

amnesty international

USSR

**Recent allegations of ill-treatment by
law enforcement officials in the
Republic of Azerbaydzhan**



August 1991

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SUMMARY

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At the end of April 1991 Soviet troops and Azerbaydzhani special police units (OMON) began what was officially described as an operation to check compliance with passport regulations and confiscate illegally-held weapons in areas of the Republic of Azerbaydzhani which have been the scene of inter-ethnic violence. While Amnesty International recognizes that Law enforcement officials in the area are charged with keeping order in a situation in which they and the civilian population - both Azerbaydzhani and Armenians - are subject to attacks from armed bands, this document details the organization's concern at numerous reports that many of those detained during the operation were beaten and ill-treated. At least two men are said to have died in prison from the injuries inflicted. In other instances, some unarmed civilians were reportedly killed deliberately without warning or attempts to apprehend them. Amnesty International is also concerned at reports that some people were detained for short periods solely on grounds of their ethnic origin.

Amnesty International is urging the authorities to initiate a full and prompt inquiry into these and other allegations of ill-treatment; that the findings be made public; and the perpetrators brought to justice. It is also calling on the authorities to ensure that all law enforcement officials are aware of, and conform to, the United Nations Code of Conduct for Law Enforcement Officials; and that they be given strict instructions that force to restore law and order should only be used when strictly necessary and to the extent required for the performance of their duty.

This report summarizes an 5-page document (2102 words), USSR: Recent allegations of ill-treatment by Law enforcement officials in the Republic of Azerbaydzhani (AI Index: EUR/46/53/91) issued by Amnesty International in

September 1991. Anyone wanting further details or to take action on this issue should consult the full document.

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Recent allegations of ill-treatment by law enforcement officials in the Republic of Azerbaydzhan

At the end of April 1991 Soviet troops and Azerbaydzhani special police units (OMON) began what was officially described as an operation to check compliance with passport regulations and confiscate illegally-held weapons in the Republic of Azerbaydzhan. Amnesty International is concerned at numerous reports that many of those detained during the operation were beaten and ill-treated. At least two men are said to have died in prison from the injuries inflicted. In other instances, some unarmed civilians were reportedly killed deliberately without warning or attempts to apprehend them. The organization is also concerned at reports that some people were detained for short periods solely on grounds of their ethnic origin.

Intercommunal violence has been almost continuous since a dispute arose between the Republics of Armenia and Azerbaydzhan over the jurisdiction of the Nagorno-Karabakh Autonomous Region (NKAR). This area lies within Azerbaydzhan but is populated mainly by ethnic Armenians. On 26 June 1991 Deputy Interior Minister of the USSR Ivan Shilov, in an interview with the official Soviet daily Pravda, reported that since February 1988, 816 people, including 123 members of the security forces, had been killed and over 5,000 people wounded as a result of the conflict.

The recent operation concentrated on areas populated mainly by ethnic Armenians, in the border areas between the republics of Armenia and Azerbaydzhan and in the NKAR. It was officially aimed at detaining guerillas said to have infiltrated from the Republic of Armenia, and at confiscating illegally-held arms. In the article mentioned above, Deputy Interior Minister Ivan Shilov reports that 240 firearms were confiscated and 413 people detained. Some were released after their identities were established, but criminal proceedings have been instigated against 64 people. He intimated that some Azerbaydzhani OMON members had been involved in maltreating the population and that an official investigation was under way. Armenian sources allege that there was widespread ill-treatment, arbitrary detention and looting by OMON units, some of whose members are said to be ethnic Azerbaydzhani refugees from the Republic of Armenia, and that as a result of the operation all members of some villages have been forcibly deported to the Republic of Armenia.

