

**EXTERNAL**

**AI Index: EUR 46/30/97**

**UA 390/97**

**Death penalty**

**12 December 1997**

**CHECHEN REPUBLIC - RUSSIAN FEDERATION Assa Larsanova (f), aged 36**

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Assa Larsanova, mother of three and six months pregnant, is scheduled to be shot after she has given birth. She is currently held in a prison in the Chechen capital, Grozny.

Assa Larsanova, her sister Mariam, and a man whose name is not known, were sentenced to death by the Chechen Supreme Shari'a Court earlier in 1997 for the murder of Assa's husband. Her two co-defendants were publicly executed by firing squad on 3 September. Mariam's husband reportedly said that Mariam's three children watched their mother's execution on television.

Assa Larsanova's execution was postponed due to her pregnancy. According to Chechen Shari'a law, she will be killed as soon as she stops breast-feeding her new baby. Amnesty International fears that she could be executed as soon as she gives birth if, for example, she is unable to breast-feed.

Assa Larsanova, who maintains her innocence, was allegedly not given access to a defence lawyer before or during the trial. According to her relatives, she was repeatedly beaten and otherwise ill-treated by her husband during their marriage. She reportedly left home several times in order to escape this treatment and hid in relatives' homes.

If the parents of her husband forgive her, the Shari'a court may reconsider its verdict and substitute her death sentence with life imprisonment. She could also be granted clemency if 100 cows or the equivalent amount in money are given to the victim's family as a compensation. Assa Larsanova reportedly does not have the means to pay this amount.

#### **BACKGROUND INFORMATION**

In August 1996 a peace agreement ended the hostilities in the conflict in the Chechen Republic, which began in 1991 when the latter claimed its independence. Under this peace agreement the region's final political status has been deferred for five years, but the Chechen leadership has insisted upon Chechnya's independence from Russian legal and governmental institutions, including the laws of the Russian Federation. However, regardless of its current legal status, the Chechen Republic remains bound by the international human rights obligations of the Russian Federation, including the International Covenant on Civil and Political Rights and the Convention against Torture.

A new criminal code developed in the Chechen Republic in 1996 introduced the rules and regulations of the Islamic religious tradition, the Shari'a law, into the Republic's judicial practices. In November 1997 a Council of Europe delegation visited Chechnya and was told that a new Shari'a Criminal Code is being drafted in line with Chechen tradition.

Amnesty International does not promote or oppose any particular system of justice, urging only that it conforms to internationally accepted standards. Amnesty International is opposed to 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.

At least five people have been executed in the Chechen Republic in 1997 [see UA 123/97 (EUR 46/11/97, 29 April) and update (EUR 46/13/97, 11 June) and EXTRA 122/97 (EUR 46/26/97, 9 September) and update (EUR 46/27/97, 19 September), which cover the case of Assa Larsanova and her co-defendants]. Others may be facing imminent execution, among them people who are currently awaiting the Shari'a courts' verdicts on charges of kidnapping, after President Aslan Maskhadov issued a decree in June 1997 allowing courts to sentence kidnappers to death.

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

- expressing concern about Assa Larsanova's imminent execution after the birth of her child and urging the Chechen authorities to immediately grant her clemency;
- expressing sympathy for the victims of violent crime and their families, but referring to the 1988 Study for the United Nations on the death penalty which concluded that the death penalty is not an effective deterrent for violent crime;
- urging the Chechen authorities to amend all articles in the criminal code which provide for the death penalty, and replace them with punishments which do not violate international human rights standards;
- urging the authorities to abolish the death penalty and grant clemency to all death row prisoners.

**APPEALS TO:**

The President of the Chechen Republic, Aslan Maskhadov

Russian Federation

Chechenskaya Respublika Ichkeriya

Grozny

Administratsiya Prezidenta

Prezidentu Maskhadovu

**Telegrams: Prezidentu, Grozny, Chechenskaya Respublika Ichkeriya, Rossikaya Federatsiya**

**Salutation: Dear President**

The Representative of the Chechen Republic in Moscow, Vakha Khasanov

Russian Federation

Moskva 121002

Denezhny pereulok d.12

Predstavitelstvo Chechenskoy respubliki Ichkeriya

Chrezvychainomu i Polnomochnemu Predstavitel'yu Chechenskoy respubliki

Ichkeriya v Rossiskoy Federatsii

Khasanovu V.

**Telegrams: Predstavitelu Chechenskoy Respubliki Ichkeriya Khasanovu, Moskva, Rossiskaya Federatsiya**

**Faxes: +7 095 241 73 80 (you will need to say "Fax" once the phone is answered)**

**Salutation: Dear Vakha Khasanov**

**NO COPIES**

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 10 February 1998.