of Azerbaijan.

151.2. *Prisoners shall be provided with food*, clothing and other supplies in accordance with the requirements approved by the relevant executive authority.

151.3. Medical care for prisoners is provided in accordance with the requirements of the Service Regulations of the Armed Forces of the Republic of Azerbaijan.

151.4. Prisoners who require inpatient treatment shall be sent to a hospital under guard, and shall stay there in specially equipped rooms.

151.5. Monetary benefits provided to prisoners shall be transferred to their personal accounts monthly.

151.6. *The list of food* products and essential goods that prisoners are allowed to keep, acquire on a non-cash basis, or receive in parcels, packages, or packages, as well as the list of items that prisoners are prohibited from keeping, shall be determined by the internal disciplinary rules of the disciplinary military unit.

**Article 152. Conditional early release from punishment of prisoners deemed unfit for military service from a disciplinary military unit**

If prisoners serving a sentence in a disciplinary military unit suffer from illnesses that render them unfit for military service, the prisoners and their legal representative may apply to the court for conditional early release from the disciplinary military unit or for the unserved portion of the sentence to be replaced with a lighter sentence.

**Article 153. Calculation of the time spent by military personnel in a disciplinary military unit towards the period of fixed-term active military service**

153.1. The time a prisoner serves in a disciplinary military unit shall not be counted towards the period of active military service.

153.2. Persons who have reached the legal age limit for active military service at the time of release from punishment in the form of detention in a disciplinary military unit shall be discharged from active military service.

**Section V**

**Execution of additional penalties**

**Chapter XVIII**



execution of penalties such as deprivation of the right to drive a vehicle, deprivation of special military rank, honorary title and state award, ~~confiscation of property~~ and forced deportation the borders of the Republic of Azerbaijan [\[167\]](#)

**Article 154. Procedure for the execution of a penalty in the form of deprivation of the right to drive a vehicle**

154.1. After the judgment on deprivation of the right to drive a vehicle enters into legal force, in the cases provided for in Article 154.3 of this Code, *the enforcement officer* shall send a copy of the document granting the right to drive a vehicle to the body that granted the convicted person this right.

154.2. The relevant body shall take measures to preserve the document granting the right to drive a vehicle in connection with the deprivation of the convicted person of the right to drive a vehicle for the period specified in the sentence, in accordance with the procedure established by legislation.

~~154.3. When a punishment~~ 154.3. When a punishment in the form of deprivation of the right to drive a vehicle is imposed in addition to punishments in the form of detention in a disciplinary military unit or imprisonment for a certain period, the institution or body executing the punishment shall, after the expiration of the punishment term, or if the convict is conditionally released early or the unserved part of his sentence is replaced by a lighter sentence, send a copy of the verdict and the document granting the right to drive a vehicle to *the enforcement officer* at the place of residence of the convict. [\[168\]](#)

154.4. The institution or body executing the punishment in the form of deprivation of the right to drive a vehicle shall, in accordance with international treaties to which the Republic of Azerbaijan is a party, immediately inform the diplomatic and consular representations of the country of the convicted person of his permanent residence in the Republic of Azerbaijan or to that country, of the content of the court's legally effective verdict and the document granting the right to drive a vehicle.

**Article 155. Obligations of the employer during the execution of a penalty in the form of deprivation of the right to drive a vehicle**

155.1. The employer of the place of work of a person sentenced to a penalty of deprivation of the right to drive a vehicle must comply with the requirements specified in the court verdict.

155.2. The institution or body executing the sentence may not use persons sentenced to deprivation of the right to drive a vehicle in cases related to driving a vehicle, in addition to punishments in the form of restriction of freedom, ~~detention in a disciplinary military unit, or imprisonment for a certain period~~ [\[169\]](#)

**Article 156. Duties of the enforcement officer during the execution of a sentence in the form of deprivation of the right to drive a vehicle**

156.0. *The executive officer* of the place of residence of the person sentenced to a penalty of deprivation of the right to drive a vehicle ;

156.0.1. keeps records of the convict;

156.0.2. monitors the prisoner's compliance with the requirements specified in the court's verdict.

156.0.3. checks whether the employer of the convicted person's place of work fulfills requirements specified in the sentence.

**Article 157. Calculation of the term of execution of a sentence in the form of deprivation of the right to drive a vehicle**

*The term of execution of the sentence in the form of deprivation of the right to drive a vehicle is calculated in accordance with the procedure established by Article 45.2 of the Criminal Code of the Republic of Azerbaijan.*

**Article 158. Consequences of non-execution of a sentence on deprivation of the right to drive a vehicle**

158.1. If a person sentenced to a penalty of deprivation of the right to drive a vehicle enters employment related to driving a vehicle prohibited by a court ruling, the employer shall terminate employment contract with the convicted person in accordance with labor legislation.

158.2. If a person sentenced to a penalty of deprivation of the right to drive a vehicle enters labor activity related to driving a vehicle prohibited by a court verdict, the enforcement officer shall inform the employer and propose to terminate the relevant labor activity of the convicted person prohibited by the verdict for a period of three days and shall warn him/her that failure to execute the verdict will result in liability.

158.3. A convicted person or official who does not execute a court verdict on deprivation of the right to drive a vehicle with prejudice shall bear the responsibility established by the legislation of the Republic of Azerbaijan.

**Article 159. Procedure for the execution of punishment in the form of deprivation of special or military rank, honorary title and state award**

159.1. *In cases where the sentence provides for the deprivation of a convicted person from a special or military rank, honorary title, or state award, a presentation and a copy of the court verdict shall be sent to the relevant executive authority for consideration of the issue of deprivation of the convicted person from a higher special or military rank, honorary title, or state award granted by the relevant executive authority, and in cases where a convicted person is deprived of a special or military rank or award granted by another state authority, a copy of the court verdict shall be sent to that authority for execution.* [\[171\]](#)

159.2. The relevant body shall, in accordance with the established procedure, make a written presentation on the deprivation of a convicted person of a special or military rank, honorary title and state award, as well as take measures to deprive the person of rights and privileges related to special or military rank, honorary title and state award.

159.3. A copy of the verdict regarding a military serviceman in reserve shall be sent to the commissariat where he is registered.

159.4. The relevant body that receives the copy of the judgment and the presentation shall inform the court that issued the judgment about its execution within one month.

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**Article 160. Procedure for the execution of a sentence in the form of confiscation of property**

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160.1. After the judgment enters into legal force, the court that issued the judgment on conviction of property shall send a copy of the judgment, an instruction on the execution of the judgment and a copy of the list of property to the bailiff and shall inform the relevant financial authority thereof.

160.2. Execution of a punishment in the form of confiscation of property shall be carried out by the enforcement officer at the location of the property.

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#### Article 161. Confiscated property

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161.1. The following property specified in the court's verdict and in the property list shall be confiscated:

161.1.1. tools and means used in the commission of the crime;

161.1.2. the subjects of the crime;

161.1.3. property obtained through crime;

161.1.4. money or other property belonging to the convicted person in the amount of the value of the property obtained through crime or the object of the crime, if it has been used, alienated or cannot be acquired for the state for other reasons.

161.2. A dispute regarding the ownership of property subject to confiscation by a court ruling shall be resolved in civil court proceedings.

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#### Article 162. Duties of the bailiff during the execution of a sentence in the form of confiscation of property

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162.1. Upon receipt of a copy of the court judgment and the instruction on the execution of the judgment, the bailiff shall immediately check the existence of the property indicated in the property list.

162.2. The confiscated property shall be sealed or sealed, and if necessary, a record shall be made of this in a list.

162.3. The enforcement officer shall take necessary measures to preserve the property subject to confiscation.

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#### Article 163. Duties of other persons in relation to property subject to confiscation

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163.1. If property subject to confiscation is in the possession of enterprises, institutions, organizations or citizens, they must notify the court or the relevant financial authority.

163.2. Enterprises, departments, organizations or citizens must ensure the preservation of confiscated property given to them for safekeeping.

163.3. Persons guilty of concealing, wasting, alienating or changing confiscated property shall be held liable in accordance with the legislation.

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#### Article 164. Transfer of confiscated property to financial authorities

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164.1. The confiscated property of a convict shall be transferred to the financial authorities if the claims made against this property have been satisfied in accordance with the procedure established by law.

~~164.2. The procedure for transferring confiscated property to the state shall be determined by the relevant executive authority.~~

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~~Article 165. Confiscation of property discovered after the execution of the sentence~~

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~~In cases where, after the execution of the part of the sentence regarding the confiscation of property acquired in connection with the crime committed by the convicted person is discovered, the enforcement officer shall submit a report to the court that issued the sentence or to the court of appeal where the sentence is executed.~~

*Article 166. Procedure for the execution of punishment in the form of forced deportation outside the borders of the Republic of Azerbaijan* [ 1 7 4 ]

166.1. Forced deportation outside the borders of the Republic of Azerbaijan shall be applied in cases provided for in the Criminal Code of the Republic of Azerbaijan.

166.2. The body or institution executing the main punishment imposed on a foreigner or stateless person sentenced to an additional punishment in the form of forced deportation outside the borders of the Republic of Azerbaijan shall, two months before the expiration of the established term of the main punishment, and if the additional punishment is imposed as the main punishment, immediately after the receipt of an instruction to direct the punishment execution, submit to the body executing the additional punishment a copy of the relevant verdict, inform the convict, the state to which he belongs, the execution of the punishment (place of serving the punishment, movements of the convict, early release, etc.), and the status of compensation for damage caused as a result of the crime.

166.3. A foreigner or stateless person shall be transferred to the body executing the additional punishment accompanied by a representative of the body or institution executing the main punishment, on the completion of the main punishment or release from punishment in accordance with the established procedure.

166.4. A foreigner or stateless person who does not have an identity document shall be transferred to the body executing the additional sentence on the basis of a certificate of release with a photograph submitted by the institution executing the main sentence.

166.5. If there is a need to clarify the identity of a person sentenced to an additional punishment in the form of forced deportation outside the borders of the Republic of Azerbaijan, the body executing the additional punishment shall take measures in accordance with the Migration Code of the Republic of Azerbaijan based on the information provided by the institution or body executing the main punishment.

166.6. Persons sentenced to an additional punishment in the form of forced deportation outside the borders of the Republic of Azerbaijan must be deported from the territory of the Republic of Azerbaijan within 48 hours. In case of delay in the documentation related to the application of the punishment of forced deportation outside the borders of the Republic of Azerbaijan or other justified reasons preventing the timely execution of the deportation, the court of first instance at the place of detention of the person shall consider the issue of the deportation period based on a substantiated submission of the body executing the punishment.

166.7. In case of evading the execution of the sentence by evading the execution of the sentence of forced deportation outside the borders of the Republic of Azerbaijan, or if there are sufficient grounds to suspect evasion, the foreigner or stateless person shall be detained in accordance with the procedure provided for in the Criminal Procedure Code of the Republic of Azerbaijan and the execution of the sentence shall be ensured.

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166.8. The persons specified in Article 166.7 of this Code shall be placed in temporary accommodation of the relevant executive authority by court decision in accordance with the procedure and within the time established by the Migration Code of the Republic of Azerbaijan. [\[176\]](#)

166.9. The body executing the sentence shall send written information in advance to the relevant authority about the person forcibly deported outside the borders of the Republic of Azerbaijan. When the person is deported outside the borders of the Republic of Azerbaijan, he shall be accompanied by the employees of the body executing the sentence to the border checkpoints of the Republic of Azerbaijan and shall be handed over to the employees of the relevant executive authority at the checkpoints of the state border.

166.10. The costs of removal from the borders of the Republic of Azerbaijan shall be paid by the person himself or by the diplomatic and consular representations of the state to which he belongs. In case payment in the specified manner is impossible, the costs of removal of the convicted person from the borders of the Republic of Azerbaijan shall be paid by the relevant executive authority of the Republic of Azerbaijan.

166.11. Other issues arising from the application of the penalty of forced deportation outside the borders of the Republic of Azerbaijan shall be resolved in accordance with the Migration Code of the Republic of Azerbaijan provided that they do not contradict the provisions of this Code.

## Section VI

### Release from serving a sentence. Assistance and supervision of persons released from serving a sentence

## Chapter XIX

### Exemption from serving a sentence

#### Article 167. Grounds for exemption from serving a sentence

167.0. Convicts are released from serving their sentences on the following grounds:

167.0.1. upon the expiration of the term of the sentence;

167.0.2. when the proceedings of the case are terminated due to the annulment of the verdict;

167.0.3. upon conditionally released from punishment;

167.0.4. when the unserved part of the sentence is replaced by a lighter type of sentence;

167.0.5. pursuant to an act of amnesty or pardon;

167.0.6. due to illness and other grounds provided for by legislation.

#### Article 168. Rules for release from serving a sentence in connection with the expiration of the sentence

168.1. The term of punishments such as deprivation of the right to hold a certain position or engage in a certain activity, community service, correctional labor, *restriction of freedom*, ~~restriction of imprisonment~~ for a certain period of time, as well as restriction on military service and detention in a disciplinary military unit shall expire on the last day of serving the sentence. [\[177\]](#)

168.2. Persons sentenced to a *fixed* -term imprisonment shall be released from the place of execution of the sentence in the first half of the last day of the sentence. If the sentence *ends on a day of rest, a public holiday that is not considered a working day, or a day of national mourning*, the convicted person shall be released on the day preceding those days. If the sentence is calculated in months, this period shall be calculated on the corresponding day of the last month, or if there is no corresponding day in this month, on the last day of that month. [\[178\]](#)

168.3. When released from serving a sentence, the convicted person shall be given his/her personal belongings and valuables, money held in his/her personal account and personal documents, identity card, record book (if any), pension card (if any), as well as documents on his/her release from serving a sentence and labor activity. [\[179\]](#)

168.4. If the identity card of a convict released from serving a sentence of imprisonment for a fixed term and the employment record book in respect of persons specified in Part 2-1 of Article 7 of the Labor Code of the Republic of Azerbaijan are not in the convict's personal file, the management of the institution of execution of the sentence shall take measures in advance to obtain them. [\[180\]](#)

168.5. Conditional early release of a prisoner from punishment shall be carried out on the day when the relevant document is received from the court, and if the document is received after the end of a working day, on the morning of the next day.

168.6. The enforcement officer shall, on the day of the expiration of the term of the sentence or the form of correctional labor, or upon receipt of the relevant document if the convict is released from serving a sentence on other grounds, no later than the next day, notify the employer of the place of employment of the convict about the suspension of deductions from his salary.

168.7. The person released in connection with the cancellation of the sentence shall be explained to the institution or body executing the sentence the procedure for restoring property, labor, housing and other lost rights. In this case, the document on release shall contain an official apology from the state on behalf of the state.

#### **Article 169. Exemption of military personnel from serving sentences**

Military personnel sentenced to a punishment such as restriction on military service or detention in a disciplinary military unit are exempted from serving the unserved part of their sentence if they are deemed unfit for military service due to illness. The unserved part of the sentence may be replaced by a lighter punishment by the court.

#### **Article 170. Rules for the early release of a prisoner from punishment or the replacement of the unserved part of the punishment with a lighter type of punishment, as well as the postponement of the serving of the punishment**

170.1. A convicted person who may be granted conditional early release from punishment or the replacement of the unserved part of the punishment with a lighter type of punishment, as well as the postponement of serving the punishment, may apply to the court with an application in accordance with the procedure established by the Criminal Procedure Legislation of the Republic of Azerbaijan.

170.2. When granting conditional early release from punishment or replacing the unserved part of the punishment with a lighter type of punishment, the judgment of the institution or body executing the sentence shall be taken into account.



ishment regarding the behavior of the convict during the period of punishment, his attitude education and the crime committed shall be taken into account. The personal file of the convict sent to the court together with the judgment.

170.3. The rules for implementing amnesty shall be determined by the body that adopts the amnesty act.

170.4. The institution or body executing the sentence shall submit a corresponding petition from a convicted person who is presented for pardon.

170.5. The convicted person himself or his legal representative shall submit an application to the court for exemption from serving a sentence due to mental or other serious illness, and the institution or body executing the sentence shall submit a presentation. The presentation shall be accompanied by the opinion of the medical-social commission and the convicted person's personal file. The presentation shall contain information about the convicted person's behavior throughout the entire period of imprisonment.

170.6. A female convict serving a sentence of community service or *correctional labor* may apply to the court for a postponement of the serving of the sentence from the moment she is released from prison due to pregnancy or childbirth. [\[181\]](#)

170.7. In cases where the court rejects the request for conditional early release of a prisoner serving a sentence of punishment or replacement of the unserved part of the punishment with a lighter type of punishment, as well as the postponement of the serving of the punishment, the repeated application may be considered at least six months after the date of the court's decision on rejection.

**Article 171. Replacement of the sentence of persons sentenced to life imprisonment with a sentence of imprisonment for a certain period or conditional early release from the sentence** [\[182\]](#)

171.1. A person sentenced to life imprisonment may, after the expiry of the period specified in the Criminal Code of the Republic of Azerbaijan, apply to the court for the replacement of his sentence of imprisonment with a sentence of imprisonment for a certain period or for conditional early release from the sentence. [\[183\]](#)

171.2. If the court rejects the application of a prisoner serving a life sentence for the replacement of the sentence with a sentence of imprisonment for a certain period or for conditional early release from the sentence, a repeated application may be considered at least one year after the date of the court's decision on rejection. [\[184\]](#)

**Article 172. Postponement of serving the sentence by pregnant women and persons with children** [\[185\]](#)

172.1. The court may postpone the sentence of pregnant women serving their sentence in penitentiary institutions or those with children under the age of fourteen, as well as men raising children under the age of fourteen alone, until the child reaches the age of fourteen. [\[186\]](#)

172.2. The suspension of the sentence shall not apply to pregnant women or women with children under the age of fourteen, who have been sentenced to imprisonment for a term of more than five years.

committing a grave or especially grave crime against the person, *as well as to men who are*  
child under the age of fourteen alone . [\[187\]](#)

172.3. A pregnant woman or a woman who has a child under the age of *fourteen* , *as well who is raising a child under the age of fourteen alone* , may apply to the court with an application for postponement of the serving of her sentence. The application shall be accompanied by the character certificate, the written consent of relatives to provide *the convict* and his child with a live, a doctor's opinion on the woman's pregnancy, or a copy of the child's birth certificate. Considering *the convict's* application, the court shall take into account the opinion of the administration. [\[188\]](#)

172.4. The administration of the penitentiary institution shall release a convicted woman pregnant or has a child under the age of *fourteen* , *as well as a man who is raising a child under fourteen alone, after receiving a court decision on the postponement of the serving of the sentence. The court shall be required to apply to the probation agency at his place of residence for registration within fifteen days* of his release . [\[189\]](#)

172.5. A pregnant woman or a convicted person with a child under the age of *fourteen* , *as man raising a child under the age of fourteen alone*, shall, after being released from serving the sentence, be transferred to the place of residence at the state expense.

172.6. A copy of the decision on the postponement of the execution of the sentence, indicating the release, shall be sent to the court and probation agency at the place of residence no later than three days after the release of a convicted woman who is pregnant or has a child under the age of *fourteen*, *as well who is raising a child under the age of fourteen alone*. [\[190\]](#)

172.7. The bailiff shall register and exercise control over a pregnant woman or a woman with a child under the age of *fourteen* , *as well as a man who is raising a child under the age of fourteen alone* .

