

EXTERNAL (for general distribution)

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Fear of imminent execution

29 April 1994

ARMENIA

Two prisoners of war from Azerbaijan

Amnesty International fears that two prisoners of war from Azerbaijan face imminent execution in Armenia after being convicted of murder. It believes that the men were tried by the Supreme Court of Armenia, in which case the sentences may have been passed without right of appeal. If so, their only recourse would be a petition for clemency to President Levon Ter-Petrosyan.

According to press reports the two were among a group of eight prisoners of war, none of whose names are currently known to Amnesty International, who stood trial in the Armenian capital of Yerevan in proceedings believed to have finished in April 1994. According to one as yet unconfirmed report, the accused were convicted of murdering three ethnic Armenians in the Kelbajar region of Azerbaijan in early 1993. The other defendants received terms of imprisonment of from 12 to 15 years.

Although no executions of Armenians have been reported in recent years, Amnesty International fears for the safety of the Azerbaijanis in the light of recent deaths in Armenia of other prisoners of war. In early April 1994 a forensic expert rejected Armenian claims that six such men had been killed while trying to escape, stating that the common pattern of their wounds was "*strongly suggestive of execution-type shootings*".

BACKGROUND INFORMATION

Relations between the neighbouring former Soviet republics of Armenia and Azerbaijan have been tense in recent years owing to the fighting over Karabakh, an area of Azerbaijan populated mainly by ethnic Armenians. Thousands are said to have died in the armed conflict, which has spread beyond Karabakh to other areas of Azerbaijan now occupied by ethnic Armenian forces. One of these areas is Kelbajar, which borders Armenia and was the scene of an offensive by ethnic Armenian forces in early 1993.

The Armenian government says that it supplies moral and material support to ethnic Armenians in Azerbaijan, but consistently rejects allegations that soldiers from its army are engaged in the fighting there.

Both Armenia and Azerbaijan retain the death penalty, and have prisoners on death row. In Azerbaijan these currently include three ethnic Armenians convicted of violent offences connected with the Karabakh conflict. No executions of such prisoners have been reported in Azerbaijan, although six other ethnic Armenians under sentence of death there have died in prison over the last two years.

Amnesty International takes no position on territorial disputes. However, the organization opposes the death penalty in all cases without reservation on the grounds that it is a violation of the right to life and the right not to be subject to cruel, inhuman or degrading treatment or punishment as proclaimed in the Universal Declaration on Human Rights. Amnesty International is continuing to urge the presidents of both Armenia and Azerbaijan to commute all pending death sentences in their countries.

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

- urging that the death sentences passed on these two Azerbaijani prisoners of war be commuted;
- urging that all other pending death sentences be commuted;
- urging that everyone sentenced to death in Armenia be granted the opportunity to appeal to a court of higher jurisdiction, in accordance with internationally-agreed human rights standards;
- pointing out that Amnesty International takes no position on territorial disputes, and in these cases is concerned solely with the issue of the death penalty.

APPEALS TO

1) President Levon Ter-Petrosyan
 Marshal Bagramyan boulv. 19
 375095 Yerevan
 Republic of Armenia

Telegrams: President Ter-Petrosyan, M. Bagramyan 19, 375095 Yerevan, Armenia

Faxes: + 8852 52 15 81

Salutation: Dear President

2) Levon Pogosyan
 Head of the Presidential Pardons Department
 375095 Yerevan
 Republic of Armenia

Telegrams: Pogosyanu L, Otdel pomilovaniya pri presidente, 375095 Yerevan, Armenia

Salutation: Dear Chairman

COPIES OF YOUR APPEALS TO:

1) Ardavazd Gevorgyan
 Procurator-General of Armenia
 Shaumyan Square
 375010 Yerevan
 Republic of Armenia

2) Tariel Barsegyan
 Chairman of the Supreme Court of Armenia
 Shaumyan, 6
 375010 Yerevan
 Republic of Armenia

3) Rafael Papayan
 Chairman of the parliamentary commission on
 human rights and nationalities
 M. Bagramyan, 19
 375095 Yerevan
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4) Vagan Papasyan
 Minister of Foreign Affairs
 M. Bagramyan, 19
 375019 Yerevan
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and to diplomatic representatives of Armenia accredited to your country

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 10 June 1994.