

EXTERNAL (for general distribution)

AI Index: EUR 55/10/94
Distr: UA/SC

UA 211/94

Fear of imminent execution

2 June 1994

AZERBAIJAN (self-proclaimed

Nagorno-Karabakh Republic): Yury Viktorovich BILICHENKO, pilot

???? ??????????? ?????????? (in cyrillic)

Amnesty International fears that Yury Viktorovich Bilichenko faces imminent execution after a court in the self-proclaimed Nagorno-Karabakh Republic (NKR) in Azerbaijan sentenced him to death without right of appeal on 23 May 1994.

Yury Bilichenko, an airforce pilot from the former Soviet republic of Ukraine, was captured in August 1992 when his plane was brought down by ethnic Armenian forces in the disputed Karabakh region of Azerbaijan. He was accused of being a mercenary in the Azerbaijani army and of carrying out a number of bombing raids which resulted in loss of life and material damage.

The death sentence, passed by a NKR military tribunal, cannot be appealed. His only resort against execution is to petition the NKR parliament for clemency.

BACKGROUND INFORMATION

Thousands have died in years of fighting over the disputed Karabakh region. This area of Azerbaijan is populated mainly by ethnic Armenians, who declared the formation of the NKR in September 1991 and its independence from Azerbaijan in January 1992. The NKR is not recognized internationally although it has close ties with Armenia, which borders Azerbaijan.

Armenia and Azerbaijan have both passed death sentences on prisoners in connection with the conflict, but to Amnesty International's knowledge the sentence on Yury Bilichenko is the first handed down by the NKR authorities. At least one other man, an ethnic Russian, is awaiting trial in the NKR for alleged mercenary activities on behalf of Azerbaijan.

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 of Human Rights. Amnesty International is urging the authorities in the self-proclaimed Nagorno-Karabakh Republic to commute the death sentence passed on Yury Viktorovich Bilichenko.

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

- urging that the death sentence passed on Yury Bilichenko be commuted;
- urging that everyone sentenced to death 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 this case is concerned solely with the issue of the death penalty which it opposes in all cases without reservation.

APPEALS TO

Karen Baburyan (Mr)
Speaker of the NKR parliament
Salutation: Dear Chairman

Arkady Gukasyan
Foreign Minister of the NKR
Salutation: Dear Minister

Owing to communications difficulties with the NKR, these appeals should be sent care of Manvel Sarkisyan, representative of the NKR to the Armenian parliament in Yerevan:

Manvel Sarkisyan
Representative of the NKR
to the Armenian parliament
Marshal Bagramyan, 26
375095 Yerevan, Armenia
Telegrams: M. Sarkisyan, Pred. NKR pri VS Armenii, 375095 Yerevan, Armenia
Faxes: + 8852 52 15 81

COPIES OF YOUR APPEALS TO:

Levon Ter-Petrosyan
President of Armenia
Marshal Bagramyan, 19
375095 Yerevan
Armenia

Geydar Alireza ogly Aliyev
President of Azerbaydzhan
ul. Kommunisticheskaya, 19
370066 Baky
Azerbaijan
Faxes: + 8922 98 33 39

Leonid Kravchuk
President of Ukraine
ul. Kirova, 6
252601 Kiev
Ukraine

and to diplomatic representatives of Armenia, Azerbaijan and Ukraine, if any, accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 16 July 1994.