

EXTERNAL (for general distribution)

AI Index: EUR 61/01/93

Distr: UA/SC

UA 74/93

Death Penalty

16 March 1993

TURKMENISTAN: Yury Yurevich AYRIYEV

(in cyrillic _____)

Amnesty International fears that Yury Yurevich AYRIYEV faces imminent execution in Turkmenistan, having been sentenced to death for aggravated murder in November 1992 in the regional court of Balkansky velayat (region), sitting in the city of Nebit Dag. An appeal was apparently submitted unsuccessfully to the Supreme Court. Yury Ayriyev's only remaining avenue of appeal is a petition for clemency which he submitted to the President of Turkmenistan on 11 February 1993.

Recent death penalty cases in Turkmenistan known to Amnesty International suggest that the period from the passing of sentence, through the stages of appeal and petition for clemency to execution can be very short. In the last such case known to Amnesty International, of three men also sentenced to death in November 1992, the process of appealing and then petitioning for clemency was exhausted in less than four weeks, and they were executed in December. If Yury Ayriyev's petition for clemency is turned down his execution could be imminent.

Yury Ayriyev was born in 1966, and comes from Nebit Dag. He was sentenced to death under Article 106 of the Criminal Code of Turkmenistan ("premeditated murder under aggravating circumstances"), but no details are currently available about the crime for which he was convicted. He is being held on death row at prison number UZ 25/2 in the city of Krasnovodsk, Balkansky velayat.

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 this death sentence.

BACKGROUND INFORMATION

To Amnesty International's knowledge, the Criminal Code of Turkmenistan 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 four executions carried out during 1992. Execution is by shooting.

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

- expressing concern that Yury Yurevich Ayriyev was sentenced to death in November 1992;
- urging commutation of the death sentence passed on him;
- urging that a moratorium be imposed on death sentences and executions pending a comprehensive review of the death penalty.

Page 2 of UA 74/93

APPEALS TO

1. President of Turkmenistan:

Turkmenistan

g. Ashgabat

Prezidentu Turkmenistana

NIYAZOVU S.A.

Telegrams: Turkmenistan, g. Ashgabat, Prezidentu Niyazovu

Faxes: + 3632 25 14 63

Telexes: 116338 ULKE SU

Salutation: Dear President Niyazov

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

Turkmenistan

g. Ashgabat

Komissiya po voprosam pomilovaniya Majlisa Turkmenistana

Predsedatelyu

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

Salutation: Dear Chairman

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 ATAYEVU Kh.

Faxes: + 3632 25 14 63

4) Minister of Justice of Turkmenistan:

Turkmenistan

g. Ashgabat

Ministerstvo yustitsii Turkmenistana

Ministru KHAITOVU Yu.

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

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 27 April 1993.