

EXTERNAL (for general distribution)

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Death Penalty

27 November 1992

TURKMENISTAN: Aymurad NURYEV  
Mikhail CHIRKUNOV  
Saparbay GARAKHANOV

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(in cyrillic \_\_\_\_\_ )  
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Amnesty International fears that Aymurad NURYEV, Mikhail CHIRKUNOV and Saparbay GARAKHANOV face imminent execution, having been sentenced to death for aggravated murder on or around 14 November 1992 in Ashgabat, Turkmenistan. They were tried by the Supreme Court of Turkmenistan acting as a court of first instance, and do not therefore have a right of appeal. Their only hope now of avoiding execution is a petition for clemency to the President of Turkmenistan.

Aymurad Nuryyev, Mikhail Chirkunov and Saparbay Garakhanov were found guilty of murdering Aymurad Sardzhayev, an inmate at a corrective labour colony at Tedzhen in southern Turkmenistan, on 31 May 1990. Mikhail Chirkunov and Saparbay Garakhanov were also inmates at the Tedzhen corrective labour colony, and were convicted of carrying out the murder. Aymurad Nuryyev, however, was not in the labour colony when the murder took place but at home, but he was convicted of having ordered the murder.

The prosecution identified Aymurad Nuryyev as leader of a criminal gang of which Mikhail Chirkunov and Saparbay Garakhanov were members. At the trial Aymurad Nuryyev was also found guilty of extortion and drugs offences, as were eight other alleged gang members or associates who were co-defendants. Aymurad Nuryyev denies all the charges against him.

This was the second time that Mikhail Chirkunov and Saparbay Garakhanov were tried for the murder of Aymurad Sardzhayev: they had originally been convicted of it on 27 December 1990 by the criminal cases collegium of the Turkmenistan Supreme Court, and sentenced to imprisonment. Following Aymurad Nuryyev's arrest in May 1992 originally on drugs charges, investigators linked him to the murder and on the basis of this new evidence the Supreme Court Presidium on 24 September partly overturned the sentences of Mikhail Chirkunov and Saparbay Garakhanov, but referred the case for further investigation.

Amnesty International opposes the death penalty in all cases and without reservation, on the grounds that it is a violation of the right to life and the right not to be subjected to cruel, inhuman or degrading treatment or punishment as proclaimed in the Universal Declaration of Human Rights. Amnesty International is appealing to the President of Turkmenistan to exercise his constitutional authority to commute these death sentences.

## BACKGROUND INFORMATION

To Amnesty International's knowledge, the Turkmen Criminal Code retains the death penalty for 18 peacetime offences. Information about its application is meagre in the absence of any published official statistics, although Amnesty International has learned from unofficial sources of one execution carried out during 1992. Execution is by shooting.

Page 2 of UA 371/92

**RECOMMENDED ACTION:** Please send telegrams/telexes/faxes/express and airmail letters either in Russian, English or in your own language:

- urging commutation of the death sentences passed on Aymurad NURYEV, Mikhail CHIRKUNOV and Saparbay GARAKHANOV;

- urging that everyone sentenced to death in Turkmenistan be granted the opportunity to appeal to a court of higher jurisdiction, in accordance with internationally agreed human rights standards.

## APPEALS TO

### 1. President of Turkmenistan:

Turkmenistan

g. Ashgabat

Prezidentu Turkmenistana

NIYAZOVU S.A.

**Salutation: Dear President Niyazov**

**Telegrams: Turkmenistan, g. Ashgabat, Prezidentu Niyazovu**

**Faxes: + 7 3632 25 14 63**

**Telexes: 116338 ULKE SU**

### 2. Chairman of the Clemency Commission of the Turkmenistan Majlis (parliament):

Turkmenistan

g. Ashgabat

Komissiya po voprosam pomilovaniya

Majlisa Turkmenistana

Predsedatelyu

**Salutation: Dear Chairman**

**Telegrams: Turkmenistan, g. Ashgabat, Komissiya pomilovaniya Majlisa, Predsedatelyu**

## COPIES OF YOUR APPEALS TO:

### 1. Procurator-General of Turkmenistan:

Turkmenistan

g. Ashgabat

Prokuratura Turkmenistana

Generalnomu prokuroru KASIMOVU T.

### 2. Chairman of the Supreme Court of

Turkmenistan:

Turkmenistan

744000 Ashgabat

prospekt Lenina, 18

Verkhovny Sud Turkmenistana

Predsedatelyu ATAYEVU Kh.A.

### 3. Minister of Foreign Affairs of

Turkmenistan:

Turkmenistan  
744000 g. Ashgabat  
ulitsa Magtymguly, 87  
Ministerstvo inostrannykh del  
Turkmenistana  
Ministru

**Faxes: + 7 3632 25 14 63**

and to diplomatic representatives of Turkmenistan accredited to your country (these are generally to be found at the Russian Embassy).

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 8 January 1993.

4. Minister of Justice of Turkmenistan:  
Turkmenistan  
g. Ashgabat  
Ministerstvo yustitsii Turkmenistana  
Ministru KHAITOVU Yu.