172.8. The bailiff shall, within three days of registering a pregnant woman or a woman with a child under the age of *fourteen* , *as well as a man who is raising a child under the age of fourteen alone*, provide information to the prison from which she was released. [\[191\]](#)

**Article 173. Consequences of failure to comply with the conditions for the postponement of the serving of the sentence by pregnant women and persons with minor children** [\[192\]](#)

173.1. If a pregnant woman or a convicted person with a child under the age of *fourteen* , *as man raising a child under the age of fourteen alone*, fails to apply to the enforcement officer for registration within fifteen days of the date of her release for an unjustified reason , measures shall be taken to determine her location, and if the location of the convicted person cannot be determined, a search shall be declared by decision of the enforcement officer and a copy of the decision shall be sent to the relevant authority. [\[193\]](#)

173.2. If a convicted woman who is pregnant or has a child under the age of *fourteen* , *as man who is raising a child under the age of fourteen alone*, refuses to raise the child or abandons the child during the period of suspension of the sentence, she shall be given an official warning by the enforcement officer . [\[194\]](#)

173.3. If the convicted ~~woman~~ refuses the child after the warning or continues to refuse to child, *the bailiff* shall submit a presentation to the court at the place of residence of the convicted on the cancellation of the suspension of serving the sentence and the transfer of the convicted to the place of execution of the sentence determined by the verdict. A copy of the decision suspension of serving the sentence shall be attached to the presentation. [\[195\]](#)

173.4. When a child reaches the age of *fourteen* or when a child dies, the court, taking into account the behavior of *the convicted person* and his attitude towards the upbringing of the child, decides on the issue of his early conditional release from punishment or the replacement of the unserved part of punishment with a lighter type of punishment, or his transfer to a penitentiary institution. *considering the issue, the court takes into account the judgment of the bailiff.* [\[196\]](#)

#### Article 174. Legal status of persons released from serving a sentence

174.1. Persons released from serving a sentence shall enjoy the rights and bear the obligations established for citizens of the Republic of Azerbaijan, taking into account the restrictions established by law for persons with a conviction.

174.2. *When convicted foreigners or stateless persons are released from serving a sentence, the relevant executive authority shall provide information to the relevant executive authority in order to determine the grounds for the presence of such persons in the territory of the Republic of Azerbaijan. On the basis of the information, the relevant executive authority shall decide on the question of the stay of such persons in the Republic of Azerbaijan or their deportation from the territory of the Republic of Azerbaijan.* [\[197\]](#)

### Chapter XX

#### *Social adaptation, assistance and supervision of persons released from prison* [\[198\]](#)

#### Article 175. *Duties of the institution or body executing the sentence regarding the social adaptation of persons released from serving sentences in penitentiary institutions*

175.1. *In order to prepare for release from prison, the administration of a ~~special institution~~ or penal institution shall conduct preparatory work with prisoners, explain to them their rights and obligations, and provide information on the legislation on the social adaptation of persons released from prison.* [\[199\]](#)

175.2. *The administration of a penal institution shall submit a list of persons sentenced to imprisonment for a fixed term to the relevant executive authority three months before the end of their sentence. The relevant executive authority, together with the administration of a ~~special institution~~ or penal institution, shall identify persons who are in need of social adaptation and register these persons with their consent at least once a month. The relevant executive authority shall explain their rights and obligations, the content and procedure for implementing social adaptation measures. Persons who have refused social adaptation shall be informed of their right to appeal to the relevant executive authority for social adaptation within three months after their release from punishment. The administration of a ~~special institution~~ or penal institution shall immediately inform the relevant*

ority about persons who are released from punishment on other grounds and who are in need of adaptation, and joint measures shall be taken to send these persons to social adaptation centers. [\[200\]](#)

175.3. Convicts who have been determined to be disabled due to 61-100 percent impairment of body , male convicts who have reached the age of sixty-two and female convicts who have reached the age of fifty upon their own application and the presentation of the prison administration, shall be sent by the executive authority to social service institutions for the elderly and persons with disabilities , ~~including~~ [\[201\]](#) ~~under the age of 18 with limited health .~~

175.4. If minors who have lost their parents and are released from serving a sentence and are dependent on parental care do not have a place to live, they shall be sent to boarding schools by the relevant executive authority in accordance with the procedure established by law and shall be fully provided for by the state. [\[202\]](#)

#### Article 176. Assistance to persons released from serving a sentence

176.1. Persons released from serving a sentence of imprisonment for a fixed term of imprisonment shall be provided with food and travel expenses to their place of residence.

176.2. If persons released from penal institutions do not have the necessary seasonal clothing and footwear and do not have the means to acquire them, they shall be provided with clothing and footwear at the state expense. They may also be given a lump sum allowance.

176.3. Provision of food , clothing, footwear, payment of travel expenses, as well as one-time allowance to persons released from serving their sentences shall be carried out by the administrative authority of the penitentiary institution in accordance with the procedure established by the relevant executive authority.

176.4. When persons released from serving a sentence of imprisonment for a fixed term of imprisonment and who need the care of other persons due to their health, pregnant women or persons with children under the age of fourteen , as well as minors, are released, the administrative authority of the penitentiary institution shall notify their relatives or other persons. [\[203\]](#)

176.5. Persons released from penal institutions and specified in Article 176.4 of this Code shall be sent to their place of residence accompanied by their relatives, guardians or other persons authorized by the employees of the penal institution.

#### Article 177. The right of persons released from serving a sentence to be provided with living conditions and to receive other types of social assistance

Persons released from a sentence of imprisonment for a fixed term or life imprisonment shall be provided with living and working conditions and to receive other types of social assistance in accordance with the legislation. [\[204\]](#)

#### Article 178. Supervision of persons conditionally released from prison

178.1. Supervision over persons conditionally released from prison shall be exercised by the supervising officer at the place of residence of the convict , and supervision over military personnel shall be exercised by the military supervising officer. [\[205\]](#)

the command of military units and institutions. [\[205\]](#)

178.2. A copy of the decision on conditional early release from punishment shall be sent to the probation agency at the place of residence of the person no later than three days after his release. At the same time the administration of the penitentiary institution shall request the person to apply to the probation agency at the place of residence for registration within fifteen days after his release.

178.3. The bailiff shall keep a register of persons conditionally released from prison, monitor their compliance with public rules and the performance of duties assigned to them by the court.

178.4. Persons conditionally released from punishment shall fulfill the duties assigned to them by the court and shall appear upon summons of the bailiff. Persons who fail to appear for no good reason may be punished forcibly by decision of the bailiff approved by the head of the probation agency.

178.5. If a person conditionally released from prison regularly or intentionally fails to fulfill the duties imposed on him by the court, including refusing to carry an electronic monitoring device, damaging it or otherwise rendering it unusable, or failing to maintain it in working condition without good reason, an administrative penalty is imposed on him for violating public order, the executive officer or the commander of the military unit shall submit a proposal to the court to cancel the conditional release from prison. [\[206\]](#)

178.6. Failure to fulfill the duties assigned to a person conditionally released from prison several times in the year shall be considered as regular failure to fulfill the duties.

178.7. A person whose whereabouts have not been determined for more than ten days or who refuses to carry an electronic surveillance device, fails to service it without good reason to keep it in working condition, damages the electronic surveillance device or renders it unusable in any other way shall be deemed to have intentionally violated the duties assigned to him. [\[207\]](#)

## Section VII

### Supervision over probationers

#### Chapter XXI

### Supervision over conditionally sentenced persons

#### Article 179. Bodies exercising supervision over conditionally sentenced persons

Supervision over conditionally convicted persons during the probation period is exercised by the executive officer at the place of residence of the convict, and over military personnel by the commander of military units or institutions.

#### Article 180. Procedure for exercising supervision over conditionally sentenced persons

180.1. The bailiff shall register the convicts during the probation period and, in the presence of the employer at the place of their employment, shall monitor the convicts' compliance with public rules and the performance of the duties assigned to them by the court.

180.2. When a sentence in the form of deprivation of the right to hold a certain position or to engage in a certain activity is imposed on a convict as an additional punishment, the measures provided for in Article 31 of this Code shall be implemented *by the enforcement officer* .

180.3. repealed. [\[208\]](#)

180.4. Conditionally convicted persons must fulfill the duties assigned to them by the court and must appear at the summons of *the bailiff* . *Convicts who fail to appear for no good reason may be brought before the court on the decision of the bailiff approved by the head of the probation agency* . [\[209\]](#)

#### Article 181. Calculation of the probationary period

181.1. The probation period shall be calculated from the day the court verdict enters into legal force.

181.2. Upon the expiration of the probationary period, supervision over the convict shall be terminated and he shall be removed from the register.

#### Article 182. Liability of conditionally sentenced persons

182.1. If a conditionally convicted person refuses to fulfill the duties assigned to him by the court, or if an administrative penalty is imposed on him for violating public rules, *the executive officer or the commander (chief) of the military unit shall submit a proposal to the court for the extension of the probation period*.

182.2. If a conditionally convicted person regularly or intentionally refuses to perform the duties assigned to him by the court during the probation period , *including refusing to carry an electronic monitoring device, damaging it or otherwise rendering it unusable, or failing to maintain the device in working condition without good reason* , *the enforcement officer or the commander (chief) of the military unit shall submit a proposal to the court to cancel the conditional conviction and execute the sentence imposed by the court in the verdict*.

182.3. *The bailiff* may submit a proposal to the court to impose new duties on the convict which shall contribute to his/her reformation or to completely or partially cancel the duties previously imposed on the convict.

182.4. Failure by a convict to perform the duties assigned to him/her repeatedly during the probation period shall be considered as regular failure to perform the duties during the probationary period.

182.5. A prisoner whose whereabouts have not been determined for more than *ten days* , *refuses to carry an electronic monitoring device, fails to maintain it in working condition without good reason, damages an electronic monitoring device or renders it unusable in any other way* shall be deemed to have intentionally failed to perform the duties assigned to him. [\[210\]](#)

### Section VIII [\[211\]](#)

#### *Execution of criminal legal measures*

#### *Chapter XXII*



## ***Execution of a criminal legal measure in the form of special confiscation***

### ***Article 183. Procedure for the execution of a criminal legal measure in the form of confiscation***

183.1. After the court has issued a final decision on the application of a criminal legal measure in the form of special confiscation, it shall, after that decision enters into legal force, send a copy of it, an instruction on the execution of the decision, and a copy of the list of property to the bailiff and inform the relevant executive authority about this.

183.2. The dispute regarding the ownership of property subject to special confiscation by the final decision of the court shall be resolved in civil court proceedings. [KMQ1](#)

### ***Article 184. Duties of the enforcement officer during the execution of the special confiscation criminal measure***

184.1. Upon receipt of a copy of the final court decision and an instruction on the execution of the decision, the enforcement officer shall immediately verify the existence of the property indicated in the property list.

184.2. The confiscated property shall be sealed or sealed and a note shall be made on this in the relevant document.

184.3. Measures must be taken by the enforcement officer to preserve the confiscated property.

### ***Article 185. Duties of other persons in relation to property subject to special confiscation***

185.1. If property subject to special confiscation is in the possession of legal entities or individuals, including an institution, they must notify the court or the relevant executive authority thereof.

185.2. Legal and physical persons, as well as state bodies, must ensure the protection and preservation of the confiscated property given to them for safekeeping.

185.3. Persons guilty of concealing, wasting, alienating or changing confiscated property shall be held liable in accordance with the procedure established by law.

### ***Article 186. Transfer of specially confiscated property to the relevant executive authority***

186.1. The confiscated property of a person against whom criminal legal measures have been applied shall be transferred to the relevant executive authority after all claims made against this property have been satisfied in accordance with the procedure established by law.

186.2. The procedure for transferring specially confiscated property to the state shall be determined by the relevant executive authority.

### ***Article 187. Confiscation of property discovered after the execution of the final court decision***

In cases where, after the execution of a special confiscation criminal measure, other property of the person against whom criminal measures are applied is discovered that is subject to special confiscation, the enforcement officer shall submit a submission to the court that issued the final decision or to the court of the place where the final decision is executed, regarding the confiscation of that property.

## Chapter XXIII

### ***Features of the implementation of criminal legal measures applied against legal entities***

#### ***Article 188. Procedure for the execution of criminal legal measures in the form of fines and confiscation***

188.1. Criminal legal measures in the form of fines imposed on legal entities shall be implemented in accordance with Chapter IV of this Code, taking into account the specifics of Chapter 15-2 of the Criminal Code of the Republic of Azerbaijan.

188.2. The criminal legal measure of special confiscation applied to legal entities shall be implemented in accordance with Chapter XXII of this Code, taking into account the features of Chapter 15-2 of the Criminal Code of the Republic of Azerbaijan.

#### ***Article 189. Procedure for the implementation of a criminal-legal measure in the deprivation of the right of a legal entity to engage in certain activities***

189.1. A copy of the final court decision that has entered into legal force on the application of a criminal legal measure in the form of deprivation of the right of a legal entity to engage in a certain activity shall be immediately sent to the bailiff of the location of the legal entity for execution.

189.2. When a legal entity carries out a certain type of activity on the basis of a license or permit, the enforcement officer shall send a copy of the court decision to the body that issued the license (permit) within 3 (three) days. That body shall cancel the license (permit) within 3 (three) days from the date of receipt of the decision and inform the enforcement officer thereof.

189.3. If a legal entity does not carry out a certain type of activity on the basis of a license or permit, the enforcement officer shall, within 3 (three) days, send a copy of the court decision to the relevant executive authority for inclusion in the state register of legal entities of a record on the deprivation of the right to engage in that type of activity within 10 (ten) days. The enforcement officer shall be informed within 2 (two) days after the relevant change is registered in the state register by the relevant executive authority.

#### ***Article 190. Procedure for the execution of a criminal legal measure in the form of liquidation of a legal entity***

190.1. By the final decision of the court on the liquidation of a legal entity, the liquidation commission (liquidator, liquidator) is entrusted with the duties of carrying out the liquidation of the legal entity. Immediately after the decision enters into legal force, a copy of it is sent to the relevant executive authority for execution and to the enforcement officer for control over the execution of the criminal legal measure. [\[212\]](#)

190.2. Liquidation of a legal entity shall be carried out in accordance with the Civil Code of the Republic of Azerbaijan.

190.3. After the liquidation of a legal entity is completed, the relevant executive authority shall, within 3 (three) days, inform the court that issued the final decision and the executive officer exercising control over the execution of the criminal legal measure.

## LIST OF SOURCE DOCUMENTS USED

Approved by the Law of the Republic of Azerbaijan No. 908-IQ dated July 14, 2000 "On entry into force of the Code of Execution of Sentences of the Republic of Azerbaijan and related regulation issues" (Collection of Legislation of the Republic of Azerbaijan, 2000, No. 8, Article 1)

1. Law of the Republic of Azerbaijan No. 172-IIGD dated July 2, 2001 "On Amendments and Additions to Some Legislative Acts of the Republic of Azerbaijan" ( Collection of Legislation of the Republic of Azerbaijan, 2001, No. 7, Article 455 )
2. Law of the Republic of Azerbaijan No. 240-IIGD dated December 27, 2001 "On Amendments and Additions to Some Legislative Acts of the Republic of Azerbaijan" ( Collection of Legislation of the Republic of Azerbaijan, 2002, No. 1, Article 9 )
3. Law of the Republic of Azerbaijan "On the procedure for resolving issues of the administrative-territorial structure of the Azerbaijan SSR" in connection with the application of the Law of the Republic of Azerbaijan No. 306-IIGD dated April 19, 2002 "On territorial structure of the administrative-territorial division" and on declaring the Decree of the Presidium of the Supreme Soviet of the Azerbaijan SSR "On the procedure for resolving issues of the administrative-territorial structure of the Azerbaijan SSR" invalid and on making additions and amendments to some legislative acts of the Azerbaijan Republic" ( Collection of Legislation of the Republic of Azerbaijan, 2002, No. 5, Article 237 )
4. Law of the Republic of Azerbaijan No. 310-IIGD dated April 19, 2002 "On Amendments and Addenda to the Law of the Republic of Azerbaijan "On Narcological Service and Control" and on Some Legislative Acts of the Republic of Azerbaijan Regarding the Application of the Law of the Republic of Azerbaijan "On Narcological Service and Control" ( Collection of Legislation of the Republic of Azerbaijan, 2002, No. 5, Article 240 )
5. Law of the Republic of Azerbaijan No. 314-IIGD dated April 30, 2002 "On Amendments and Addenda to Some Legislative Acts of the Republic of Azerbaijan in Connection with the Application of the Law of the Republic of Azerbaijan "On Education of Persons with Disabilities (Special Education)" ( Collection of Legislation of the Republic of Azerbaijan, 2002, No. 5, Article 241 )
6. Law of the Republic of Azerbaijan No. 356-IIGD dated July 2, 2002 "On Amendments and Addenda to Some Legislative Acts of the Republic of Azerbaijan in Connection with the Application of the Constitutional Law of the Republic of Azerbaijan "On the Human Rights Commissioner (Ombudsman) of the Republic of Azerbaijan" ( Collection of Legislation of the Republic of Azerbaijan, 2002, No. 8, Article 463 )
7. Law of the Republic of Azerbaijan No. 649-IIGD dated May 14, 2004 " On Amendments and Addenda to the Code of Execution of Sentences of the Republic of Azerbaijan" ( Collection of Legislation of the Republic of Azerbaijan, 2004, No. 6, Article 399 )
8. Law of the Republic of Azerbaijan No. 856-IIGD dated March 4, 2005 (Collection of Legislation of the Republic of Azerbaijan, 2005, No. 4, Article 278)

- Law of the Republic of Azerbaijan No. 162-IIIQD dated October 10, 2006 ( **Collection of Legislation of the Republic of Azerbaijan, 2006, No. 11, Article 929** )
10. Law of the Republic of Azerbaijan No. 389-IIIQD dated June 16, 2007 ( **Collection of Legislation of the Republic of Azerbaijan, 2007, No. 8, Article 756** )
  11. Law of the Republic of Azerbaijan No. 424-IIIQD dated October 1, 2007 ( **Collection of Legislation of the Republic of Azerbaijan, 2007, No. 11, Article 1049** )
  12. Law of the Republic of Azerbaijan No. 480-IIIQD dated November 6, 2007 ( **Collection of Legislation of the Republic of Azerbaijan, 2007, No. 12, Article 1197** )
  13. Law of the Republic of Azerbaijan No. 509-IIIQD dated December 7, 2007 ( **Collection of Legislation of the Republic of Azerbaijan, 2007, No. 12, Article 1218** )
  14. Law of the Republic of Azerbaijan No. 618-IIIQD dated June 2, 2008 ( **Collection of Legislation of the Republic of Azerbaijan, 2008, No. 6, Article 462** )
  15. Law of the Republic of Azerbaijan No. 648-IIIQD dated June 13, 2008 ( **Collection of Legislation of the Republic of Azerbaijan, 2008, No. 7, Article 602** )
  16. Law of the Republic of Azerbaijan No. 657-IIIQD dated June 24, 2008 ( **Collection of Legislation of the Republic of Azerbaijan, 2008, No. 7, Article 607** )
  17. Law of the Republic of Azerbaijan No. 951-IIIQD dated February 1, 2010 ( **"Azerbaijan" newspaper, March 19, 2010, No. 62, Collection of Legislation of the Republic of Azerbaijan, 2010, Article 171** )
  18. Law of the Republic of Azerbaijan No. 971-IIIQD dated March 5, 2010 ( **"Azerbaijan" newspaper, April 18, 2010, No. 82, Collection of Legislation of the Republic of Azerbaijan, 2010, Article 275** )
  19. Law of the Republic of Azerbaijan No. 1034-IIIQD dated June 18, 2010 ( **"Azerbaijan" newspaper, July 17, 2010, No. 152, Collection of Legislation of the Republic of Azerbaijan, 2010, Article 591** )
  20. Law of the Republic of Azerbaijan No. 37-IVQD dated December 21, 2010 ( **"Azerbaijan" newspaper, February 19, 2011, No. 39, Collection of Legislation of the Republic of Azerbaijan, 2011, No. 02, Article 70** )
  21. Law of the Republic of Azerbaijan No. 38-IVQD dated December 21, 2010 ( **"Respublika" newspaper, February 18, 2011, No. 38, "Azerbaijan" newspaper, February 20, 2011, Collection of Legislation of the Republic of Azerbaijan, 2011, No. 02, Article 71** )
  22. Law of the Republic of Azerbaijan No. 138-IVQD dated May 31, 2011 ( **"Azerbaijan" newspaper, July 2, 2011, No. 141, Collection of Legislation of the Republic of Azerbaijan, 2011, No. 02, Article 473** )
  23. Law of the Republic of Azerbaijan No. 157-IVQD dated June 10, 2011 ( **"Azerbaijan" newspaper, July 31, 2011, No. 166, Collection of Legislation of the Republic of Azerbaijan, 2011, No. 02, Article 600** )
  24. Law of the Republic of Azerbaijan No. 252-IVQD dated November 15, 2011 ( **"Respublika" newspaper, December 25, 2011, No. 280, "Azerbaijan" newspaper, December 29, 2011, Collection of Legislation of the Republic of Azerbaijan, 2011, No. 12, Article 1107** )

