

EXTERNAL (for general distribution)

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Further information on EXTRA 49/93 (EUR 59/01/93, 24 May 1993) - Legal Concern/Death Penalty

MOLDOVA: Ilie ILASCU

Alexandru LESCO

Tudor PETROV-POPOV

Andrei IVANTOC

Petre GODIAC

Viaceslav GARBUZ

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On 11 October 1993, the prosecuting team of the self-proclaimed Dnestr-Moldovan Republic (DMR) requested the death penalty for Ilie Ilascu, Andrei Ivantoc and Tudor Petrov-Popov. They are among six being tried by the DMR Supreme Court as court of first instance, in Tiraspol, the capital of DMR. As the DMR does not recognize the authority of the Moldovan court system, and is not itself recognized by any other state, this means that if sentenced to death the defendants could be deprived of the right to appeal to a court of higher jurisdiction, in accordance with internationally agreed human rights standards.

Their only recourse would be to petition for clemency. This procedure only allows for the consideration of mitigating factors, not a re-examination of the case.

Amnesty International is also concerned that the six men are not receiving a fair trial in accordance with internationally-recognized standards. In custody since June 1992, all six are accused of terrorist acts, including the murder of two DMR officials. All except Viaceslav Garbuz refuse to recognize the legitimacy of the DMR or the court and deny the charge, saying the real reason for their arrest is their political opposition to the DMR authorities.

Four say their confessions were obtained under duress, including persistent beatings, and have withdrawn them. Ilie Ilascu, who did not sign a confession, reports that he was subjected to mock executions while in pre-trial detention in an effort to force him to confess. The court also refused a request to hospitalize Andrei Ivantoc, who is said to suffer from a serious liver disease, during a hearing on 5 May 1993.

Amnesty International takes no position on territorial disputes and is approaching the DMR authorities solely in their position as *de facto* authority over the area of Moldova under their control. It is calling on the authorities in the DMR not to impose the death penalty on Ilie Ilascu, Andrei Ivantoc and Tudor Petrov-Popov. It is also urging that Andrei Ivantoc receive all appropriate medical treatment, and that all steps are taken to ensure that the defendants in this case receive a fair trial in accordance with international standards.

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

- urging the court not to impose the death penalty on Ilie Ilascu, Andrei Ivantoc and Tudor Petrov-Popov
- expressing concern that the defendants could be deprived of the right to appeal to a court of higher jurisdiction, in accordance with internationally-agreed human rights standards
- urging that Andrei Ivantoc receive all appropriate medical treatment
- urging a comprehensive and impartial investigation into allegations that the confessions of Alexandru Lesco, Tudor Petrov-Popov, andrei Ivantoc and Petre Godiac were extracted under duress.

**APPEALS TO:**

1) The Chairperson of the Supreme Court  
DMR Supreme Court  
Tiraspol, Moldova

**Telegrams: Moldova, Tiraspol, Verkhovny Sud, Predsedatelyu**

**Salutation: Dear Chairperson**

2) Boris Luchik  
Procurator  
ul. 25 October, 101  
278000 Tiraspol, Moldova

**Telegrams: Moldova, 278000 Tiraspol, ul. 25 Oktyabrya, Prokuroru Luchiku B.**

**Salutation: Dear Procurator**

3) Major-General Yury Ovsyannikov  
Interior Minister  
ul. 25 October, 101  
278000 Tiraspol, Moldova

**Telegrams: Moldova, 278000 Tiraspol, ul. 25 Oktyabrya, MID, Ministru Ovsyannikovu Yu.**

**Salutation: Dear Minister**

**COPIES OF YOUR APPEALS TO:**

Dumitru Postovan  
Procurator General  
Procuratura Republicii Moldova  
str. Mitropolit Banulescu-Bodoni, 26  
277612 or. Chisinau, Moldova

Igor Nikolayevich Smirnov  
President  
Dom Sovetov  
ul. 25 October, 101  
278000 Tiraspol, Moldova

and to diplomatic representatives, if any, of Moldova accredited to your country (usually to be found at the Russian embassy, formerly the Embassy of the USSR)

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the international Secretariat, or your section office, if sending appeals after 12 November 1993.