Allegations of ill-treatment and beatings

Some allegations of ill-treatment have come from people who were detained for short periods by OMON units. Arsen Atanesyan, for example, from the village of Chaykend (also known as Getashen), Khandlar district, reports that soldiers from the Soviet Army and members of an Azerbaydzhani OMON unit entered his village on 30 April 1991. The following is an excerpt from an account he gave while in Yerevan Republican Hospital:

"A Soviet Army lieutenant demanded my passport outside my house which is one of the first ones in the village. I gave it, he examined it then tore up my passport and hit me. Turning to those who arrived with him he said "Take him too". Then they gathered our neighbours, 29 people in all, took us away from the village, made us lie on the ground with our faces down and started to walk on our bodies and hit us. Then the lieutenant ordered his men to draw back and handed us over to the Azerbaydzhani OMON. The OMON people were beating us for about two hours. Then a bus took us to the...village of Kamo. They started to beat us again, then gave us some papers and demanded that we sign an agreement to abandon our homes voluntarily and move to another republic. First they called S. Chilingarian (70), a one-legged invalid who had been brought to Kamo with us, and demanded that he should sign the paper. He did not, so they hit him on the head with a machine gun. None of us signed and they started to beat us again."

Arsen Atanesyan said he was taken from Kamo to Alikend by car, then returned to Kamo where he saw two women with their children who had been beaten. He asked that they be sent back to the village, and continues:

"This is all I can remember. After that request I was called back. Having been hit by an OMON captain, I lost consciousness. I was taken to the village hospital."

Girsha Levonovich Ogonyan, aged 32 from the village of Dolanlar in the NKAR, alleges that he and other male members of the village were detained on 13 May 1991 by members of Azerbaydzhani OMON units who arrived to check for weapons and ammunition. He claims:

"They arrested all the men; we were just lined up. They took our pictures. We were locked up, all the men....We were forced to lie down, hands behind our backs for several hours. They wouldn't give us any food or water. Then they came to us with a letter or statement saying that we wanted to go to Armenia and leave our homes. They put a machine gun in my back and said that I must sign or they would kill me. I did. Several days later they drove us to the Armenian border where on 16 May they just dumped me."

Three other males from the same village aged 32, 34 and 52 also testify that they were held in a bus for two days, frequently beaten with hoses and given no food.

There have been several allegations that women were raped by members of OMON units during the operation. For example a 20-year-old woman reports that she was raped by one soldier after Interior Ministry and OMON troops entered her village on 15 May 1991 at 6.00am.

Other allegations of ill-treatment come from those held in prisons in Azerbaydzhan. Sarkis Arutyunovich Akopkekhyan, a 55-year-old medical doctor from Chaykend (Getashen) reports that he was detained with two other doctors on 7 May 1991 when he was trying to leave the village, and held until 23 May in a prison in Gyandzha in Azerbaydzhan. He alleges that he was kept for four days naked in a cell that had dirty water on the floor, and that he was beaten with truncheons. He lost consciousness after four days and was then taken to a cell with around 15 other ethnic Armenians. Two or three times a day, he reports, one of the prisoners would be taken out and beaten with truncheons or kicked. He was released with the other doctors, and driven to the border with Armenia. Eleven Armenian militia (police) officers detained on 6 May in the Republic of Armenia, and transferred subsequently to prisons in Azerbaydzhan, report they were beaten three times a day with rubber truncheons. At one prison they claim they given excessively salty food and deprived of water for eight days, having to rely only on a dripping tap in the cell from which to collect meagre amounts of water. Some of those in pre-trial detention also allege that they have been denied access to their family and a defence lawyer of their own choice.

Deaths in detention

At least two ethnic Armenians are alleged to have died in prison in Azerbaydzhan as a result of ill-treatment by law enforcement officials. The independent Moscow newspaper Ekspress Khronika (Express Chronicle) reported on 2 July 1991 that the death in detention of Grachy Shakhbazyan had been announced in an official statement issued on 13 June 1991 from the investigation prison in the Azerbaydzhani-populated town of Shusha, NKAR. He was said to have committed suicide by hanging. Grachy Shakhbazyan was a major of the militia in Stepanakert, the capital of the NKAR, and had been arrested on 4 June 1991 at the NKAR militia headquarters in Stepanakert.