- Law of the Republic of Azerbaijan No. 324-IVQD dated April 20, 2012 ("Azerbaijan" newspaper, May 12, 2012, No. 103, Collection of Legislation of the Republic of Azerbaijan, 2012, No. 01, Article 406)
26. Law of the Republic of Azerbaijan No. 448-IVQD dated October 16, 2012 ("Respublika" newspaper, November 29, 2012, No. 266, "Azerbaijan" newspaper, November 30, 2012, No. 10, Collection of Legislation of the Republic of Azerbaijan, 2012, No. 11, Article 1056 )
  27. Law of the Republic of Azerbaijan No. 456-IVQD dated November 2, 2012 ("Respublika" newspaper, November 29, 2012, No. 266, "Azerbaijan" newspaper, November 30, 2012, No. 10, Collection of Legislation of the Republic of Azerbaijan, 2012, No. 11, Article 1063 )
  28. Law of the Republic of Azerbaijan No. 685-IVQD dated June 13, 2013 ("Respublika" newspaper, August 7, 2013, No. 171 , Collection of Legislation of the Republic of Azerbaijan, 2013, No. 12, Article 889)
  29. Law of the Republic of Azerbaijan [No. 1348-IVQD dated October 6, 2015](#) ("Respublika" newspaper, October 23, 2015, No. 231; Collection of Legislation of the Republic of Azerbaijan, 2015, No. 10, Article 1107 )
  30. Law of the Republic of Azerbaijan [No. 1364-IVQD dated October 6, 2015](#) ("Respublika" newspaper, November 14, 2015, No. 250, Collection of Legislation of the Republic of Azerbaijan, 2015, No. 11, Article 1271)
  31. Law of the Republic of Azerbaijan [No. 237-VQD dated May 17, 2016](#) ("Azerbaijan" newspaper, June 30, 2016, No. 139 , Collection of Legislation of the Republic of Azerbaijan, 2016, No. 06, Article 981 )
  32. Law of the Republic of Azerbaijan [No. 263-VQD dated May 31, 2016](#) ("Azerbaijan" newspaper, June 30, 2016, No. 139 , Collection of Legislation of the Republic of Azerbaijan, 2016, No. 06, Article 1000 )
  33. Law of the Republic of Azerbaijan [No. 704-VQD dated May 31, 2017](#) ("Azerbaijan" newspaper, July 4, 2017, No. 140, Collection of Legislation of the Republic of Azerbaijan, 2017, No. 07, Article 1058 )
  34. Law of the Republic of Azerbaijan [No. 915-VQD dated December 1, 2017](#) ("Azerbaijan" newspaper, December 21, 2017, No. 282 , Collection of Legislation of the Republic of Azerbaijan, 2017, No. 12, Book I, Article 2268 )
  35. Law of the Republic of Azerbaijan [No. 1115-VQD dated May 1, 2018](#) ("Azerbaijan" newspaper, May 31, 2018, No. 121 , Collection of Legislation of the Republic of Azerbaijan, 2018, No. 05, Article 881 )
  36. Law of the Republic of Azerbaijan [No. 1206 -VQD dated June 29, 2018](#) ("Azerbaijan" newspaper, July 15, 2018, No. 155 , Collection of Legislation of the Republic of Azerbaijan, 2018, No. 07, Article 1422 )
  37. Law of the Republic of Azerbaijan [No. 1271-VQD dated October 12, 2018](#) ("Azerbaijan" newspaper, October 19, 2018, No. 235 , Collection of Legislation of the Republic of Azerbaijan, 2018, No. 10, Article 1971 )



- Law of the Republic of Azerbaijan [No. 1281-VQD dated October 12, 2018](#) ( "Azeri newspaper, October 21, 2018, No. 237, Collection of Legislation of the Republic of Azerbaijan, 2018, No. 10, Article 1978 )
39. Law of the Republic of Azerbaijan [No. 1315-VQD dated October 30, 2018](#) ( " Azeri newspaper, November 25, 2018, No. 266 , Collection of Legislation of the Republic of Azerbaijan, 2018, No. 11, Article 2225 )
40. Law of the Republic of Azerbaijan [No. 1507-VQD dated February 19, 2019](#) ( "Azeri newspaper, April 17, 2019, No. 82 , Collection of Legislation of the Republic of Azerbaijan, 2019, No. 4, Article 570 )
41. Law of the Republic of Azerbaijan [No. 1520-VQD dated March 5, 2019](#) ( "Azerbaijan" newspaper, April 10, 2019, No. 76 , Collection of Legislation of the Republic of Azerbaijan, 2019, No. 4, Article 579 )
42. Law of the Republic of Azerbaijan [No. 1551-VQD dated March 29, 2019](#) ( "Azerbaijan" newspaper, May 26, 2019, No. 115, Collection of Legislation of the Republic of Azerbaijan, 2019, No. 5, Article 796 )
43. Law of the Republic of Azerbaijan [No. 1575-VQD dated May 3, 2019](#) ( "Azerbaijan" newspaper, May 26, 2019, No. 115, Collection of Legislation of the Republic of Azerbaijan, 2019, No. 5, Article 812 )
44. Law of the Republic of Azerbaijan [No. 1677-VQD dated October 8, 2019](#) ( "Azerbaijan" newspaper, November 17, 2019, No. 255 , Collection of Legislation of the Republic of Azerbaijan, 2019, No. 10, Article 1686 )
45. Law of the Republic of Azerbaijan [No. 114-VIQD dated May 19, 2020](#) ( "Azerbaijan" newspaper, July 15, 2020, No. 136 , Collection of Legislation of the Republic of Azerbaijan, 2020, No. 7, Article 832 )
46. Law of the Republic of Azerbaijan [No. 146-VIQD dated June 29, 2020](#) ( "Azerbaijan" newspaper, August 12, 2020, No. 157 , Collection of Legislation of the Republic of Azerbaijan, 2020, No. 8, Article 1009 )
47. Law of the Republic of Azerbaijan [No. 348-VIQD dated June 22, 2021](#) ( "Azerbaijan" newspaper, August 21, 2021 , No. 175 , Collection of Legislation of the Republic of Azerbaijan, 2021, No. 8, Article 894 ) ( *enters into force on July 1, 2022* )
48. [No. 581-VIQD dated July 8, 2022](#) Law of the Republic of Azerbaijan ( Official website of the Azerbaijan State Information Agency (AZERTAC), August 19, 2022, "Azerbaijan" newspaper, August 20 , 2022 , No. 177 , Collection of Legislation of the Republic of Azerbaijan, 2022, No. 8, Article 828 )
49. Law of the Republic of Azerbaijan [No. 618-VIQD dated November 5, 2022](#) ( Official website of the Azerbaijan State Information Agency (AZERTAC), November 18, 2022, "Azerbaijan" newspaper, November 19 , 2022 , No. 252 , Collection of Legislation of the Republic of Azerbaijan, 2022, No. 11, Article 1237 )
50. Law of the Republic of Azerbaijan [No. 807-VIQD dated February 17, 2023](#) ( Official website of the Azerbaijan State Information Agency (AZERTAC), April 8, 2023 , "Azerbaijan" newspaper



- .023 , No. 73 , Collection of Legislation of the Republic of Azerbaijan, 2023, No. 4, Article 4
51. Law of the Republic of Azerbaijan [No. 1108-VIQD dated March 5, 2024](#) ( Official website of the Azerbaijan State Information Agency (AZERTAC) , April 29, 2024 , “Azerbaijan” newspaper No. 87, Collection of Legislation of the Republic of Azerbaijan, 2024, No. 4, Article 489 )
52. Law of the Republic of Azerbaijan [No. 1127-VIQD dated April 5, 2024](#) ( Official website of the Azerbaijan State Information Agency (AZERTAC) , May 30, 2024 , “Azerbaijan” newspaper No. 113 , Collection of Legislation of the Republic of Azerbaijan, 2024, No. 5, Article 489 )
53. Law of the Republic of Azerbaijan [No. 1148-VIQD dated May 7, 2024](#) ( Official website of the Azerbaijan State Information Agency (AZERTAC) , May 27, 2024 , “Azerbaijan” newspaper No. 111 , Collection of Legislation of the Republic of Azerbaijan, 2024, No. 5, Article 503 )
54. Law of the Republic of Azerbaijan [No. 1195-VIQD dated June 28, 2024](#) ( Official website of the Azerbaijan State Information Agency (AZERTAC) , August 12, 2024 , “ Azerbaijan ” newspaper No. 171, Collection of Legislation of the Republic of Azerbaijan, 2024, No. 5, Article 934 )
55. Law of the Republic of Azerbaijan [No. 118-VIIGD dated December 29, 2024](#) (Official website of the Azerbaijan State Information Agency (AZERTAC), January 30, 2025, “Azerbaijan” newspaper No. 21)
56. Law of the Republic of Azerbaijan [No. 172-VIIGD dated April 11, 2025](#) ( Official website of the Azerbaijan State Information Agency (AZERTAC), April 25, 2025 , “Azerbaijan” newspaper No. 84 )

### Decisions of the Plenum of the Constitutional Court

**KMQ1** 1. According to Article 139 of the Criminal Procedure Code of the Republic of Azerbaijan, during the criminal case proceedings, circumstances must be proven confirming that the property belonging to the accused and confiscated was obtained as a result of the commission of a crime, proceeds from this property, or is a weapon, tool or other means used or intended to be used to commit a crime, as well as property obtained as a result of a crime committed by the accused, even if it belongs to him.

2. In accordance with Article 299.3.2 of the Criminal Procedure Code of the Republic of Azerbaijan, the court shall consider at the preparatory hearing whether the requirements of this Code were met during the preliminary investigation of a criminal case. In this case, the court shall give an appropriate legal assessment to the measures taken to secure the civil claim and possible special confiscation. If the above-mentioned did not occur at the preparatory hearing of the court, during the court hearing, it shall be checked whether the listed property actually belongs to the accused, and if there are circumstances confirming the imposition of arrest on property that does not belong to the accused, a legal assessment shall be given to whether that property was obtained as a result of a crime committed by the

a decision shall be made to remove that property from the list, release it from arrest, and return it to its legal owner in accordance with the conclusion reached.

3. Special confiscation shall be applied to property belonging to a person who is not the actual owner who is not legally liable for his actions if there is substantial evidence that the property was acquired by that person under the conditions listed in Article 99-1.3 of the Criminal Code of the Republic of Azerbaijan.

4. In accordance with Part I of Article 60 of the Constitution of the Republic of Azerbaijan and the requirements of Article 6 of the Convention on the Protection of Human Rights and Fundamental Freedoms, it is recommended to the Milli Majlis of the Republic of Azerbaijan to regulate the right of a person who is not involved in criminal proceedings and whose interests are affected by a court verdict to file an appeal with a court.

In order to ensure the right to appeal to a court, as provided for in Part I of Article 60 of the Constitution of the Republic of Azerbaijan and Article 6 of the Convention on the Protection of Human Rights and Fundamental Freedoms, until the issue is resolved in accordance with the legislation, a person whose interests are affected by a court verdict and who has not been involved in criminal proceedings may be involved in criminal proceedings as a third party who puts forward independent claims regarding the subject of the dispute in cases where his rights and interests protected by the law have been significantly violated.

Such involvement should be carried out in accordance with Article 55.1 of the Civil Procedure Code of the Republic of Azerbaijan, taking into account the legal positions reflected in the descriptive-substantiating part of this Decision.

5. Taking into account the legal positions reflected in the descriptive-substantiating part of this Decision, it is recommended to the Milli Majlis of the Republic of Azerbaijan to regulate the conditions for the ownership of the property subject to special confiscation by a final decision of the court in accordance with Article 183.2 of the Code of Execution of Sentences of the Republic of Azerbaijan in a special proceeding. **(Decision of the Plenum of the Constitutional Court of the Republic of Azerbaijan dated February 24, 2022 - "Respublika" newspaper, March 16, 2022, No. 57)**

**KMQ2** 1. Articles 93-1.1 of the Criminal Code of the Republic of Azerbaijan and Articles 17-1.1, 17-1.5 and 17-1.6 of the Code of Execution of Sentences of the Republic of Azerbaijan do not regulate the treatment of persons sentenced to a punishment not related to deprivation of liberty, as well as persons who have been assigned compulsory medical measures for the purpose of treating alcoholism or drug addiction, by specialized medical institutions subordinate to the relevant executive authority during the expiration of the term of their sentence.

2. The Cabinet of Ministers of the Republic of Azerbaijan should be recommended to take appropriate measures regarding the urgent treatment of persons subject to compulsory medical measures.

3. In accordance with the legal purpose and purpose of Article 93-1.1 of the Criminal Code of the Republic of Azerbaijan, Article 26.3 of the Law of the Republic of Azerbaijan "On the Circulation of Narcotic Drugs, Psychotropic Substances and Their Precursors", persons subject to compulsory medical measures may be treated on an outpatient basis in specialized medical institutions, depending on the severity of the disease. **(Decision of the Plenum of the Constitutional Court of the Republic of Azerbaijan dated July 28, 2023 - "Respublika" newspaper, August 2, 2023, No. 161)**

[LIST OF AMENDMENTS AND ADDITIONS TO THE CODIL](#)

[1] Approved by the Law of the Republic of Azerbaijan No. 908-IQ dated July 14, 2000 "On approval, entry into force of the Code of Execution of Sentences of the Republic of Azerbaijan and related legal regulation issues" (**Collection of Legislation of the Republic of Azerbaijan, 2000, No. 8, Article 586**).

[2] By the Law of the Republic of Azerbaijan No.1034-IIIQD dated June 18, 2010 ("Azerbaijan" newspaper, July 17 2010, No. 152, **Collection of Legislation of the Republic of Azerbaijan, 2010, No. 07, Article 591**), "bailiff" in the appropriate cases of the noun in the text of the Code "executive officer" in the appropriate cases of the noun.

By the Law of the Republic of Azerbaijan No. 1034-IIIQD dated June 18, 2010 ("Azerbaijan" newspaper, July 17, 2010, No. 152, **Collection of Legislation of the Republic of Azerbaijan, 2010, No. 07, Article 591**), the words " bailiffs " in the appropriate cases of the noun in the text of the Code were replaced with the words " executive officers " in the appropriate cases of the noun .

[3] By the Law of the Republic of Azerbaijan No.1271-VQD dated October 12, 2018 ("Azerbaijan" newspaper, October 19, 2018, No. 235, **Collection of Legislation of the Republic of Azerbaijan, 2018, No. 10, Article 1971**) "as well as the application of other measures of a criminal nature to Articles 1 and 2.2 after the word "withdrawal".

[4] By the Law of the Republic of Azerbaijan No.456-IVQD dated November 2, 2012 ("Respublika" newspaper, November 29, 2012, No. 266, "Azerbaijan" newspaper, November 30, 2012, No. 267, **Collection of Legislation of the Republic of Azerbaijan, 2012, No. 11, Article 1063**), in Article 3.3, the words "torture, other inhumane acts and the dignity of the person" were replaced with the words "torture or other cruel, inhumane acts or the dignity of the person".

[5] By the Law of the Republic of Azerbaijan No.1271-VQD dated October 12, 2018 ("Azerbaijan" newspaper, October 19, 2018, No. 235, **Collection of Legislation of the Republic of Azerbaijan, 2018, No. 10, Article 1971**) to the convicts" and "who changed this verdict of the court" were removed from Article 6

[6] By the Law of the Republic of Azerbaijan No.1271-VQD dated October 12, 2018 ("Azerbaijan" newspaper, October 19, 2018, No. 235, **Collection of Legislation of the Republic of Azerbaijan, 2018, No. 10, Article 1971**) and legal entities against whom criminal legal measures are applied to Article 7 after the word convicts case.

[7] By the Law of the Republic of Azerbaijan No.38-IVQD dated December 21, 2010 ("Respublika" newspaper, February 18, 2011, No. 38, "Azerbaijan" newspaper, February 20, 2011, No. 40, **Collection of Legislation of the Republic of Azerbaijan, 2011, No. 02, Article 71**) vocational education in Article 8.2.5 were replaced with the words "initial vocational-specialized education

By the Law of the Republic of Azerbaijan No. 1551-VQD dated March 29, 2019 (Azerbaijan Newspaper, May 26, 2019, No. 115, **Collection of Legislation of the Republic of Azerbaijan, 2019, No. 5, Article 796**), in Article 8.2.5, in the title of Chapter XII and Article 100, in Articles 100.1, 100.2, 100.3, in the first sentence of Article 100.4, in Articles 100.5 and 100.6, in the first sentence of Article 119.3 and in Article 130.2, the words " first profession-specialization " were replaced with the word " profession ".

[8] Article 10.2.2-1 was added to the Code by the Law of the Republic of Azerbaijan No.971-IIIQD dated March 18, 2010 ("Azerbaijan" newspaper, April 18 2010, No. 82, **Collection of Legislation of the Republic of Azerbaijan, 2010, No. Article 275**).

[9] Article 10.2.7-1 was added with a new content 657-IIIQD dated June 24, 2008 (Azerbaijan, 2008, No. 7, Article 607)

[10] Article 10.2.9-1 was added with a new content 657-IIIQD dated June 24, 2008 (Azerbaijan, 2008, No. 7, Article 607)

Article 10.2.9-1 was reworded by the Law of the Republic of Azerbaijan No. 1677-VQD dated October 3, 2019 ("Azerbaijan" newspaper, November 17, 2019, No. 255, **Collection of Legislation of the Republic of Azerbaijan, 2019, No. 11, Article 1686**).

The previous edition said:

*10.2.9-1. receive psychological assistance;*



[11] The word “defects” in Article 10.2.12 of the Law of the Republic of Azerbaijan [No.581-VIQD](#) dated [July 8, 2022](#) (official website of the Azerbaijan State Information Agency (AZERTAC), August 19, 2022 “Azerbaijan” newspaper, August 20, 2022, No. 177, Collection of Legislation of the Republic of Azerbaijan, 2022, No. 8, Article 828) was replaced with the word “violations”.

