

**EXTERNAL**

7 April 1993

**Vladimir Botchko**

**Republic of Estonia**

Amnesty International is concerned that Vladimir Botchko may soon be executed. According to a report in the Baltic Independent newspaper, the 34-year-old man was sentenced to death at the Harju county court on 16 December 1992. He was convicted of the rape and murder of a five-year-old girl in the town of Paldiski. Vladimir Botchko had the right to appeal to the State Court. It is believed, however, that it has upheld the death sentence and that Vladimir Botchko has now petitioned the President of Estonia for clemency. This is the final stage of the judicial process for capital offences in Estonia.

**Background information about the death penalty in Estonia**

The death penalty is retained in Estonia for three crimes: aggravated murder, assassination and acts of terrorism. Six people are known to have been sentenced to death since July 1988, all for the crime of premeditated murder under aggravated circumstances. Three people have been granted clemency and one person - Rein Oruste - was executed. Amnesty International is appealing for the commutation of the other death sentence still pending - that of Ruben Melkonjan.

Since 5 October 1992 petitions for clemency are heard by the President of the Republic of Estonia. The President receives recommendations on whether the death sentence should be commuted from the Clemency Commission, composed of four members of the Estonian Parliament, the Chairman of the State Court, the Procurator General and the Minister of Justice.

In June 1992 a newly revised criminal code entered into force. This new code represents only the first step in a long process which is intended to lead eventually to the thorough overhaul of criminal legislation. The second stage of the process could, however, last several years.

During a recent visit to Estonia Amnesty International was able, for the first time, to obtain some information about the procedures for executions in Estonia. According to the Director of Tallinn Prison, a person condemned to death only learns whether his petition for clemency has been rejected when he is collected from his cell and taken away to be executed. Further information regarding the manner of execution and the persons present during it were not divulged on grounds of secrecy.

Amnesty International has consistently pressed the Estonian authorities to review the use of the death penalty as a step towards its abolition and to impose a moratorium on death sentences and executions until an exhaustive review of the death penalty has taken place.