Ekspress Khronika reported the testimony of ethnic-Armenian militia officers that shortly before Grachy Shakhbazyan's death became known they were instructed over their service radios to switch those radios at a given time into receive mode. At that given time they heard over their radios the cries of a man being tortured, whom they say they recognized as Grachy Shakhbazyan. The person who had given the instruction to listen is then said to have confirmed over the radio that the man being tortured was indeed Grachy Shakhbazyan, and concluded the broadcast with threats addressed to ethnic-Armenian militia officers. The newspaper also reported the testimony of another witness, a Moscow geologist working at that time in Stepanakert, who recounted that an autopsy on Grachy Shakhbazyan in Stepanakert was hindered by the fact that the body had already been subjected to a post-mortem

examination in Shusha and all internal organs had been removed. This witness also reported that he had been told by a colonel in the militia command headquarters that the characteristic marks of hanging were not present on Grachy Shakhbazyan's neck, but that on his body were many signs of beatings.

Grachy Shakhbazyan's arrest was reported in the Azerbaydzhani newspaper *Bakinsky rabochy* on 14 June 1991. The report described him as "one of the organizers and active participants" in the expulsion of Azerbaydzhanis from Stepanakert in 1988. It made no mention of his death.

On 13 June 1991 the official Soviet news agency TASS reported that the body of Yury Gulyan, aged 32 from the village of Kichan in Mardakert district, Azerbaydzhani, was brought out from a prison in Agdam district on 7 June. According to the report unspecified "local legal experts established that death resulted from beating and violence" inflicted while he was imprisoned. An unofficial source reports that Yury Gulyan was detained by members of an Azerbaydzhani OMON unit on 15 May 1991 and gives the prison as being in the Shakh-Bulatsky subdistrict of Agdam district. The source alleges that Yury Gulyan's skull was fractured in 15 places; that his fingers were broken; and that his body bore numerous stab wounds. His family are said to have been told by officials that the cause of death was internal haemorrhaging.

Other deaths

A number of people are reported to have died during the operation, but the exact number is difficult to determine as reports vary. After fighting in the village of Chaykend (Getashen) on 30 April, for example, the Armenian mission in Moscow stated that 35 Armenians, including woman and children, had been killed. The Azerbaydzhani news agency gave the figure as 15, and the Russian Republic's radio station Radio Russia as 27. Although troops conducting the operation met armed resistance in certain areas, Amnesty International has received reports alleging that some of deaths occurred when unarmed civilians were deliberately killed by law enforcement officials. For example Anushavan Bagratovich Grigoryan, aged 37, was said to have been shot dead on 15 May by Azerbaydzhani OMON members in the village of Yakhtsaog, in front of his pregnant wife whom he was trying to protect from a beating.

Amnesty International takes no position on territorial disputes, and recognizes that law enforcement officials in the NKAR and border areas between the republics of Armenia and Azerbaydzhani are charged with keeping order in a situation in which they and the civilian population - both Azerbaydzhanis and Armenians - are subject to attacks from armed bands. Factors such as the state of emergency in force in the NKAR also make it difficult to obtain corroborative information on the various allegations outlined above. Amnesty International is concerned, however, that they come from a number of different sources and are consistent as to the nature of the reported violations. It is urging the authorities to initiate a full and prompt inquiry into these and other allegations of ill-treatment; that the findings be made

public; and the perpetrators brought to justice. It is also calling on the authorities to ensure that all law enforcement officials are aware of, and conform to, the United Nations Code of Conduct for Law Enforcement Officials; and that they be given strict instructions that force to restore law and order should only be used when strictly necessary and to the extent required for the performance of their duty. Amnesty International has had no response to a letter it wrote in December 1990, following similar allegations of ill-treatment in the NKAR by troops of the USSR Ministry of Internal Affairs.

Possible prisoners of conscience

In the context of the operation Amnesty International is also concerned at reports that troops detained numerous individuals for short periods without charge solely on the grounds of their identity as ethnic Armenians. It has urged the authorities to ensure that all persons arrested are brought promptly before the judicial authorities to assess the legality of their detention; that they should be given prompt access to a defence lawyer of their own choice; and that they are charged with a recognizably criminal offence or released.