[12] **Article** 11.6 was added with content by the Law of the Republic of Azerbaijan [No.1520-VQD](#) dated [March 5, 2019](#) (“Azerbaijan” newspaper, April 10, 2019, No. 76, Collection of Legislation of the Republic of Azerbaijan, 2019, No. 4, Article 579).

[13] By the Law of the Republic of Azerbaijan [No.138-IVQD](#) dated May 31, 2011 (“Azerbaijan” newspaper, July 2, 2011, No. 141, Collection of Legislation of the Republic of Azerbaijan, 2011, No. 06, Article 473), in Article 12.2, the words “Restriction of freedom, certain” shall be replaced with the word “Certain” and the words “of a private enterprise or” shall be removed.

[14] By the Law of the Republic of Azerbaijan [No.138-IVQD](#) dated May 31, 2011 (“Azerbaijan” newspaper, July 2, 2011, No. 141, Collection of Legislation of the Republic of Azerbaijan, 2011, No. 06, Article 473) **private enterprise or** from Article 12.3.

[15] In connection with the application of the Law of the Republic of Azerbaijan No. 306-IIGD dated April 19, 2002 “On Territorial Structure and Administrative Territorial Division”, the words “administrative territory of the place” in Article 13.2 were replaced with the words “administrative territorial unit” by the Law of the Republic of Azerbaijan “On the procedure for resolving issues of the administrative territorial structure of the Azerbaijan SSR” and on making additions and amendments to some legislative acts of the Republic of Azerbaijan” (Collection of Legislation of the Republic of Azerbaijan, 2002, No. 5, Article 237).

By the Law of the Republic of Azerbaijan No. 138-IVQD dated May 31, 2011 (“Azerbaijan” newspaper, July 2, 2011, No. 141, Collection of Legislation of the Republic of Azerbaijan, 2011, No. 06, Article 473), the words “enterprises and special enterprises” in Article 13.2 were replaced with the word “enterprises”.

[16] By the Law of the Republic of Azerbaijan No. 172-IIGD dated July 2, 2001 “On Amendments and Additions to Some Legislative Acts of the Republic of Azerbaijan” (Collection of Legislation of the Republic of Azerbaijan, 2001, No. 7, Article 455), in Article 14.2, the number “10.4” was replaced with the number “10.2.12”.

[17] By the Law of the Republic of Azerbaijan [No.1271-VQD](#) dated [October 12, 2018](#) (“Azerbaijan” newspaper, October 19, 2018, No. 235, Collection of Legislation of the Republic of Azerbaijan, 2018, No. 10, Article 1971) “and other measures of a criminal-legal nature” to the title of Chapter III and Article 15 after the word “Punishment”.

[18] By the Law of the Republic of Azerbaijan [No.1271-VQD](#) dated [October 12, 2018](#) (“Azerbaijan” newspaper, October 19, 2018, No. 235, Collection of Legislation of the Republic of Azerbaijan, 2018, No. 10, Article 1971) in Article 15.1, “and penalties in the form of confiscation of property” “penalty in the form of and criminal legal measure in the form of special confiscation”.

[19] Articles 15.1-1 and 15.1-2 were added with new content by the Law of the Republic of Azerbaijan [No.1 VQD](#) dated [October 12, 2018](#) (“Azerbaijan” newspaper, October 19, 2018, No. 235, Collection of Legislation of the Republic of Azerbaijan, 2018, No. 10, Article 1971).

[20] Article 15.5-1 was added with a new content by the Law of the Republic of Azerbaijan [No.915-VQD](#) dated [December 21, 2017](#) (“Azerbaijan” newspaper, December 21, 2017, No. 282, Collection of Legislation of the Republic of Azerbaijan, 2017, Book I, Article 2268).

[\[21\]](#) Article 15.6 was reworded by the Law of the Republic of Azerbaijan No.138-IVQD dated May 31, 2011 ("Azerbaijan" newspaper, July 2, 2011, No. 141, Collection of Legislation of the Republic of Azerbaijan, 2011, No. 06, Article 473).

The previous edition said:

~~15.6. Punishments such as restriction of liberty, imprisonment for a certain period of time, and life imprisonment are carried out by penitentiary institutions (special institutions and correctional institutions), respectively.~~

[\[22\]](#) By the Law of the Republic of Azerbaijan No.138-IVQD dated May 31, 2011 ("Azerbaijan" newspaper, July 2, 2011, No. 141, Collection of Legislation of the Republic of Azerbaijan, 2011, No. 06, Article 473), Restriction of freedom, discipline in Article 15.10 were replaced with the word "Discipline"

[\[23\]](#) Articles 15-1 and 15-2 were added with new content by the Law of the Republic of Azerbaijan No.915-VQD dated December 1, 2017 ("Azerbaijan" newspaper, December 21, 2017, No. 282, Collection of Legislation of the Republic of Azerbaijan, 2017, No. 12, Book I, Article 2268).

[\[24\]](#) By the Law of the Republic of Azerbaijan No.146-VIQD dated June 29, 2020 ("Azerbaijan" newspaper, August 12, 2020, No. 157, Collection of Legislation of the Republic of Azerbaijan, 2020, No. 8, Article 1009), in the first sentence of Article 15-2.1, the word "Freedom" was replaced with the words "Public affairs and freedom".

[\[25\]](#) By the Law of the Republic of Azerbaijan No.146-VIQD dated June 29, 2020 ("Azerbaijan" newspaper, August 12, 2020, No. 157, Collection of Legislation of the Republic of Azerbaijan, 2020, No. 8, Article 1009), is given to use or to Article 15-2.4 after the words "its", and in that article the words "or" were replaced with the words " , as well as when an electronic monitoring device is attached to a person".

[\[26\]](#) By the Law of the Republic of Azerbaijan No.657-IIIQD dated June 24, 2008 Azerbaijan, 2008, No. 7, Article 607), in Article 16.1 after the words "officials of the body of the convict", the words "with his consent" after the word "to one" , the words "or to the person indicated by the convict" were added.

[\[27\]](#) By the Law of the Republic of Azerbaijan No. 657-IIIQD dated June 24, 2008 (Azerbaijan, 2008, No. 7, Article 607), in Article 16.2 the word "persons" was replaced with the words "with the consent of the persons"

[\[28\] Article](#) 17-1 was added with a new content by the Law of the Republic of Azerbaijan No.1364-IVQD dated October 6, 2015 ("Respublika" newspaper, November 14, 2015, No. 250, Collection of Legislation of the Republic of Azerbaijan, 2015, No. 11, Article 1271).

[\[29\]](#) By the Law of the Republic of Azerbaijan No.1315-VQD dated October 30, 2018 ("Azerbaijan" newspaper, November 25, 2018, No. 266, Collection of Legislation of the Republic of Azerbaijan, 2018, No. 11, Article 2225), in Article 17-1.4, the words "medical opinion" were replaced with the word "opinion"

[\[30\]](#) The second sentence was added to Article 22.1 by the Law of the Republic of Azerbaijan "On Amendments and Additions to Some Legislative Acts of the Republic of Azerbaijan in Connection with the Application of the Constitutional Law of the Republic of Azerbaijan "On the Human Rights Commissioner (Ombudsman) of the Republic of Azerbaijan" 356-IIGD dated July 2, Collection of Legislation of the Republic of Azerbaijan, 2002, No. 8, Article 463).

The second sentence of Article 22.1 was removed by the Law of the Republic of Azerbaijan No. 324-IVQD dated April 20, 2012 ("Azerbaijan" newspaper, May 12, 2012, No. 103, Collection of Legislation of the Republic of Azerbaijan, 2012, No. 05, Article 406) .

[\[31\]](#) Article 22.1-1 was added by the Law of the Republic of Azerbaijan No.324-IVQD dated April 20, 2012 ("Azerbaijan" newspaper, May 12, 2012, No. 103, Collection of Legislation of the Republic of Azerbaijan, 2012, No. 05, Article

By the Law of the Republic of Azerbaijan No. 1148-VIQD dated May 7, 2024 ( official website of the Azerbaijan Information Agency (AZERTAC) , May 27, 2024 , "Azerbaijan" newspaper, May 28, 2024 , No. 111 , Collection of Legislation of the Republic of Azerbaijan, 2024, No. 5, Book I, Article 503 ) , in Article 22.1-1, the words " in those places " were replaced



with the words “ in those penitentiaries of detained or previously detained persons” and the words “ to conduct photo, audio and video registration using technical means ” were added to that article after the word “ recording ” .



[32] By the Law of the Republic of Azerbaijan [No.807-VIQD dated February 17, 2023](#) (official website of the Azerbaijan State Information Agency (AZERTAC), April 8, 2023, “Azerbaijan” newspaper, April 9, 2023, No. 73, Collection of Legislation of the Republic of Azerbaijan, 2023, No. 4, Article 445), in Article 22.2, the words “Mass media” were replaced with the words “Media entities”

[33] By the Law of the Republic of Azerbaijan No.1034-IIIQD dated June 18, 2010 (“Azerbaijan” newspaper, July 17, 2010, No. 152, Collection of Legislation of the Republic of Azerbaijan, 2010, No. 07, Article 591), in Article 23.2, after the words “or” “with an indication of the period” were added.

[34] By the Law of the Republic of Azerbaijan [No.1115-VQD dated May 1, 2018](#) (“Azerbaijan” newspaper, May 31, 2018, No. 121, Collection of Legislation of the Republic of Azerbaijan, 2018, No. 5, Article 881), “restriction of freedom” were added to Article 26 after the words “correctional work”

[35] Article 28.3 was removed by the Law of the Republic of Azerbaijan No.138-IVQD dated May 31, 2011 (“Azerbaijan” newspaper, July 2, 2011, No. 141, Collection of Legislation of the Republic of Azerbaijan, 2011, No. 06, Article 473).

[36] The words “if called up for active military service or” and “to the relevant military commissariat or ” were removed from Article 28.4 of the Law of the Republic of Azerbaijan No.252-IVQD dated November 15, 2011 (“Respublika” newspaper, December 25, 2011, No. 280, “Azerbaijan” newspaper, December 29, 2011, No. 289, Collection of Legislation of the Republic of Azerbaijan, 2011, No. 12, Article 1107)

[37] By the Law of the Republic of Azerbaijan [No.1195-VIQD dated June 28, 2024](#) (official website of the Azerbaijan State Information Agency (AZERTAC), August 12, 2024, “Azerbaijan” newspaper, August 13, 2024, No. 171, Collection of Legislation of the Republic of Azerbaijan, 2024, No. 8, Article 934), in the centralized electronic information system of the relevant executive authority, in the cases specified in Part 2-1 of Article 7 of the Labor Code of the Republic of Azerbaijan” were added to Article 29.1 after the word “as”

[38] By the Law of the Republic of Azerbaijan [No.1195-VIQD dated June 28, 2024](#) (official website of the Azerbaijan State Information Agency (AZERTAC), August 12, 2024, “Azerbaijan” newspaper, August 13, 2024, No. 171, Collection of Legislation of the Republic of Azerbaijan, 2024, No. 8, Article 934), the words “in the electronic information system or in the cases specified in Part 2-1 of Article 7 of the Labor Code of the Republic of Azerbaijan Article 29.3 that in that article “in the electronic information system or”.

[39] By the Law of the Republic of Azerbaijan [No.1195-VIQD dated June 28, 2024](#) (official website of the Azerbaijan State Information Agency (AZERTAC), August 12, 2024, “Azerbaijan” newspaper, August 13, 2024, No. 171, Collection of Legislation of the Republic of Azerbaijan, 2024, No. 8, Article 934), defined in Part 2-1 of Article 7 of the Labor Code of the Republic of Azerbaijan to Article 29.4 after the word “exempted”.

[40] The text of Article 32 was reworded by the Law of the Republic of Azerbaijan [No.263-VQD dated May 31, 2016](#) (“Azerbaijan” newspaper, June 30, 2016, No. 139, Collection of Legislation of the Republic of Azerbaijan, 2016, No. 6, Article 1000).

The previous edition said:

~~In cases where a punishment in the form of deprivation of the right to hold a certain position or engage in a certain act is imposed as an additional punishment to community service, correctional labor, as well as conditional sentence, the duration of the additional punishment is calculated from the moment the sentence enters into legal force. In cases where a punishment is imposed as an additional punishment to punishments in the form of detention in a disciplinary prison for a certain period, the additional punishment applies to the entire period of serving the main punishment in addition, to the period specified in the sentence for this type of punishment.~~

[41] By the Law of the Republic of Azerbaijan [No.915-VQD dated December 1, 2017](#) ("Azerbaijan" newspaper, December 21, 2017, No. 282, Collection of Legislation of the Republic of Azerbaijan, 2017, No. 12, Book I, Article 2268), a new second sentence was added to Article 34.1.

[42] Articles 34.1-1 and 34.1-2 were added with new content by the Law of the Republic of Azerbaijan [No.915-VQD dated December 1, 2017](#) ("Azerbaijan" newspaper, December 21, 2017, No. 282, Collection of Legislation of the Republic of Azerbaijan, 2017, No. 12, Book I, Article 2268).

[43] By the Law of the Republic of Azerbaijan [No.915-VQD dated December 1, 2017](#) ("Azerbaijan" newspaper, December 21, 2017, No. 282, Collection of Legislation of the Republic of Azerbaijan, 2017, No. 12, Book I, Article 2268), in Article 34.3 after the words "conducts, at least twice a month, visits the places where the person is required to perform public works, draws up a protocol, takes other measures to implement the punishment in accordance with the procedure established by this Code" were added, and the words "agrees with the relevant executive authority on the list of places where public works will be performed" were removed from that article.

[44] By the Law of the Republic of Azerbaijan [No.146-VIQD dated June 29, 2020](#) ("Azerbaijan" newspaper, August 12, 2020, No. 157, Collection of Legislation of the Republic of Azerbaijan, 2020, No. 8, Article 1009) words "shall use the electronic surveillance device in accordance with the procedure determined by the relevant executive authority, shall carry the electronic surveillance device in places where public works are performed, and shall service it to maintain it in working condition" were added to Article 35.1.

[45] By the Law of the Republic of Azerbaijan [No.951-IIIQD dated February 1, 2010](#) ("Azerbaijan" newspaper, March 19, 2010, No. 62, Collection of Legislation of the Republic of Azerbaijan, 2010, No. 03, Article 171), in the second sentence of Article 36.2 the words "days of rest" "days of rest, voting, holidays that are not considered working days, national mourning days" .

[46] The text of Article 37 was reworded by the Law of the Republic of Azerbaijan [No.915-VQD dated December 1, 2017](#) ("Azerbaijan" newspaper, December 21, 2017, No. 282, Collection of Legislation of the Republic of Azerbaijan, 2017, No. 12, Book I, Article 2268).

The previous edition said:

~~During the execution of a sentence in the form of community service, the employer monitors the performance of the work assigned to the convicts, keeps records of the hours they work, and informs the enforcement officer about cases of evasion from performing community service.~~

[47] By the Law of the Republic of Azerbaijan [No.138-IVQD dated May 31, 2011](#) ("Azerbaijan" newspaper, July 2, 2011, No. 141, Collection of Legislation of the Republic of Azerbaijan, 2011, No. 06, Article 473), in Article 38.2, the words "types of punishments of restriction of freedom or deprivation of liberty for a certain period of time" were replaced with the words "punishment in the form of deprivation of liberty for a certain period of time"

By the Law of the Republic of Azerbaijan [No. 11 15-VQD dated May 1, 2018](#) ("Azerbaijan" newspaper, May 31, 2018, No. 121, Collection of Legislation of the Republic of Azerbaijan, 2018, No. 5, Article 881), the words "restriction of freedom or" were added to Article 38.2 after the words "in accordance with the punishment".

[48] Article 39.0.2-1 was added with a new content by the Law of the Republic of Azerbaijan [No.146-VIQD dated June 29, 2020](#) ("Azerbaijan" newspaper, August 12, 2020, No. 157, Collection of Legislation of the Republic of Azerbaijan, 2020, No. 8, Article 1009).

[49] By the Law of the Republic of Azerbaijan [No.951-IIIQD dated February 1, 2010](#) ("Azerbaijan" newspaper, March 19, 2010, No. 62, Collection of Legislation of the Republic of Azerbaijan, 2010, No. 03, Article 171), in the second sentence of Article 46.2 the word "in its place" "in its place".

[50] By the Law of the Republic of Azerbaijan [No.138-IVQD dated May 31, 2011](#) ("Azerbaijan" newspaper, July 2, 2011, No. 141, Collection of Legislation of the Republic of Azerbaijan, 2011, No. 06, Article 473) restriction of freedom or from Article

By the Law of the Republic of Azerbaijan [No. 11 15-VQD dated May 1, 2018](#) ("Azerbaijan" newspaper, May 31, 2018, No. 121, Collection of Legislation of the Republic of Azerbaijan, 2018, No. 5, Article 881), in Article 51.4, the word "intentional" was replaced with the word "biased", and the words "restriction of freedom or" were added after the word "part of".

[51] With the Law of the Republic of Azerbaijan [No. 915-VQD dated December 1, 2017](#) ("Azerbaijan" newspaper, December 21, 2017, No. 282, Collection of Legislation of the Republic of Azerbaijan, 2017, No. 12, Book I, Article 2268), a new chapter VII-I was added.

[52] By the Law of the Republic of Azerbaijan [No. 1206-VQD dated June 29, 2018](#) ("Azerbaijan" newspaper, July 15, 2018, No. 155, Collection of Legislation of the Republic of Azerbaijan, 2018, No. 7, Book I, Article 1422), in the second sentences of Articles 51-1.2 and 172.4, in Article 172.6, in the first and second sentences of Article 178.2, in the second sentences of Articles 178.4 and 180.4, the words "executive body" were replaced with the words "probation body".

[53] The words "for no good reason" were added to Articles 51-7.6.2, 178.5, 178.7, 182.2 of the Law of the Republic of Azerbaijan [No. 146-VIQD dated June](#) (Azerbaijan, Collection of Legislation of the Republic of Azerbaijan, 2020, No. 8, Article 1009) before the words "to".

[54] Chapter VIII was removed by the Law of the Republic of Azerbaijan [No. 138-IVQD dated May 31, 2011](#) ("Azerbaijan" newspaper, July 2, 2011, No. 141, Collection of Legislation of the Republic of Azerbaijan, 2011, No. 06, Article 473).

[55] In connection with the application of the Law of the Republic of Azerbaijan No. 306-IIGD dated April 19, 2002 "On Territorial Structure and Administrative Territorial Division", the words "administrative territory" in Article 55-6 were replaced with the words "in an administrative territorial unit" by the Law of the Republic of Azerbaijan "On the procedure for resolving issues of the administrative territorial structure of the Azerbaijan SSR of the Presidium of the additions Collection of Legislation of the Republic of Azerbaijan, 2002, No. 5, Article 237).

[56] By the Law of the Republic of Azerbaijan No. 172-IIGD dated July 2, 2001 "On Amendments and Amendments to Some Legislative Acts of the Republic of Azerbaijan" (Collection of Legislation of the Republic of Azerbaijan, 2001, No. 7, Article 455) the words "may work" in Article 56-1 were replaced with the word "must work".

In connection with the application of the Law of the Republic of Azerbaijan No. 306-IIGD dated April 19, 2002 "On Territorial Structure and Administrative Territorial Division", the words "administrative territory" in Article 56-1 were replaced with the words "administrative territorial unit" by the Law of the Republic of Azerbaijan "On the procedure for resolving issues of the administrative territorial structure of the Azerbaijan SSR" and on the repeal of the Decree of the Presidium of the Supreme Soviet of the Azerbaijan SSR and on making additions and amendments to some legislative acts of the Azerbaijan Republic" (Collection of Legislation of the Republic of Azerbaijan, 2002, No. 5, Article 237).

