

EXTERNAL

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@Yury Osipovich DZHANGIRYAN, Armen AVANESYAN
(in cyrillic _____, _____)

£Azerbaijdzhani Republic

Amnesty International has recently received information from unofficial sources on the cases of Yury Dzhangiryan and Armen Avanesyan, both ethnic Armenians, who have been sentenced to death in separate trials in the Azerbaijdzhani Republic.

Yury Dzhangiryan, born in 1935, is from Stepanakert (Khankendy) in the disputed enclave of Nagorno-Karabakh. He is said to have been detained on 9 August 1991 in the village of Ovsepavan, and later sentenced to death. The exact date and place of his trial are not known, nor are the charge or charges. He is reportedly held at present in Bailov investigation-isolation prison in Baku, the capital of Azerbaijdzhani. Armen Avanesyan is said to have been detained in Mineralnye Vody in the Russian Federation in July 1991 and returned to Azerbaijdzhani where he was sentenced to death. He was accused of taking part in the bombing of a bus travelling from Tbilisi, Georgia, to the town of Agdam in Azerbaijdzhani. It is not known if either man has lodged an appeal, or if they have petitions for clemency pending.

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 and degrading treatment or punishment as proclaimed in the Universal Declaration of Human Rights. Amnesty International is appealing to the authorities in the Azerbaijdzhani Republic to commute the death sentences passed on Yury Dzhangiryan and Armen Avanesyan.

Background information

In a letter to Amnesty International in September 1991 the Azerbaijdzhani Minister of Justice wrote that abolition of the death penalty in the republic would be premature. Nevertheless, the Minister indicated that Azerbaijdzhani would endorse the recent reduction in the number of capital crimes under the then USSR law when it adopted "in the future" a new republican criminal code. This republican criminal code would reduce the number of offences carrying the death penalty from 18 in peacetime to five; high treason, premeditated murder under aggravated circumstances, rape of a minor under aggravated circumstances, serious crimes committed against peace and humanity; and the kidnapping of children entailing grave consequences. In a follow-up letter to the Minister of Justice in April 1992 Amnesty International asked if the proposed exemption of women and minors from the death penalty and the proposed reduction outlined by the Minister had now passed into law in Azerbaijdzhani.

The last execution in Azerbaijdzhani known to Amnesty International took place in 1990, although in the absence of official statistics it is possible that there have been other executions since then.

Amnesty International currently knows of at least five other ethnic Armenians sentenced to death for murder in Azerbaydzhani and under threat of imminent execution. They were convicted by the Azerbaydzhani Supreme Court in Baku on 19 March 1992, accused of murdering an Azerbaydzhani correspondent and three military personnel in the disputed region of Nagorno-Karabakh. An execution date of 2 April, just two weeks after the trial, was later replaced by a stay of execution until 16 May. The outcome of their case is currently not known.