

EXTERNAL (for general distribution)

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Further information on EXTRA 33/92 (EUR 55/01/92, 25 March 1992) and follow-ups EUR 55/02/92 of 27 March 1992, EUR 55/03/92 of 31 March 1992, EUR 55/04/92 of 6 April 1992, EUR 55/05/92 of 28 April 1992, EUR 55/07/92 of 20 May 1992 and EUR 55/09/92 of 18 June 1992 - Death Penalty

AZERBAYDZHANI REPUBLIC: Grachik PETROSYAN
Gagik ARUTYUNYAN
Arno MKRTCHYAN
Arvid MANGASARYAN
Garnik ARUSTAMYAN

(in cyrillic

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_____)

Amnesty International has learned that the five ethnic Armenians named above, who were due to be executed on 16 May 1992, are still alive and that their cases are being reviewed by the new President of Azerbaydzhani, Abulfaz Elchibey. A representative of an organization delivering humanitarian aid was able to meet briefly with the five men in Bailovsky prison in the capital, Baku, on 23 June.

Amnesty International is opposed to the death penalty in all cases without reservation, and is appealing to the new President to exercise his constitutional authority and commute the death sentences passed on Grachik Petrosyan, Gagik Arutyunyan, Arno Mkrtchyan, Arvid Mangasaryan and Garnik Arustamyan.

The five men were sentenced to death by the Azerbaydzhani Supreme Court in the capital, Baku, on 19 March 1992 after being convicted of the murder of an Azeri journalist and three military personnel in the disputed region of Nagorno-Karabakh. Amnesty International is concerned that the five men, being tried initially by the court of highest instance, were thus deprived of the right to lodge an appeal. The organization is also concerned that a report in the Azerbaydzhani newspaper Bakinsky rabochy on 4 March referring to the defendants as guilty as charged prior to their conviction may have prejudiced their right to a fair trial.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express and airmail letters:
- welcoming President Elchibey's decision to review the cases and urging that the death sentences passed on Grachik Petrosyan, Gagik Arutyunyan, Arno Mkrtchyan, Arvid Mangasaryan and Garnik Arustamyan be commuted;

- urging that everyone sentenced to death in the Azerbaydzhani Republic 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.

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APPEALS TO:

1) President of the Azerbaydzhani Republic - Abulfaz Elchibey
Azerbaydzhanskaya Respublika
370066 g. Baku

ul. Kommunisticheskaya 19
I.O. Prezidentu Elchibeyu A.

Telegrams: Azerbaydzhani, 370066 Baku, I.O. Prezidentu Elchibeyu A.

[Salutation: Dear President]

2) Head of the Presidential Department of Citizenship and Clemency questions - T. Aslanov:

Azerbaydzhanskaya Respublika
370066 g. Baku

ul. Kommunisticheskaya, 19
Otdel po voprosam grazhdanstva i pomilovaniya
pri apparate prezidenta Azerbaydzhanskoy Respubliki
Zaveduyushchemu otdela Aslanovu T.

Telegrams: Azerbaydzhani, 370066 Baku, Otdel po pomilovaniya pri prezidente, Aslanovu T.

[Salutation: Dear T. Aslanov]

3) Chairman of the Parliamentary Human Rights Committee - Professor Nadir Mekhtiyev:

Azerbaydzhanskaya Respublika
370073 Baku

Metbuat pros.2
Komitet po pravam cheloveka
Professoru Mekhtiyevu

Telexes: Baku 142199
Faxes: + 7 8922 38 12 87

[Salutation: Dear Professor Mekhtiyev]

COPIES OF YOUR APPEALS TO:

1) Procurator General of the Azerbaydzhani Republic - Murat Babayev:
Azerbaydzhanskaya Respublika
g. Baku
Prokuratura Azerbaydzhanskoy Respubliki
Generalnomu prokuroru Babayevu M.

Ismailov:
Azerbaydzhanskaya Respublika
g. Baku
Verkhovny sud Azerbaydzhanskoy Respubliki
Predsedatelyu Ismailovu I.I.

2) Chairman of the Supreme Court of the Azerbaydzhani Republic - Ibragim Isa ogly

3) Minister of Justice of the
Azerbaijani Republic - Alisaad Saftar
ogly Orudzhev:
Azerbaijanskaya Respublika
370601 g. Baku, pr. Kirova, 13
Ministerstvo yustitsii Azerbaydzhanskoy
Respubliki
Ministru Orudzhevu A.S.

4) Minister of Foreign Affairs of the
Azerbaijani Republic - Guseynaga
Sadykhov:
Azerbaijanskaya Respublika
g. Baku
Ministerstvo inostrannykh del
Azerbaydzhanskoy Respubliki
Ministru Sadykhovu G.

and to diplomatic representatives of the Azerbaijani Republic in your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 24 July 1992.