[57] By the Law of the Republic of Azerbaijan No. 657-IIIQD dated June 24, 2008 (Azerbaijan, 2008, No. 7, Article 607), in the second sentence of Article 66.1, "including penitentiary" were added after the words "investigation isolation facilities".

[58] By the Law of the Republic of Azerbaijan No. 657-IIIQD dated June 24, 2008 (Azerbaijan, 2008, No. 7, Article 607), in Article 66.3, "examination and" were added after the words "in stationary conditions".

[59] The second sentence of Article 68.1 was reworded by the Law of the Republic of Azerbaijan No. 657-IIIQD dated June 24, 2008 (Azerbaijan, 2008, No. 7, Article 607).

The previous edition said:

~~A prisoner sent to a detention facility is immediately released from escort upon arrival at the place of execution of sentence.~~

A third sentence has been added in the new content.

By the Law of the Republic of Azerbaijan [No. 1281-VQD dated October 12, 2018](#) ( "Azerbaijan" newspaper, October 21, 2018, No. 237, Collection of Legislation of the Republic of Azerbaijan, 2018, No. 10, Article 1978 ) , the words " who carries out procedural management of the preliminary investigation in the territory " were added to the third sentence of Article 68.1 after the word " relevant " .

[60] By the Law of the Republic of Azerbaijan No.657-IIIQD dated June 24, 2008 Azerbaijan, 2008, No. 7, Article 607)"in exceptional cases"from Article 69.1 and a second sentence was added with a new content.

[61] Article 69-1 was added to the Code by the Law of the Republic of Azerbaijan No. 172-IIGD dated July 2, 2001 "On Amendments and Additions to Some Legislative Acts of the Republic of Azerbaijan" (Collection of Legislation of the Republic of Azerbaijan, 2001, No. 7, Article 455).

[62] By the Law of the Republic of Azerbaijan [No.618-VIQD dated November 5, 2022](#) (official website of the Azerbaijan State Information Agency (AZERTAC), November 18, 2022, "Azerbaijan" newspaper, November 19, 2022, No. 252, Collection of Legislation of the Republic of Azerbaijan, 2022, No. 11, Article 1237), in the second sentence of Article 69-1.2, the words "through negotiations" were replaced with the words **through negotiations, or videoconference**

[63] By the Law of the Republic of Azerbaijan No. 240-IIGD dated December 27, 2001 "On Amendments and Additions to Some Legislative Acts of the Republic of Azerbaijan" (Collection of Legislation of the Republic of Azerbaijan, 2002, No. 1, Article 9 "severe and" were added to Article 70.2.2 before the word "especially"

Article 70.2.2 was reworded by the Law of the Republic of Azerbaijan No. 138-IVQD dated May 31, 2011 ("Azerbaijan" newspaper, July 2, 2011, No. 141 , Collection of Legislation of the Republic of Azerbaijan, 2011, No. 06, Article 473) .

The previous edition said:

~~70.2.2. from general and strict regime penitentiaries to district-type penitentiaries—when they have served at least one-third of their sentence; persons convicted of committing a grave and especially grave crime or conditionally released from a fixed-term prison sentence but who have committed a new crime during the unserved part of their sentence—when they have served at least two-thirds of their sentence:~~

[64] Articles 70.2.3, 70.2.4 and 70.3.4 were added by the Law of the Republic of Azerbaijan No.138-IVQD dated May 31, 2011("Azerbaijan" newspaper, July 2, 2011, No. 141, Collection of Legislation of the Republic of Azerbaijan, 2011, No. 06, Article 473).

[65] By the Law of the Republic of Azerbaijan No. 657-IIIQD dated June 24, 2008 (Azerbaijan, 2008, No. 7, Article 607), in Article 71.3, "in their native language or another language they know" were added after the word

[66] By the Law of the Republic of Azerbaijan No.971-IIIQD dated March 5, 2010("Azerbaijan" newspaper, April 18 2010, No. 82, Collection of Legislation of the Republic of Azerbaijan, 2010, No. 04, Article 275), the words "daily routine" in Article 74.2 were replaced with the words "day division"

[67] Articles 74.4 and 74.5 were reworded the Law of the Republic of Azerbaijan No.657-IIIQD dated June 24, 2008 Azerbaijan, 2008, No. 7, Article 607)

The previous edition said:

~~74.4. In order to ensure the rules of execution of the sentence, convicts are prohibited from keeping and using no securities and valuables, as well as other items specified in the Internal Disciplinary Regulations of penitentiaries:~~

~~74.5. Money, securities and valuables found on prisoners shall be seized by the prison administration and kept until release from prison. Other prohibited items, food products and other goods seized from prisoners shall either be placed in a warehouse for storage or destroyed based on a reasoned decision of the prison administration, and a relevant act shall be drawn up on this:~~

The Law of the Republic of Azerbaijan [No. 1108-VIQD dated March 5, 2024](#) ( official website of the Azerbaijan State Information Agency (AZERTAC) , April 29, 2024 , "Azerbaijan" newspaper, April 30, 2024 , No. 87, Collection of Legislation of the Republic of Azerbaijan, 2024, No. 4, Article 365) and Article 74.5, the first, second and fourth sentences of Article 74.6, the title of Article 80, Articles 80.1, 80.4, 80.5, the second and third sentences of Article 82.5, Article 105.1.7, the first sentence of

Article 110.1, 110.2.1, 113.2.2, In Articles 113.3.1, 113.4.2, 113.5.1, 115.2.2, 115.3.1, 117.1.2, 117.2.1, 121.3.1, 121.4.1, 121.5.1, 122.1.1, 122.2.1, 124.2.2, 124.3.1, 124.4.2, 124.5.1, in the first sentence of Article 126.1, in Articles 141.4, 151.2, 151.6, 176.1 and 176.3, the word “ **food** ” shall be replaced by the word “ **food** ”has been replaced with.

[68]

Article 74.6 was added with a new content 657-IIIQD dated June 24, 2008 (Azerbaijan, 2008, No. 7, Article 607)

[69]

By the Law of the Republic of Azerbaijan No. 657-IIIQD dated June 24, 2008 (Azerbaijan, 2008, No. 7, Article 607), "and to take prohibited items and documents according to the list established by the Internal Disciplinary Regulations of penitentiaries" from Article 75.5.

[70]

By the Law of the Republic of Azerbaijan No. 618-IIIQD dated June 2, 2008 (Collection of Legislation of the Republic of Azerbaijan, 2008, No. 6, Article 462), in Article 80.3, the words “two times the amount of the conditional financial unit” were replaced with the words **three manats** **three times the amount of the conditional financial unit** were replaced with the words **four manats**

By the Law of the Republic of Azerbaijan No. 657-IIIQD dated June 24, 2008 (Collection of Legislation of the Republic of Azerbaijan, 2008, No. 7, Article 607), in Article 80.3, the words “**three manats**” were replaced with the words “**fifteen manats**”, and the words “**four manats**” were replaced with the words “**thirty-five manats**”.

[71]

By the Law of the Republic of Azerbaijan No. 618-IIIQD dated June 2, 2008 (Collection of Legislation of the Republic of Azerbaijan, 2008, No. 6, Article 462), in Article 80.4, the words “twice the amount of the conditional financial unit” were replaced with the words **three manats**

By the Law of the Republic of Azerbaijan No. 648-IIIQD dated June 13, 2008 (Collection of Legislation of the Republic of Azerbaijan, 2008, No. 7, Article 602), in Article 80.4, after the word “disabled”, the words “**children with limited health opportunities**” were added.

By the Law of the Republic of Azerbaijan No. 657-IIIQD dated June 24, 2008 (Collection of Legislation of the Republic of Azerbaijan, 2008, No. 7, Article 607), the words “**three manats**” in Article 80.4 were replaced with the words “**fifteen manats**”.

By the Law of the Republic of Azerbaijan [No. 114-VIQD dated May 19, 2020](#) (“Azerbaijan” newspaper, July 15, 2020, No. 136, Collection of Legislation of the Republic of Azerbaijan, 2020, No. 7, Article 832), in Article 80.4, the words “**second group disabled people**” were replaced with the words “**persons with second degree disability**” and the words “**under 18 years of age**” were added before the word “**children**”.

By the Law of the Republic of Azerbaijan [No. 348-VIQD dated June 22, 2021](#) (“Azerbaijan” newspaper, August 21, 2021, No. 175, Collection of Legislation of the Republic of Azerbaijan, 2021, No. 8, Article 894), in Article 80.4, the words “**Persons with first and second degree disabilities, children under the age of 18 with limited health opportunities**” were replaced with the words “**Persons whose disability is determined due to 61-100 percent impairment of body functions, persons whose disability is determined under the age of 18.**”

By the Law of the Republic of Azerbaijan [No. 172-VIIGD dated April 11, 2025](#) (official website of the Azerbaijan State Information Agency (AZERTAC), April 25, 2025, “Azerbaijan” newspaper, April 27, 2025, No. 84), in Article 80.4, the words “**persons under the age of 18 with a disability**” were replaced with the words “**children with disabilities**”.

[72]

By the Law of the Republic of Azerbaijan No. 657-IIIQD dated June 24, 2008 (Azerbaijan, 2008, No. 7, Article 607), in Article 80.5, the words “**sale of which is not permitted**” were replaced with the words “**sale of which is permitted through a trade network**”

[73]

By the Law of the Republic of Azerbaijan [No. 618-VIQD dated November 5, 2022](#) (official website of the Azerbaijan State Information Agency (AZERTAC), November 18, 2022 “Azerbaijan” newspaper November 19, 2022, No. 252, Collection of Legislation of the Republic of Azerbaijan, 2022, No. 11, Article 1237), a new second sentence was added to Article

[74]

By the Law of the Republic of Azerbaijan No. 648-IIIQD dated June 13, 2008 (Azerbaijan, 2008, No. 7, Article 602 Article 82.2 after the word “**disability**”, **health limitations under the age of 18** were added.



By the Law of the Republic of Azerbaijan [No. 114-VIQD dated May 19, 2020](#) ( "Azerbaijan" newspaper, July 15, 2020, No. 136 , Collection of Legislation of the Republic of Azerbaijan, 2020, No. 7, Article 832 ) , in Article 82.2, the first sentence of Article 95.2, Article 100.2 and the second sentence of Article 104.1, **the words "second-degree disability, limited health opportunities under the age of 18 "** were replaced with the words **" second-degree disability, limited health opportunities under the age of 18 "**.

By the Law of the Republic of Azerbaijan [No. 348-VIQD dated June 22, 2021](#) ( "Azerbaijan" newspaper, August 21, 2021 , No. 175 , Collection of Legislation of the Republic of Azerbaijan, 2021, No. 8, Article 894 ) , in Article 82.2, the first sentence of Article 95.2, Article 100.2 and the second sentence of Article 104.1, the words **"persons with first and second degree disabilities, with limited health opportunities under the age of 18 "** were replaced with the words **" persons whose disability has been determined due to 61-100 percent impairment of body functions, whose disability has been determined under the age of 18 "**.

By the Law of the Republic of Azerbaijan [No. 172-VIIGD dated April 11, 2025](#) ( official website of the Azerbaijan State Information Agency (AZERTAC), April 25, 2025 , "Azerbaijan" newspaper, April 27, 2025 , No. 84 ) , in Article 82.2, the words **" persons, prisoners under the age of 18 with a disability "** were replaced with the words **" prisoners, children prisoners with disabilities "** .

[\[75\]](#) By the Law of the Republic of Azerbaijan No. 657-IIIQD dated June 24, 2008 (Azerbaijan, 2008, No. 7, Article 607), the words **"as well as the list of items prohibited for prisoners to purchase"** from Article 82.5 and the second and third sentences with new content were added to the article.

[\[76\]](#) Article 83.2 was reworded by the Law of the Republic of Azerbaijan No. 649-IIGD dated May 14, 2004 "On Amendments to the Code of Execution of Sentences of the Republic of Azerbaijan" (Collection of Legislation of the Republic of Azerbaijan, 2004, No. 6, Article 399). The previous version of Article 83.2 stated:

**83.2. Correspondence received and sent by prisoners shall be censored:**

By the Law of the Republic of Azerbaijan No. 657-IIIQD dated June 24, 2008 (Collection of Legislation of the Republic of Azerbaijan , 2008, No. 7, Article 607 ) , in the first sentence after the word **" correspondences "** , the words **"for the purpose of preventing crimes being prepared, criminal prosecution, the procedure for serving punishment and ensuring the life and safety of individuals"** were added, the word **"is carried out"** was replaced with the words **"may be carried out"** and the third and fourth sentences were added with new content.

[\[77\]](#) By the Law of the Republic of Azerbaijan No. 356-IIGD dated July 2, 2002 "On Amendments and Addenda to Some Legislative Acts of the Republic of Azerbaijan in Connection with the Implementation of the Constitutional Law of the Republic of Azerbaijan "On the Human Rights Commissioner (Ombudsman) of the Republic of Azerbaijan" (Collection of Legislation of the Republic of Azerbaijan, 2002, No. 8, Article 463) and the Human Rights Commissioner (Ombudsman) of the Republic of Azerbaijan **were added to Article 83.5 after the word "bodies"**

By the Law of the Republic of Azerbaijan No. 657-IIIQD dated June 24, 2008 (Collection of Legislation of the Republic of Azerbaijan , 2008, No. 7, Article 607 ) , in Article 83.5 , the words **"and the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan"** were replaced with the words **" , the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan and the European Court of Human Rights "** .

By the Law of the Republic of Azerbaijan No. 951-IIIQD dated February 1, 2010 ( "Azerbaijan" newspaper, March 19 , 2010 , No. 62, Collection of Legislation of the Republic of Azerbaijan, 2010, No. 03, Article 171), in Article 83.5 , the words **" rest and non-working holidays "** were replaced with the words **" rest, voting, non-working holidays and national mourning days "** .

By the Law of the Republic of Azerbaijan No. 324-IVQD dated April 20, 2012 ( "Azerbaijan" newspaper, May 12, 2012, 103, Collection of Legislation of the Republic of Azerbaijan, 2012, No. 05, Article 406), in Article 83.5, after the word **" (to Ombudsman) "** , the words **" , to the National Preventive Group "** were added.

[\[78\]](#) By the Law of the Republic of Azerbaijan No. dated November 5, 2022 (official website of the Azerbaijan State Information Agency (AZERTAC), November 18, 2022, "Azerbaijan" newspaper, November 19, 2022, No. 252) **"videoconferences"** were added to the title of Article 84 after the word **conversations**



[79]

By 657-IIIQD dated June 24, 2008 (Azerbaijan, 2008, No. 7, Article 607). The first sentence of Article 84.1 is given in a new wording.

The previous edition said:

~~Persons sentenced to life imprisonment for a term of ten minutes are entitled to six telephone calls per year, while other prisoners are entitled to twelve telephone calls per year. The cost of long-distance telephone calls is paid for from the prisoner's personal funds or by close relatives.~~

By the Law of the Republic of Azerbaijan No. 448-IVQD dated October 16, 2012 ("Respublika" newspaper, November 29, 2012, No. 266, "Azerbaijan" newspaper, November 30, 2012, No. 267, Collection of Legislation of the Republic of Azerbaijan, 2012, No. 11, Article 1056), in Article 84.1, the words "once a week" were replaced with the words "twice a week", and the words "twice a month" were replaced with the words "once a week".

By the Law of the Republic of Azerbaijan [No. 618-VIQD dated November 5, 2022](#) (official website of the Azerbaijan State Information Agency (AZERTAC), November 18, 2022, "Azerbaijan" newspaper, November 19, 2022, No. 252, Collection of Legislation of the Republic of Azerbaijan, 2022, No. 11, Article 1237), the words "or hold a video conference" were added to the first sentence of Article 84.1 after the word "talk", and the words "or video conference" were added to the third sentence after the word "talk", and the words "can be done" in that sentence were replaced with the word "is done".

[80]

By the Law of the Republic of Azerbaijan [No. 618-VIQD dated November 5, 2022](#) (official website of the Azerbaijan State Information Agency (AZERTAC), November 18, 2022, "Azerbaijan" newspaper, November 19, 2022, No. 252, Collection of Legislation of the Republic of Azerbaijan, 2022, No. 11, Article 1237), or video conference" were added to Article 84.2 after the word conversation

[81]

By the Law of the Republic of Azerbaijan [No. 618-VIQD dated November 5, 2022](#) (official website of the Azerbaijan State Information Agency (AZERTAC), November 18, 2022, "Azerbaijan" newspaper, November 19, 2022, No. 252, Collection of Legislation of the Republic of Azerbaijan, 2022, No. 11, Article 1237), or video calls" were added to Article 84.3 after the word conversations

[82]

By the Law of the Republic of Azerbaijan No. 657-IIIQD dated June 24, 2008 (Azerbaijan, 2008, No. 7, Article 607), in Article 84.4, after the word "between" "except for close relatives" were added.

By the Law of the Republic of Azerbaijan [No. 618-VIQD dated November 5, 2022](#) (official website of the Azerbaijan State Information Agency (AZERTAC), November 18, 2022, "Azerbaijan" newspaper, November 19, 2022, No. 252, Collection of Legislation of the Republic of Azerbaijan, 2022, No. 11, Article 1237), the words "or video calls" were added to Article 84.4 after the word "conversations".

[83] Article

84.4-1 was added with a new content by the Law of the Republic of Azerbaijan [No. 618-VIQD dated November 5, 2022](#) (official website of the Azerbaijan State Information Agency (AZERTAC), November 18, 2022, "Azerbaijan" newspaper, November 19, 2022, No. 252 of Legislation of the Republic of Azerbaijan, 2022, No. 11, Article 1237).

[84]

Article 84.5 was reworded by the Law of the Republic of Azerbaijan No. 448-IVQD dated October 16, 2012 ("Respublika" newspaper, November 29, 2012, No. 266, "Azerbaijan" newspaper, November 30, 2012, No. 267, Collection of Legislation of the Republic of Azerbaijan, 2012, No. 11, Article 1056).

The previous edition said:

84.5. Prisoners' telephone conversations are monitored by the prison staff.

By the Law of the Republic of Azerbaijan [No. 618-VIQD dated November 5, 2022](#) (official website of the Azerbaijan State Information Agency (AZERTAC), November 18, 2022, "Azerbaijan" newspaper, November 19, 2022, No. 252, Collection of Legislation of the Republic of Azerbaijan, 2022, No. 11, Article 1237), the words "and video calls" were added to Article 84.5 after the word "conversations".

[85]

By the Law of the Republic of Azerbaijan No. 657-IIIQD dated June 24, 2008 (Azerbaijan, 2008, No. 7, Article 607), in Article 86.3 after the word "violence", the words "extremism, terrorism" were added, and the words "international religious" were replaced with the words "national, religious and racial"

[86]

By the Law of the Republic of Azerbaijan No.856-IIQD dated March 4, 2005 (the Republic of Azerbaijan, 2005, No. 4, Article 278), in Article 89.1, after the words "within the country", the words "and after the state of emergency is lifted" were added.

[87]

Article 89.4-1 was added with a new by the Law of the Republic of Azerbaijan No.138-IVQD dated May 31, 2011 ("Azerbaijan" newspaper, July 2, 2011, No. 141, Collection of Legislation of the Republic of Azerbaijan, 2011, No. 06, Article 473).

[88]

Article 90 was by the Law of the Republic of Azerbaijan No.1507-VQD dated February 19, 2019 ("Azerbaijan" newspaper, April 17, 2019, No. 82, Collection of Legislation of the Republic of Azerbaijan, 2019, No. 4, Article 570).

The previous edition said:

~~Article 90. Mandatory state social insurance and pension provision for persons sentenced to imprisonment for a fixed term and life imprisonment~~

~~90.1. Persons sentenced to imprisonment for a fixed term or life imprisonment and who are employed shall be subject to compulsory state insurance, while female prisoners shall additionally be provided with benefits for pregnancy or childbirth on general grounds.~~

~~90.2. Persons sentenced to imprisonment for a fixed term or life imprisonment shall have the right to pension provision in cases provided for by legislation on general grounds.~~

~~90.3. Deductions shall be made from the pensions of prisoners on the grounds and in the amounts established by legislation. The grounds and types of deductions from pensions, as well as the minimum amount of pension transferred to the prisoner's personal account, regardless of all deductions, shall be determined by Article 99.3 of this Code.~~

[89]

By the Law of the Republic of Azerbaijan No. 657-IIIQD dated June 24, 2008 (Azerbaijan, 2008, No. 7, Article 607), in Article 91.3, after the words "taking into account" "at state expense" were added.

[90]

By the Law of the Republic of Azerbaijan No. 657-IIIQD dated June 24, 2008 (Azerbaijan, 2008, No. 7, Article 607), in Article 91.4, after the word "with food" "at state expense" were added, and the third sentence of this article was deleted.

[91]

Articles 91.6 and 91.7 were deleted the Law of the Republic of Azerbaijan No.657-IIIQD dated June 24, 2008 Azerbaijan, 2008, No. 7, Article 607)

[92]

By the Law of the Republic of Azerbaijan No.114-VIQD dated May 19, 2020 ("Azerbaijan" newspaper, July 15, 2020, No. 136, Collection of Legislation of the Republic of Azerbaijan, 2020, No. 7, Article 832) group in Articles 91.8, 99.3 and 120.5 replaced with the word "degree".

By the Law of the Republic of Azerbaijan No. 348-VIQD dated June 22, 2021 ( "Azerbaijan" newspaper, August 21, 2021 , No. 175 , Collection of Legislation of the Republic of Azerbaijan, 2021, No. 8, Article 894 ) , in Articles 91.8, 99.3 and 120.5, the words " with first and second degree disability " were replaced with the words " disability determined due to 61-100 percent impairment of body functions ".

[93]

By the Law of the Republic of Azerbaijan No.971-IIIQD dated March 5, 2010 ("Azerbaijan" newspaper, April 18, 2010, No. 82, Collection of Legislation of the Republic of Azerbaijan, 2010, No. 04, Article 275), " , as well as sportswear " from the first sentence of Article 91.9.

By the Law of the Republic of Azerbaijan No. 1108-VIQD dated March 5, 2024 ( official website of the Azerbaijan Information Agency (AZERTAC) , April 29, 2024 , "Azerbaijan" newspaper, April 30 , 2024 , No. 87, Collection of Legislation of the Republic of Azerbaijan, 2024, No. 4, Article 365) , the word " Food " in the first sentence of Article 91.9 was replaced with the word " Food ".

[94] Article

91-1 was added to the Code by the Law of the Republic of Azerbaijan No.971-IIIQD dated March 5, 2010 ("Azerbaijan" newspaper, April 18, 2010, No. 82, Collection of Legislation of the Republic of Azerbaijan, 2010, No. 04, Article 275).

[95]

The first paragraph of Article 93.2657-IIIQD dated June 24, 2008 (Azerbaijan, 2008, No. 7, Article 607).

The previous edition said:

~~In penal institutions, medical and sanitary units are organized to provide medical services to prisoners, as well as treatment facilities for outpatient treatment and maintenance of infectious patients, those suffering from alcoholism and drug addiction, and patients infected with the human immunodeficiency virus (HIV).~~

[96]

The second paragraph was added to Article 93.2 by the Law of the Republic of Azerbaijan "On Amendments and Addenda to the Law of the Republic of Azerbaijan "On Narcological Service and Control" No. 310-IIGD dated April 19, 2002 with **Collection of Legislation of the Republic of Azerbaijan, 2002, No. 5, Article 240**).

[97]

By the Law of the Republic of Azerbaijan No.37-IVQD dated December 21, 2010 ("Azerbaijan" newspaper, February 19, 2011, No. 39, **Collection of Legislation of the Republic of Azerbaijan, 2011, No. 02, Article 70**), a new third part was added to Article 93.2.

[98]

By the Law of the Republic of Azerbaijan No.657-IIIQD dated June 24, 2008 (**Azerbaijan, 2008, No. 7, Article 607**) in the first sentence the words "**Prisoners in penal institutions**" were replaced with the word "**Prisoners**" the words "**of that part**" were replaced with the words "**as well as the medical staff of that institution in the treatment facility**"

[99]

By the Law of the Republic of Azerbaijan No.38-IVQD dated December 21, 2010 ("Respublika" newspaper, February 18, 2011, No. 38, "Azerbaijan" newspaper, February 20, 2011, No. 40, **Collection of Legislation of the Republic of Azerbaijan, 2011, No. 02, Article 71**) vocational education in the title of Chapter 12 replaced with the words "**initial vocational-specialized education**."

[100]

By the Law of the Republic of Azerbaijan No. 657-IIIQD dated June 24, 2008 (**Azerbaijan, 2008, No. 7, Article 607**) in the third sentence the words "**in their fields and**" were replaced with the words "**in their fields, in economic and domestic work intended to ensure the normal functioning of these enterprises, as well as**" and sentences 5 and 6 were added with new content.

[101]

By the Law of the Republic of Azerbaijan No. 648-IIIQD dated June 13, 2008 (**Azerbaijan, 2008, No. 7, Article 602**), in Article 95.2 after the word "**disability**", "**health limitations under the age of 18**" were added.

By the Law of the Republic of Azerbaijan [No. 172-VIIGD dated April 11, 2025](#) ( **official website of the Azerbaijan State Information Agency (AZERTAC), April 25, 2025 , "Azerbaijan" newspaper, April 27, 2025 , No. 84** ) , in the first sentence of Article 95.2, the words " **persons, prisoners under the age of 18 with a disability** " were replaced with the words " **prisoners, children prisoners with disabilities** " .

[102]

By the Law of the Republic of Azerbaijan No.951-IIIQD dated February 1, 2010 ("Azerbaijan" newspaper, March 19, 2010, No. 62, **Collection of Legislation of the Republic of Azerbaijan, 2010, No. 03, Article 171**), in Article 96.2 the words "**on holidays that are not considered working days**" "**on voting days, holidays that are not considered working days and national mourning days**" .

[103]

The first sentence of Article 99.2 was reworded the Law of the Republic of Azerbaijan No.657-IIIQD dated June 24, 2008 (**Azerbaijan, 2008, No. 7, Article 607**)

The previous edition said:

~~The expenses incurred for prisoners' food and clothing are paid after income tax, contributions to the state social security fund, and other mandatory deductions are deducted.~~

By the Law of the Republic of Azerbaijan [No. 704-VQD dated May 31, 2017](#) (" **Azerbaijan** " newspaper, July 4, 2017, 140, **Collection of Legislation of the Republic of Azerbaijan, 2017, No. 6, Article 1058** ) , in Article 99.2, the words " **the State Social Protection Fund** " were replaced with the words " **compulsory state social insurance fee** " .

[104]

By the Law of the Republic of Azerbaijan No.657-IIIQD dated June 24, 2008 (**Azerbaijan, 2008, No. 7, Article 607**) in Article 99.3 the words "**twenty-five**" replaced with the word "**fifty**" and the word "**fifty**" was replaced with the word "**sixty**"

[105]

By the Law of the Republic of Azerbaijan No.38-IVQD dated December 21, 2010 ("Respublika" newspaper, February 18, 2011, No. 38, "Azerbaijan" newspaper, February 20, 2011, No. 40, Collection of Legislation of the Republic of Azerbaijan, 2011, No. 02, Article 71), in the title and text of Article 100, the words "vocational education" replaced with the words "initial vocational-specialized education."

[106]

By the Law of the Republic of Azerbaijan No. 648-IIIQD dated June 13, 2008 (Azerbaijan, 2008, No. 7, Article 602), in Article 100.2 after the word "disability", health limitations under the age of 18" were added.

By the Law of the Republic of Azerbaijan [No. 172-VIIGD dated April 11, 2025](#) ( official website of the Azerbaijan State Information Agency (AZERTAC), April 25, 2025 , "Azerbaijan" newspaper, April 27, 2025 , No. 84 ) , in Article 100.2 and in the second sentence of Article 104.1, the words " persons, prisoners with disabilities under the age of 18 " were replaced with the words " prisoners, children prisoners with disabilities " .

[107]

By the Law of the Republic of Azerbaijan [No.1551-VQD dated March 29, 2019](#) ("Azerbaijan" newspaper, May 26, 2019, No. 115, Collection of Legislation of the Republic of Azerbaijan, 2019, No. 5, Article 796), in Article 100.7, the words "Primary profession-specialization" were replaced with the word "Profession"

[108]

Article 100.8 was deleted 657-IIIQD dated June 24, 2008 (Azerbaijan, 2008, No. 7, Article 607)

[109]

By the Law of the Republic of Azerbaijan No.971-IIIQD dated March 5, 2010 ("Azerbaijan" newspaper, April 18, 2010, No. 82, Collection of Legislation of the Republic of Azerbaijan, 2010, No. 04, Article 275), the words "on a daily basis" in Article 101.3 were replaced with the words "on a daily basis"

[110]

By the Law of the Republic of Azerbaijan [No.807-VIQD dated February 17, 2023](#) (official website of the Azerbaijan State Information Agency (AZERTAC), April 8, 2023, "Azerbaijan" newspaper, April 9, 2023, No. 73, Collection of Legislation of the Republic of Azerbaijan, 2023, No. 4, Article 445), from the mass media in Article 102.3 were replaced with the word "from the media"

[111]

Article 102.4 was reworded 657-IIIQD dated June 24, 2008 (Azerbaijan, 2008, No. 7, Article 607)

The previous edition said:

~~102.4. In disciplinary and fine isolation cells, cell-type rooms, as well as in prisons, with the exception of prisoners held for household and domestic service work, other prisoners are not allowed to watch films and television programs.~~

By the Law of the Republic of Azerbaijan [No. 1127-VIQD dated April 5, 2024](#) ( official website of the Azerbaijan State Information Agency (AZERTAC) , May 30, 2024 , "Azerbaijan" newspaper, May 31, 2024 , No. 113 , Collection of Legislation of the Republic of Azerbaijan, 2024, No. 5, Book I, Article 489 ) , in Article 102.4 and in the first sentence of Article 126.1, the word " to broadcasts " was replaced with the word " to programs " .

[112]

By the Law of the Republic of Azerbaijan No.38-IVQD dated December 21, 2010 ("Respublika" newspaper, February 18, 2011, No. 38, "Azerbaijan" newspaper, February 20, 2011, No. 40, Collection of Legislation of the Republic of Azerbaijan, 2011, No. 02, Article 71), average from the title and text of Article 104.

[113]

By the Law of the Republic of Azerbaijan No. 648-IIIQD dated June 13, 2008 (Azerbaijan, 2008, No. 7, Article 602 Article 104.1 after the word "disability", health limitations under the age of 18" were added.

[114]

By the Law of the Republic of Azerbaijan No. 618-IIIQD dated June 2, 2008 (Collection of Legislation of Republic of Azerbaijan, 2008, No. 6, Article 462), in Article 105.1.3, the words "up to three times the amount of " diti  
sial unit" were replaced with the words up to four manats

[115]

By the Law of the Republic of Azerbaijan [No.618-VIQD dated November 5, 2022](#) (official website of the Azerbaijan State Information Agency (AZERTAC), November 18, 2022, "Azerbaijan" newspaper, November 19, 2022, No. 252, Collection

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of Legislation of the Republic of Azerbaijan, 2022, No. 11, Article 1237), or video conference" were added to Article 105.1.5 after the word conversation



**[116]** By the Law of the Republic of Azerbaijan No. 618-IIIQD dated June 2, 2008 (Collection of Legislation of the Republic of Azerbaijan, 2008, No. 6, Article 462), in Article 105.1.7, the words "up to three times the amount of the conditional financial unit" were replaced with the words **up to four manats**

By the Law of the Republic of Azerbaijan No. 657-IIIQD dated June 24, 2008 (Collection of Legislation of the Republic of Azerbaijan, 2008, No. 7, Article 607), in Article 105.1.7, the words "up to four manats" were replaced with the words "up to fifteen manats".

**[117]** By the Law of the Republic of Azerbaijan No. 657-IIIQD dated June 24, 2008 (Azerbaijan, 2008, No. 7, Article 607), the full stop at the end of Article 105.1.10 was replaced with a semicolon and Article 105.1.11 was added with a new content.

**[118]** Article 107.3 was reworded by the Law of the Republic of Azerbaijan No. 138-IVQD dated May 31, 2011 ("Azerbaijan" newspaper, July 2, 2011, No. 141, Collection of Legislation of the Republic of Azerbaijan, 2011, No. 06, Article 473).

It was said in the previous edition.

~~107.3. Punitive measures may be applied to prisoners serving sentences in prison-type institutions, such as the cancellation of the right to live outside the dormitory and the prohibition of leaving the dormitory during leisure time after work for up to one month.~~

**[119]** Article 107.6 was added with a new content 657-IIIQD dated June 24, 2008 (Azerbaijan, 2008, No. 7, Article 607)

**[120]** By the Law of the Republic of Azerbaijan No. 657-IIIQD dated June 24, 2008 (Azerbaijan, 2008, No. 7, Article 607) "to obtain, keep or" from Article 108.1.1.

**[121]** By the Law of the Republic of Azerbaijan No. 509-IIIQD dated December 7, 2007 (Azerbaijan, 2007, No. 12, Article 1218), in Article 108.1.2, "means" was added after the word narcotics"

**[122]** Article 108.1-1 was added with a new content by the Law of the Republic of Azerbaijan No. 138-IVQD dated May 31, 2011 ("Azerbaijan" newspaper, July 2, 2011, No. 141, Collection of Legislation of the Republic of Azerbaijan, 2011, No. 06, Article 473).

**[123]** By the Law of the Republic of Azerbaijan No. 657-IIIQD dated June 24, 2008 (Azerbaijan, 2008, No. 7, Article 607), in Article 109.1 after the word "time" "the convict shall be given the opportunity to explain his act in writing or orally" were added.

**[124]** By the Law of the Republic of Azerbaijan No. 657-IIIQD dated June 24, 2008 (Azerbaijan, 2008, No. 7, Article 607), the second, third and fourth sentences were added to Article 109.2 with new content.

By the Law of the Republic of Azerbaijan [No. 237-VQD dated May 17, 2016](#) ("Azerbaijan" newspaper, June 30, 2016, No. 139, Collection of Legislation of the Republic of Azerbaijan, 2016, No. 6, Article 981), in the fourth sentence of Article 11 the word "Complaint" was replaced with the words "Complaint, except for cases where a decision is made to suspend execution of a disciplinary measure in accordance with Article 109.2-1 of this Code".

**[125]** Article 109.2-1 was added with a new content by the Law of the Republic of Azerbaijan [No. 237-VQD dated May 17, 2016](#) ("Azerbaijan" newspaper, June 30, 2016, No. 139, Collection of Legislation of the Republic of Azerbaijan, 2016, No. 6, Article 981).



[126]

By the Law of the Republic of Azerbaijan No. 618-VI QD dated November 5, 2022 (official website of the Azerbaijan State Information Agency (AZERTAC), November 18, 2022, "Azerbaijan" newspaper, November 19, 2022, No. 252, Collection of Legislation of the Republic of Azerbaijan, 2022, No. 11, Article 1237),, video meetings" was added to the first sentence of Article 110.1 and the first sentence of Article 126.1 after the word **conversations**

[127]

By the Law of the Republic of Azerbaijan No. 657-III QD dated June 24, 2008 (Azerbaijan, 2008, No. 7, Article 607), in Article 110.4 after the words **"treatment facilities" and medical and sanitary sections of penitentiaries** were added.

[128]

By the Law of the Republic of Azerbaijan No. 138-IV QD dated May 31, 2011 ("Azerbaijan" newspaper, July 2, 2011, No. 141, Collection of Legislation of the Republic of Azerbaijan, 2011, No. 06, Article 473), in Article 112.2 after the words **convicted for the first time for serious crimes and transferred from strict regime penitentiaries in accordance with the procedure provided for in Article 70.2.2 of this Code** were added.

[129]

By the Law of the Republic of Azerbaijan No. 657-III QD dated June 24, 2008 (Azerbaijan, 2008, No. 7, Article 607), the words **"up to nine manats"** in Article 113.2.2 **"up to fifty manats"**, the words **up to three manats** in Article 113.3.1 **up to fifteen manats** the words **"up to seven manats"** in Article 113.4.2 **"up to forty-five manats"** and the words **"up to three manats"** in Article 113.5.1 were replaced with **"up to fifteen manats"**

[130]

By the Law of the Republic of Azerbaijan No. 618-III QD dated June 2, 2008 (Collection of Legislation of the Republic of Azerbaijan, 2008, No. 6, Article 462), in Article 113.3.2, the words **"up to eight times the amount of the conditional financial unit"** were replaced with the words **to nine manats**

[131]

By the Law of the Republic of Azerbaijan No. 618-III QD dated June 2, 2008 (Collection of Legislation of the Republic of Azerbaijan, 2008, No. 6, Article 462), in Article 113.3.1, the words **"up to two times the amount of the conditional financial unit"** were replaced with the words **up to three manats**

[132]

By the Law of the Republic of Azerbaijan No. 138-IV QD dated May 31, 2011 ("Azerbaijan" newspaper, July 2, 2011, No. 141, Collection of Legislation of the Republic of Azerbaijan, 2011, No. 06, Article 473), in Article 113.4 after the words **convicted and transferred from strict regime penitentiaries in accordance with the procedure provided for in Article 70.2.2 of this Code** were added.

[133]

By the Law of the Republic of Azerbaijan No. 618-III QD dated June 2, 2008 (Collection of Legislation of the Republic of Azerbaijan, 2008, No. 6, Article 462), in Article 113.4.2, the words **"up to six times the amount of the conditional financial unit"** were replaced with the words **to seven manats**

[134]

By the Law of the Republic of Azerbaijan No. 618-III QD dated June 2, 2008 (Collection of Legislation of the Republic of Azerbaijan, 2008, No. 6, Article 462), in Article 113.5.1, the words **"up to two times the amount of the conditional financial unit"** were replaced with the words **up to three manats**

[135]

By the Law of the Republic of Azerbaijan No. 657-III QD dated June 24, 2008 (Azerbaijan, 2008, No. 7, Article 607), in Article 115.2.2 the words **to five manats** **"up to forty manats"**, and in Article 115.3.1, the words **"up to three manats"** were replaced with **"up to fifteen manats"**

[136]

By the Law of the Republic of Azerbaijan No. 618-III QD dated June 2, 2008 (Collection of Legislation of the Republic of Azerbaijan, 2008, No. 6, Article 462), in Article 115.2.2, the words **"up to four times the amount of the conditional financial unit"** were replaced with the words **up to five manats**

[137]

By the Law of the Republic of Azerbaijan No. 618-III QD dated June 2, 2008 (Collection of Legislation of the Republic of Azerbaijan, 2008, No. 6, Article 462), in Article 115.3.1, the words **"up to two times the amount of the conditional financial unit"** were replaced with the words **up to three manats**



[138]

By the Law of the Republic of Azerbaijan No. 657-IIIQD dated June 24, 2008 (Azerbaijan, 2008, No. 7, Article 607), the words "up to four manats" in Article 117.1.2 "up to thirty-five manats", and the words "up to three manats" in Article 117.2.1 were replaced with "up to fifteen manats"

[139]

By the Law of the Republic of Azerbaijan No. 618-IIIQD dated June 2, 2008 (Collection of Legislation of the Republic of Azerbaijan, 2008, No. 6, Article 462), in Article 117.1.2, the words "up to three times the amount of the conditional financial unit" were replaced with the words up to four manats

[140]

By the Law of the Republic of Azerbaijan No. 618-IIIQD dated June 2, 2008 (Collection of Legislation of the Republic of Azerbaijan, 2008, No. 6, Article 462), in Article 117.2.1, the words "up to two times the amount of the conditional financial unit" were replaced with the words up to three manats

[141]

Article 118.1 was reworded by the Law of the Republic of Azerbaijan No. 138-IVQD dated May 31, 2011 ("Azerbaijan" newspaper, July 2, 2011, No. 141, Collection of Legislation of the Republic of Azerbaijan, 2011, No. 06, Article 473).

The previous edition said:

~~118.1. Persons sentenced to imprisonment for a term not exceeding five years for crimes committed through negligence shall serve their sentences in detention facilities for persons convicted of crimes committed through negligence. Convicts transferred from general and strict regime prisons in accordance with the procedure provided for in Article 70.2.2 of this Code shall serve their sentences in detention facilities designated for them.~~

[142]

The text of Article 119 was reworded by the Law of the Republic of Azerbaijan No. 138-IVQD dated May 31, 2011 ("Azerbaijan" newspaper, July 2, 2011, No. 141, Collection of Legislation of the Republic of Azerbaijan, 2011, No. 06, Article 473).

The previous edition said:

~~119.1. Prisoners in station-type penitentiaries:~~

~~119.1.1. are kept unguarded but under supervision;~~

~~119.1.2. carry a specified identity document;~~

~~119.1.3. may move freely within the institution from the time they wake up until the time they go to bed;~~

~~119.1.4. may correspond and meet with relatives and other persons without restrictions, and may receive parcels, gifts or packages;~~

~~119.1.5. Prisoners may talk on the phone once a day for fifteen minutes;~~

~~119.1.6. They may wear ordinary household clothes, carry money and valuables, and use money without restriction.~~

~~119.2. Utilities, food, material and household, medical and sanitary and other provisions for prisoners serving sentences in a prison-type institution are provided at the state expense.~~

~~119.3. Convicts who are employed outside the penitentiary in the vicinity of the institution or who are studying in higher, secondary, or primary vocational education institutions may, with the permission of the penitentiary administration, move outside the institution without supervision for no more than twelve hours a day, but within the territory of the Republic of Azerbaijan. In this case, the decision adopted by the institution administration shall determine an individual schedule for each convict for leaving the penitentiary and returning to the penitentiary.~~

~~119.4. When deemed necessary by the administration of the penitentiary institution, a prisoner who has been employed or educated outside the penitentiary institution shall be checked to see whether he is evading work or education. If the check determines that the prisoner is evading work or education without a valid reason, the decision provided for in Article 119.3 of this Code shall be revoked.~~

[143]

By the Law of the Republic of Azerbaijan No. 618-VIQD dated November 5, 2022 (official website of the Azerbaijan State Information Agency (AZERTAC), November 18, 2022, "Azerbaijan" newspaper, November 19, 2022, No. 252, Collection of Legislation of the Republic of Azerbaijan, 2022, No. 11, Article 1237), or hold a video conference" were added to Article 119.1.5 after the words peak

[144]

By the Law of the Republic of Azerbaijan No. 657-IIIQD dated June 24, 2008 (Azerbaijan, 2008, No. 7, Article 607), in Article 119.2, the words "higher and secondary specialization" were replaced with the words "higher, secondary specialization"

and profession"

By the Law of the Republic of Azerbaijan No. 38-IVQD dated December 21, 2010 ("Respublika" newspaper, February 18, 2011, No. 38, "Azerbaijan" newspaper, February 20, 2011, No. 40, Collection of Legislation of the Republic of Azerbaijan, 2011, No. 02, Article 71), the words "vocational education" in Article 119.2 were replaced with the words "initial vocational-specialized education".

The text of Article 119 has been reworded by the Law of the Republic of Azerbaijan No. 138-IVQD dated May 31, 2011 ("Azerbaijan" newspaper, July 2, 2011, No. 141, Collection of Legislation of the Republic of Azerbaijan, 2011, No. 06, Article 473).

The previous edition said:

~~119.1. Prisoners in station-type penitentiaries:~~

~~119.1.1. are kept unguarded but under supervision;~~

~~119.1.2. may move freely within the premises of the enterprise from the time they wake up until the time they go to bed;~~

~~119.1.3. carry an identity document of the specified type;~~

~~119.1.4. In accordance with the nature of the work they do or if necessary in connection with training, they may, with the permission of the administration of the penitentiary institution, move without supervision outside the territory of the institution, but within the territory of the Republic of Azerbaijan;~~

~~119.1.5. may wear ordinary household clothes, carry money and valuables, and have unlimited use of money;~~

~~119.1.6. may correspond and meet with relatives and other persons without restrictions, and may receive parcels, gifts or packages;~~

~~119.1.7. If housing conditions are available, with the permission of the prison administration, they may live with their families in the area near the institution, obtain a place to live, and establish a personal household. The registration of such prisoners in a detention center from once to four times a month is determined by the decision of the administration of that institution.~~

~~119.2. Convicts are allowed to receive correspondence education at higher, secondary specialized and primary vocational education institutions located in the area of the station-type penitentiary institutions.~~

[145]

By the Law of the Republic of Azerbaijan No. 657-IIIQD dated June 24, 2008 (Azerbaijan, 2008, No. 7, Article 607), in Article 121.1, the words "sentenced to life imprisonment" were replaced with the words "engaged for household and domestic service work".

[146]

By the Law of the Republic of Azerbaijan No. 618-IIIQD dated June 2, 2008 (Collection of Legislation of the Republic of Azerbaijan, 2008, No. 6, Article 462), in Article 121.3.1, the words "up to three times the amount of the conditional financial unit" were replaced with the words "up to four manats".

By the Law of the Republic of Azerbaijan No. 657-IIIQD dated June 24, 2008 (Collection of Legislation of the Republic of Azerbaijan, 2008, No. 7, Article 607), the words "up to four manats" in Article 121.3.1 were replaced with the words "up to twenty-five manats".

[147]

By the Law of the Republic of Azerbaijan No. 618-IIIQD dated June 2, 2008 (Collection of Legislation of the Republic of Azerbaijan, 2008, No. 6, Article 462), in Article 121.4.1, the words "up to two times the amount of the conditional financial unit" were replaced with the words "up to three manats".

[148]

By the Law of the Republic of Azerbaijan No. 618-IIIQD dated June 2, 2008 (Collection of Legislation of the Republic of Azerbaijan, 2008, No. 6, Article 462), in Article 121.5.1, the words "up to two times the amount of the conditional financial unit" were replaced with the words "up to three manats".

By the Law of the Republic of Azerbaijan No. 657-IIIQD dated June 24, 2008 (Collection of Legislation of the Republic of Azerbaijan, 2008, No. 7, Article 607), the words "up to three manats" in Articles 121.4.1 and 121.5.1 were replaced with the words "up to fifteen manats".

[149]

By the Law of the Republic of Azerbaijan No. 657-IIIQD dated June 24, 2008 (Azerbaijan, 2008, No. 7, Article 607), "separately and not more than two people" from Article 122.1 the words "up to four manats" in Article 122.1.1 "up to twenty-

five manats"the word"three"in Article 122.1.2 was replaced with"six", the word"one""two"the word"four"in Article 122.1.3"eight" the words"up to three manats" in Article 122.2.1"up to twenty-five manats".



**[150]** By the Law of the Republic of Azerbaijan No. 618-IIIQD dated June 2, 2008 (Collection of Legislation of the Republic of Azerbaijan, 2008, No. 6, Article 462), in Article 122.1.1, the words "up to three times the amount of the conditional financial unit" were replaced with the words **up to four manats**

**[151]** By the Law of the Republic of Azerbaijan No. 618-IIIQD dated June 2, 2008 (Collection of Legislation of the Republic of Azerbaijan, 2008, No. 6, Article 462), in Article 122.2.1, the words "up to two times the amount of the conditional financial unit" were replaced with the words **up to three manats**

**[152]** By the Law of the Republic of Azerbaijan No. 448-IVQD dated October 16, 2012 ("Respublika" newspaper, November 29, 2012, No. 266, "Azerbaijan" newspaper, November 30, 2012, No. 267, Collection of Legislation of the Republic of Azerbaijan, 2012, No. 11, Article 1056) "twice" in Article 122.2.4 were replaced with the words **four times**

By the Law of the Republic of Azerbaijan [No. 618-VIQD dated November 5, 2022](#) ( official website of the Azerbaijan State Information Agency (AZERTAC), November 18, 2022, "Azerbaijan" newspaper, November 19 , 2022 , No. 252 , Collection of Legislation of the Republic of Azerbaijan, 2022, No. 11, Article 1237 ) , the words " or hold a video conference " were added to Article 122.2.4 after the word " speak ".

**[153]** By the Law of the Republic of Azerbaijan No. 657-IIIQD dated June 24, 2008 (Azerbaijan, 2008, No. 7, Article 607) in Article 124.2.2 the words "up to nine manats" were replaced with the words **up to fifty manats**, in Article 124.3.1 the words "up to three manats" "up to fifteen manats", in Article 124.4.2 the words "up to seven manats" "up to forty manats", and in Article 124.5.1 the words "up to three manats" were replaced with the words **up to fifteen manats**

**[154]** By the Law of the Republic of Azerbaijan No. 618-IIIQD dated June 2, 2008 (Collection of Legislation of the Republic of Azerbaijan, 2008, No. 6, Article 462), in Article 124.2.2, the words "up to eight times the amount of the conditional financial unit" were replaced with the words **to nine manats**

**[155]** By the Law of the Republic of Azerbaijan No. 618-IIIQD dated June 2, 2008 (Collection of Legislation of the Republic of Azerbaijan, 2008, No. 6, Article 462), in Article 124.3.1, the words "up to two times the amount of the conditional financial unit" were replaced with the words **up to three manats**

**[156]** By the Law of the Republic of Azerbaijan No. 618-IIIQD dated June 2, 2008 (Collection of Legislation of the Republic of Azerbaijan, 2008, No. 6, Article 462), in Article 124.4.2, the words "up to six times the amount of the conditional financial unit" were replaced with the words **to seven manats**

**[157]** By the Law of the Republic of Azerbaijan No. 618-IIIQD dated June 2, 2008 (Collection of Legislation of the Republic of Azerbaijan, 2008, No. 6, Article 462), in Article 124.5.1, the words "up to two times the amount of the conditional financial unit" were replaced with the words **up to three manats**

**[158]** Article 124-1 was added with a new content 657-IIIQD dated June 24, 2008 (Azerbaijan, 2008, No. 7, Article 607)

**[159]** By the Law of the Republic of Azerbaijan No. 38-IVQD dated December 21, 2010 ("Respublika" newspaper, February 18, 2011, No. 38, "Azerbaijan" newspaper, February 20, 2011, No. 40, Collection of Legislation of the Republic of Azerbaijan, 2011, No. 02, Article 71), secondary from Article 130.2, and the words "vocational education" were replaced with the words "in vocational-specialized education"

**[160] Article** 130.3 was added to the Code by the Law of the Republic of Azerbaijan No. 314-IIGD dated April 2002 Law of the Republic of Azerbaijan "On Education of Persons with Disabilities (Special Education)" (Collection of Legislation of the Republic of Azerbaijan, 2002, No. 5, Article 244).

[161]

By the Law of the Republic of Azerbaijan [No.1115-VQD dated May 1, 2018](#) ("Azerbaijan" newspaper, May 31, 2018, No. 121, Collection of Legislation of the Republic of Azerbaijan, 2018, No. 5, Article 881) **from his earnings** in the title and text of Article 133 was replaced with the words **from his monthly financial support**

[162]

By the Law of the Republic of Azerbaijan [No.618-VIQD dated November 5, 2022](#) (official website of the Azerbaijan State Information Agency (AZERTAC), November 18, 2022, "Azerbaijan" newspaper, November 19, 2022, No. 252, Collection of Legislation of the Republic of Azerbaijan, 2022, No. 11, Article 1237), **talking by telephone** in Article 140.1 were replaced with the words **"also talking by telephone or holding a video call"**

[163]

By the Law of the Republic of Azerbaijan No.448-IVQD dated October 16, 2012 ("Respublika" newspaper, November 29, 2012, No. 266, "Azerbaijan" newspaper, November 30, 2012, No. 267, Collection of Legislation of the Republic of Azerbaijan, 2012, No. 11, Article 1056) **twelve times a year** in Article 140.5 were replaced with the words **"twice a month"**

By the Law of the Republic of Azerbaijan [No. 618-VIQD dated November 5, 2022](#) ( official website of the Azerbaijan State Information Agency (AZERTAC), November 18, 2022, "Azerbaijan" newspaper, November 19 , 2022 , No. 252 , Collection of Legislation of the Republic of Azerbaijan, 2022, No. 11, Article 1237 ) , the words " or hold a video conference " were added to the first sentence of Article 140.5 after the word " talk " , and the words " or video conference " were added to the second sentence after the words " talk " .

[164]

By the Law of the Republic of Azerbaijan No.618-IIIQD dated June 2, 2008 Collection of Legislation of the Republic of Azerbaijan, 2008, No. 6, Article 462), in Article 141.4, the words **"up to eight times the amount of the conditional financial unit"** were replaced with the words **to nine manats**

[165]

By the Law of the Republic of Azerbaijan [No.1108-VIQD dated March 5, 2024](#) (official website of the Azerbaijan State Information Agency (AZERTAC), April 29, 2024, "Azerbaijan" newspaper, April 30 2024, No. 87, Collection of Legislation of the Republic of Azerbaijan, 2024, No. 4, Article 365), **food** in Article 144.5 was replaced with the words **"food"**

[166]

By the Law of the Republic of Azerbaijan No. 618-IIIQD dated June 2, 2008 (Collection of Legislation of the Republic of Azerbaijan, 2008, No. 6, Article 462), in Article 148.0.2, the words **"up to three times the amount of the conditional financial unit"** were replaced with the words **up to four manats**

[167]

By the Law of the Republic of Azerbaijan [No.1271-VQD dated October 12, 2018](#) ("Azerbaijan" newspaper, October 19, 2018, No. 235, Collection of Legislation of the Republic of Azerbaijan, 2018, No. 10, Article 1971) **" , confiscation of property from the title of Chapter XVIII.**

[168]

The words **"restriction of freedom"** were removed from Article 154.3 by Law of the Republic of Azerbaijan No.138-IVQD dated May 31, 2011 ("Azerbaijan" newspaper, July 2, 2011, No. 141, Collection of Legislation of the Republic of Azerbaijan, 2011, No. 06, Article 473).

[169]

By Law of the Republic of Azerbaijan No.138-IVQD dated May 31, 2011 ("Azerbaijan" newspaper, July 2, 2011, No. 141, Collection of Legislation of the Republic of Azerbaijan, 2011, No. 06, Article 473), **"restriction of freedom"** were removed from Article 155.2.

[170]

By the Law of the Republic of Azerbaijan No.138-IVQD dated May 31, 2011 ("Azerbaijan" newspaper, July 2, 2011, No. 141, Collection of Legislation of the Republic of Azerbaijan, 2011, No. 06, Article 473)  **, , restriction of freedom from Art 157.1.**

The text of Article 157 is provided in a new edition by the Law of the Republic of Azerbaijan [No. 263-VQD dated May 2016](#) (" Azerbaijan " newspaper, June 30, 2016, No. 139 , Collection of Legislation of the Republic of Azerbaijan , N le 1000 ) .

The previous edition said:

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~~157.1. When a punishment in the form of deprivation of the right to drive a vehicle is imposed in addition to community service, correctional labor, or punishments in the form of restriction of freedom, as well as in the case of a suspended sentence, the term of the additional punishment shall be calculated from the time the sentence enters into legal force.~~

~~157.2. In cases where a punishment in the form of deprivation of the right to drive a vehicle is imposed in addition to punishments in the form of detention in a disciplinary military unit or imprisonment for a certain period, the additional punishment shall apply to the entire period of serving the main punishment and, in addition, to the period specified in the verdict for this type of punishment.~~

[\[171\]](#) Article 159.1 was reworded by the Law of the Republic of Azerbaijan [No.1115-VQD dated May 1, 2018](#) ("Azerbaijan" newspaper, May 31, 2018, No. 121, Collection of Legislation of the Republic of Azerbaijan, 2018, No. 5, Article 881).

The previous edition said:

~~159.1. After the judgment on deprivation of a special or military rank, honorary title, or state award enters into legal force, a copy of the judgment and the relevant presentation shall be sent by the court to the body that granted the special or military rank, honorary title, or state award.~~

[\[172\]](#) Articles 160-165 were repealed by the Law of the Republic of Azerbaijan [No.1271-VQD dated October 12, 2018](#) ("Azerbaijan" newspaper, October 19, 2018, No. 235, Collection of Legislation of the Republic of Azerbaijan, 2018, No. 10, Article 1971).

[\[173\]](#) Article 161.1 was reworded by the Law of the Republic of Azerbaijan No. 162-IIIQD dated October 10, 2006 (Collection of Legislation of the Republic of Azerbaijan, 2006, No. 11, Article 929)

The previous edition stated:

~~161.1. Property obtained through crime and specified in the court verdict and property list shall be confiscated.~~

[\[174\] Article](#) 166 was reworded by the Law of the Republic of Azerbaijan No.685-IVQD dated June 13, 2013 ("Respublika" newspaper, August 7, 2013, No. 171, Collection of Legislation of the Republic of Azerbaijan, 2013, No. 08, Article 889).

The previous edition said:

~~Article 166. Procedure for the execution of punishment in the form of forced deportation outside the borders of the Republic of Azerbaijan~~

~~166.1. Forced deportation outside the borders of the Republic of Azerbaijan shall be applied in cases provided for by the legislation of the Republic of Azerbaijan.~~

~~166.2. The institution or body executing the main punishment shall inform the relevant executive authority about a person sentenced to serve a sentence in the form of forced deportation outside the borders of the Republic of Azerbaijan one month before the expiration of the period determined by the court verdict.~~

~~166.3. In the case of forced deportation outside the borders of the Republic of Azerbaijan, the body executing the sentence shall inform the relevant executive authority and the diplomatic and consular representations of the state to which the convict belongs, as well as the state that has assumed patronage over the convict, about the forced deportation of the convict outside the borders of the Republic of Azerbaijan.~~

~~166.4. A person sentenced to a punishment in the form of forced deportation outside the borders of the Republic of Azerbaijan must immediately leave the borders of the Republic of Azerbaijan from the day of his release from serving the main punishment, except for good reasons.~~

~~166.5. The costs of removal outside the borders of the Republic of Azerbaijan shall be paid by the convict himself or by the diplomatic and consular representations of the state to which he belongs.~~

~~166.6. In exceptional cases, the costs of transporting a convicted person outside the borders of the Republic of Azerbaijan may be covered by the body executing the sentence.~~

[\[175\]](#) By the Law of the Republic of Azerbaijan [No.1348-IVQD dated October 6, 2015](#) ("Respublika" newspaper, October 23, 2015, No. 231; Collection of Legislation of the Republic of Azerbaijan, 2015, No. 10, Article 1107), in Article 166.8 the word "newspaper" was replaced with the words "when kidnapper or when there is sufficient reason to assume such a person is a kidnapper".

[\[176\]](#) Article 166.8 was reworded by the Law of the Republic of Azerbaijan [No.1348-IVQD dated October 6, 2015](#) ("Respublika" newspaper, October 23, 2015, No. 231; Collection of Legislation of the Republic of Azerbaijan, 2015, No. 10, Article 1107).



10, Article 1107).

The previous edition said:

~~166.8. The persons specified in Article 166.7 of this Code shall be placed in detention centers for illegal migrants of the relevant executive authority in accordance with the court decision and in accordance with the procedure established by law, until the additional punishment in the form of forced deportation outside the borders of the Republic of Azerbaijan is served.~~

By the Law of the Republic of Azerbaijan [No. 118-VIIGD dated December 29, 2024](#) (official website of the Azerbaijan State Information Agency (AZERTAC), January 30, 2025, "Azerbaijan" newspaper, January 31, 2025, No. 21), in Article 166.8, the words " **detention of illegal migrants** " were replaced with the words " **temporary placement** ".

**[177]** By Law of the Republic of Azerbaijan No.138-IVQD dated May 31, 2011 ("Azerbaijan" newspaper, July 2, 2011, No. 141, Collection of Legislation of the Republic of Azerbaijan, 2011, No. 06, Article 473), "restriction of freedom" were removed from Article 168.1.

By the Law of the Republic of Azerbaijan [No. 915-VQD dated December 1, 2017](#) ("Azerbaijan" newspaper, December 21, 2017, No. 282 , Collection of Legislation of the Republic of Azerbaijan, 2017, No. 12, Book I, Article 2268 ) , the words " **restriction of freedom** " were added to Article 168.1 after the words " **correctional work** ."

**[178]** By the Law of the Republic of Azerbaijan No.389-IIIQD dated June 16, 2007 Collection of Legislation of the Republic of Azerbaijan, 2007, No. 8, Article 756), the words "not considered a working day" were added before the word "holiday" in Articles 60.0.3, 83.5, 96.2, 105.2 and in the second sentence of Article 168.2.

By the Law of the Republic of Azerbaijan No. 951-IIIQD dated February 1, 2010 ("Azerbaijan" newspaper, March 19 , 2010 , No. 62, Collection of Legislation of the Republic of Azerbaijan, 2010, No. 03, Article 171), in the second sentence of Article 168.2 , the words " **if a holiday or rest day that is not considered a working day ends, the convict shall be exempted from the days of rest and holidays** " were replaced with the words " **if a holiday, voting, holiday that is not considered a working day ends, the convict shall be exempted from those days** " .

By the Law of the Republic of Azerbaijan No. 138-IVQD dated May 31, 2011 ("Azerbaijan" newspaper, July 2, 2011, No. 141 , Collection of Legislation of the Republic of Azerbaijan, 2011, No. 06, Article 473) , the words " **Restriction of freedom or certain** " in Article 168.2 were replaced with the word " **Certain** " .

**[179]** By the Law of the Republic of Azerbaijan [No.1195-VIQD dated June 28, 2024](#) (official website of the Azerbaijan State Information Agency (AZERTAC), August 12, 2024, "Azerbaijan" newspaper, August 13, 2024, No. 171, Collection of Legislation of the Republic of Azerbaijan, 2024, No. 8, Article 934), (if any)" were added to Article 168.3 after the words "workbook" and "pension card

**[180]** By the Law of the Republic of Azerbaijan No.138-IVQD dated May 31, 2011 ("Azerbaijan" newspaper, July 2, 2011, No. 141, Collection of Legislation of the Republic of Azerbaijan, 2011, No. 06, Article 473) "Restriction of freedom or certain" were replaced with the word "Certain

By the Law of the Republic of Azerbaijan [No. 1195-VIQD dated June 28, 2024](#) ( Official website of the Azerbaijan State Information Agency (AZERTAC) , August 12, 2024 , " Azerbaijan " newspaper, August 13, 2024 , No. 171, Collection of Legislation of the Republic of Azerbaijan, 2024, No. 8, Article 934 ) , in Article 168.4, the words " **workbook and pension card** " were replaced with the words " **workbook in relation to persons specified in Part 2-1 of Article 7 of the Labor Code of the Republic of Azerbaijan** " .

**[181]** By the Law of the Republic of Azerbaijan No.138-IVQD dated May 31, 2011 ("Azerbaijan" newspaper, July 2, 2011, No. 141, Collection of Legislation of the Republic of Azerbaijan, 2011, No. 06, Article 473) Article 170.6, the words " , **corrective labor or restriction of freedom** " were replaced with the words " **or correctional labor** " .

**[182]** By the Law of the Republic of Azerbaijan [No.1281-VQD dated October 12, 2018](#) ("Azerbaijan" newspaper, October 12, 2018, No. 237, Collection of Legislation of the Republic of Azerbaijan, 2018, No. 10, Article 1978) "compensation of punishment with a punishment in the form of deprivation of liberty for a certain period of time or" were added to Article 171 after the word "persons"



[183] By the Law of the Republic of Azerbaijan [No.1281-VQD dated October 12, 2018](#) ("Azerbaijan" newspaper, October 21, 2018, No. 237, Collection of Legislation of the Republic of Azerbaijan, 2018, No. 10, Article 1978) "replacement of the sentence with a sentence of imprisonment for a certain period of time or Article 171.1 before the word "penalty".

[184] By the Law of the Republic of Azerbaijan [No.1281-VQD dated October 12, 2018](#) ("Azerbaijan" newspaper, October 21, 2018, No. 237, Collection of Legislation of the Republic of Azerbaijan, 2018, No. 10, Article 1978) in Article 171.2 after the words "his compensation of his sentence with a sentence of imprisonment for a certain period of time or" were added, and in that article the words "six months" were replaced with the words "one year".

[185] By the Law of the Republic of Azerbaijan No.424-IIIQD dated October 1, 2007 (Collection of Legislation of the Republic of Azerbaijan, 2007, No. 11, Article 1049), in the title of Article 172 after the words "women, the words "as well as men raising a child under the age of eight alone" were added.

The name of Article 172 was given in by the Law of the Republic of Azerbaijan [No. 11 15-VQD dated May 1, 2018](#) ("Azerbaijan" newspaper, May 31, 2018, No. 121, Collection of Legislation of the Republic of Azerbaijan, 2018, No. 5, Article 881).

The previous edition said:

Article 172. ~~Postponement of serving the sentence for pregnant women and convicted women with minor children, as well as men raising a child under the age of eight alone~~

[186] By the Law of the Republic of Azerbaijan [No.1115-VQD dated May 1, 2018](#) ("Azerbaijan" newspaper, May 31, 2018, No. 121, Collection of Legislation of the Republic of Azerbaijan, 2018, No. 5, Article 881) in Article 172.1, the words "and minor children" were replaced with the words "or a child up to the age of fourteen" and in both cases the word "eight" was replaced with the words "fourteen".

[187] By the Law of the Republic of Azerbaijan No.424-IIIQD dated October 1, 2007 (Collection of Legislation of the Republic of Azerbaijan, 2007, No. 11, Article 1049), in Articles 172.1 and 172.2, after the word "women" in the appropriate cases of the noun, the words " , as well as men who raise a child under the age of eight alone" were added.

By the Law of the Republic of Azerbaijan [No. 11 15-VQD dated May 1, 2018](#) ("Azerbaijan" newspaper, May 31, 2018, No. 121, Collection of Legislation of the Republic of Azerbaijan, 2018, No. 5, Article 881), in Article 172.2 (in both cases), in the first sentence of Article 172.3 (in both cases), in the first sentence of Article 172.4 (in both cases), in Articles 172.5 (in both cases), 172.6 (in both cases), 172.7 (in both cases) and 172.8 (in both cases), the word " eight " has been replaced with the word " fourteen ".

[188] By the Law of the Republic of Azerbaijan No. 424-IIIQD dated October 1, 2007 (Collection of Legislation of the Republic of Azerbaijan, 2007, No. 11, Article 1049), in the second sentence of Article 172.3, the word "woman" was replaced with the word "convict" convicted woman were replaced with the word "convict".

[189] By the Law of the Republic of Azerbaijan No.1034-IIIQD dated June 18, 2010 ("Azerbaijan" newspaper, July 17, 2010, No. 152, Collection of Legislation of the Republic of Azerbaijan, 2010, No. 07, Article 591), in the second sentence of Article 172.4 the words "to the bailiff" "to the executive body".

[190] By the Law of the Republic of Azerbaijan No.1034-IIIQD dated June 18, 2010 ("Azerbaijan" newspaper, July 17, 2010, No. 152, Collection of Legislation of the Republic of Azerbaijan, 2010, No. 07, Article 591), in Article 172.6, after the word "to the court" "and to the executive body" were added.

[191] By the Law of the Republic of Azerbaijan No.424-IIIQD dated October 1, 2007 (Collection of Legislation of the Republic of Azerbaijan, 2007, No. 11, Article 1049), in the first sentence of Article 172.3, the first sentence of Article 172.4, Articles 172.5-172.8,, as well as a man raising a child under the age of eight alone" were added after the word "woman".

[192] By the Law of the Republic of Azerbaijan No. 424-IIIQD dated October 1, 2007 (Collection of Legislation of the Republic of Azerbaijan, 2007, No. 11, Article 1049), in the title of Article 173 after the words "women, the words "as well as men who raise a child under the age of eight alone" were added.

The title of Article 173 was given in a new edition by the Law of the Republic of Azerbaijan [No. 11 15-VQD dated May 1, 2018](#) ("Azerbaijan" newspaper, May 31, 2018, No. 121, Collection of Legislation of the Republic of Azerbaijan, 2018, No. 5, Article 881).

The previous edition said:

~~Article 173. Consequences of failure to comply with the conditions for the postponement of the sentence by convicted women who are pregnant or have minor children, as well as men who are raising a child under the age of eight alone~~

[193] By the Law of the Republic of Azerbaijan No.1034-IIIQD dated June 18, 2010 ("Azerbaijan" newspaper, July 17, 2010, No. 152, Collection of Legislation of the Republic of Azerbaijan, 2010, No. 07, Article 591), in Article 173.1, the words "a search is declared" "a search is declared by the decision of the enforcement officer and a copy of the decision is sent to the relevant executive authority".

By the Law of the Republic of Azerbaijan [No. 11 15-VQD dated May 1, 2018](#) ("Azerbaijan" newspaper, May 31, 2018, No. 121, Collection of Legislation of the Republic of Azerbaijan, 2018, No. 5, Article 881), the word "eight" in Articles 173.1 (in both cases), 173.2 (in both cases) and in the first sentence of Article 173.4 was replaced with the words "fourteen".

[194] By the Law of the Republic of Azerbaijan No. 424-IIIQD dated October 1, 2007 (Collection of Legislation of the Republic of Azerbaijan, 2007, No. 11, Article 1049), in Articles 173.1 and 173.2,, as well as a man raising a child under the age of eight alone" were added after the word woman

[195] By Law of the Republic of Azerbaijan No.424-IIIQD dated October 1, 2007 Collection of Legislation of the Republic of Azerbaijan, 2007, No. 11, Article 1049 woman from the first sentence of Article 173.3.

[196] By the Law of the Republic of Azerbaijan No.424-IIIQD dated October 1, 2007 Collection of Legislation of the Republic of Azerbaijan, 2007, No. 11, Article 1049), in Article 173.4, the words "convicted woman were replaced with the word "convicted man

The second sentence was added to Article 173.4 by the Law of the Republic of Azerbaijan No. 1034-IIIQD dated June 18, 2010 ("Azerbaijan" newspaper, July 17, 2010, No. 152, Collection of Legislation of the Republic of Azerbaijan, 2010, No. 07, Article 591).

[197] By the Law of the Republic of Azerbaijan No.685-IVQD dated June 13, 2013 ("Respublika" newspaper, August 7, 2013, No. 171, Collection of Legislation of the Republic of Azerbaijan, 2013, No. 08, Article 889), the text of Article 174 was considered Article 174.1 and Article 174.2 was added to the article.

[198] The title of Chapter XX was given in a new edition by the Law of the Republic of Azerbaijan No.480-IIIQD dated November 6, 2007 Collection of Legislation of the Republic of Azerbaijan, 2007, No. 12, Article 1197

The previous edition said:

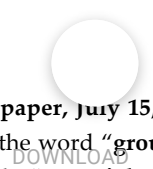
~~ASSISTANCE AND SUPERVISION OF PERSONS RELEASED FROM SERVING A PUNISHMENT~~

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[199] By the Law of the Republic of Azerbaijan No.138-IVQD dated May 31, 2011 ("Azerbaijan" newspaper, July 2, 2011, No. 141, Collection of Legislation of the Republic of Azerbaijan, 2011, No. 06, Article 473) private enterprise or from Article 175.1.

[200] By the Law of the Republic of Azerbaijan No.138-IVQD dated May 31, 2011 ("Azerbaijan" newspaper, July 2, 2011, No. 141, Collection of Legislation of the Republic of Azerbaijan, 2011, No. 06, Article 473) in the first sentence of Article 175.2, words "Restriction of freedom by the administration of a special institution or a penitentiary institution," were replaced with the words Administration of a penitentiary institution of a special institution or" were removed from the second and sentences.

[201] By the Law of the Republic of Azerbaijan [No.114-VIQD dated May 19, 2020](#) ("Azerbaijan" newspaper, July 15, 2020, No. 136, Collection of Legislation of the Republic of Azerbaijan, 2020, No. 7, Article 832) in Article 175.3 the word "group was replaced with the word "degreeto a home for the disabled or the elderly" were replaced with the words "to social service



institutions for the elderly and persons with disabilities, including children under the age of 18 with limited health opportunities".

By the Law of the Republic of Azerbaijan [No. 348-VIQD dated June 22, 2021](#) ("Azerbaijan" newspaper, August 21, 2021, No. 175, Collection of Legislation of the Republic of Azerbaijan, 2021, No. 8, Article 894), in Article 175.3, the words "Those with first and second degree disabilities" were replaced with the words "Disability determined due to 61-100 percent impairment of the body's functions" and the words ", including children under the age of 18 with limited health opportunities" were removed from that article.

[\[202\]](#) Article 175 was reworded by [480-IIIQD dated November 6, 2007](#) (Collection of Legislation of the Republic of Azerbaijan, 2007, No. 12, Article 1197)

The previous edition said:

~~Article 175. Duties of the institution or body executing the sentence to create working and living conditions for persons released from serving a sentence~~

~~175.1. The administration of a special institution and a penitentiary institution shall provide information on the release of the convict from serving the sentence, his place of residence, his work capacity and his qualifications to the relevant executive authority and employment service body of the convict's place of residence for persons released from serving the sentence on other grounds, three months before the expiration of the term of the sentence in the form of restriction of freedom, deprivation of liberty for a certain period of time, and on the employment of persons released from serving the sentence on that day, in order to provide them with employment and create living conditions for them. The bodies that have received the information shall take necessary measures to provide assistance to persons released from serving the sentence.~~

~~175.2. In order to prepare for release from prison, appropriate work shall be carried out with prisoners, and their rights and obligations shall be explained to them.~~

~~175.3. Convicts with first and second group disabilities, male convicts who have reached the age of sixty and female convicts who have reached the age of fifty-five, shall be sent to a home for the disabled or a nursing home by the relevant executive authority upon application and presentation by the prison administration.~~

~~175.4. Minors without parents shall, if necessary, be sent to boarding schools or placed under guardianship by the relevant executive authority.~~

[\[203\]](#) By the Law of the Republic of Azerbaijan [No.1115-VQD dated May 1, 2018](#) ("Azerbaijan" newspaper, May 31, 2018, No. 121, Collection of Legislation of the Republic of Azerbaijan, 2018, No. 5, Article 881), ~~eight~~ in Article 176.4 was replaced with the words **fourteen**

[\[204\]](#) By the Law of the Republic of Azerbaijan [No.138-IVQD dated May 31, 2011](#) ("Azerbaijan" newspaper, July 2, 2011, No. 141, Collection of Legislation of the Republic of Azerbaijan, 2011, No. 06, Article 473), in Article 177, the words "Restriction of freedom, certain" were replaced with the word "Certain"

[\[205\]](#) By the Law of the Republic of Azerbaijan [No.1034-IIIQD dated June 18, 2010](#) ("Azerbaijan" newspaper, July 17, 2010, No. 152, Collection of Legislation of the Republic of Azerbaijan, 2010, No. 07, Article 591), the text of Article 178 was considered Article 178.1 and Articles 178.2-178.7 were added.

[\[206\]](#) By the Law of the Republic of Azerbaijan [No.1115-VQD dated May 1, 2018](#) ("Azerbaijan" newspaper, May 31, 2018, No. 121, Collection of Legislation of the Republic of Azerbaijan, 2018, No. 5, Article 881), the words "including refusing to carry an electronic surveillance device, damaging it or rendering it unusable in any other way, or failing to maintain it in working condition" to Articles 178.5 and 182.2 after the words **in case of disobedience**.

[\[207\]](#) By the Law of the Republic of Azerbaijan [No.915-VQD dated December 1, 2017](#) ("Azerbaijan" newspaper, December 21, 2017, No. 282, Collection of Legislation of the Republic of Azerbaijan, 2017, No. 12, Book I, Article 2268), in Article 181 the word "Thirty" was replaced with the word **Ten** not performed", the words "or who refuses to carry an electronic control device, does not provide service to keep that device in working condition, damages the electronic control device or renders unusable in any other way" were added.

[\[208\]](#) Article 180.3 was deleted by the Law of the Republic of Azerbaijan [No.157-IVQD June 10, 2011](#) ("Azerbaijan" newspaper, July 31, 2011, No. 166, Collection of Legislation of the Republic of Azerbaijan, 2011, No. 07, Article 600).

[\[209\]](#) By the Law of the Republic of Azerbaijan No.1034-IIIQD dated June 18, 2010 ("Azerbaijan" newspaper, July 17, 2010, No. 152, Collection of Legislation of the Republic of Azerbaijan, 2010, No. 07, Article 591), in Article 180.4, the words "court decision" "decision of the executive officer approved by the head of the executive body".

[\[210\]](#) By the Law of the Republic of Azerbaijan No.915-VQD dated December 1, 2017 ("Azerbaijan" newspaper, December 21, 2017, No. 282, Collection of Legislation of the Republic of Azerbaijan, 2017, No. 12, Book I, Article 2268), in Article 182.5, the word "Thirty" was replaced with the word "Ten not done", the words "or who refuses to carry an electronic control device, does not service it to keep it in working condition, damages the electronic control device or renders it unusable in any other way" were added.

[\[211\] Section VIII](#) was added with new content by the Law of the Republic of Azerbaijan No.1271-VQD dated October 12, 2018 ("Azerbaijan" newspaper, October 19, 2018, No. 235, Collection of Legislation of the Republic of Azerbaijan, 2018, No. 10, Article 1971).

[\[212\]](#) By the Law of the Republic of Azerbaijan No.1575-VQD dated May 3, 2019 ("Azerbaijan" newspaper, May 26, 2019, No. 115, Collection of Legislation of the Republic of Azerbaijan, 2019, No. 5, Article 812), "liquidator" was added to the first sentence of Article 190.1 after the word liquidator

