

UA 148/02

Death pen

KAZAKSTAN Mikhail Vershinin (m), aged 27 (_____)
Evgeniy Turochkin (m), aged 26 (_____)
Sergey Kopay (m), aged 35, his brother (_____)

The three men named above were reportedly tortured to force them to confess to a number of murders, and were sentenced to death in September 2001. An appeal against the death sentences has been lodged with the Supreme Court. Once the Supreme Court has reached a final verdict it is unlikely to change, so it is vital to put pressure on the authorities now.

Mikhail Vershinin, a psychiatric nurse, and brothers Sergey Kopay and Evgeniy Turochkin were sentenced to death by Almaty City Court for the premeditated aggravated murders of seven women, all reported to have been prostitutes. They were accused of mutilating the corpses, cannibalism and illegal possession of medication. The murders took place in 1998 and 1999, reportedly in Sergey Kopay's flat.

The men reportedly confessed to the murders during their first interrogation, but withdrew their confessions in subsequent interrogations, claiming that they had been tortured to force a confession. They are now held in investigation-isolation prison No. 1 in the city of Almaty.

Mikhail Vershinin stated in court that after he was arrested police officers had pressurized him physically and psychologically to force him to confess, at Ilysky police station in the town of Energeticheskii, some 20km from Almaty. The police reportedly questioned him for three days, and kept him in an iron cage at night. His father told Amnesty International: "In the iron cage his limbs became numb because he couldn't move at all. He was not given any food and was not allowed to go to the toilet." The police reportedly beat him on his legs and the back of his head, and threatened to pull out his toenails (the names of some of the officers allegedly involved are known to Amnesty International). The other two men were allegedly also ill-treated while in custody awaiting trial. Sergey Kopay claimed during the trial that police had beaten them on the soles of their feet before and during interrogations.

Mikhail Vershinin's father told Amnesty International today: "I visited Mikhail a few days ago in prison and he is so low. He said 'The concrete is sucking the life out of me.' Since he was put on death row last September 13 of his fellow prisoners have been executed. According to prison custom, just before they were taken to the execution, each of them said farewell to his companions in misfortune."

BACKGROUND INFORMATION

At least 30 people were reportedly executed in Kazakstan in 2001. According to a report aired on Kazak Commercial Television in 2000, between 40 and 60 executions were carried out in the country each year. No official comprehensive statistics on the application of the death penalty have been published since 1998, although Kazakstan is a member of the Organization for Security and Co-operation in Europe (OSCE), which calls upon its member states to "make available to the public information regarding the use of the death penalty," so as to comply with Article 17.8 of the 1990 Copenhagen document.

President Nursultan Nazarbaev has recently spoken in favour of a review of the policy on the death penalty in Kazakstan. At a meeting with senior law

enforcement officials on 26 March, Agence France Press quoted him as saying: "Perhaps it is worth announcing a moratorium on the use of the death penalty and then discussing this issue with society and parliament and abolishing the death sentence altogether in Kazakstan."

Kazakstan is applying for Observer Status at the Parliamentary Assembly of the Council of Europe (PACE), which would allow Kazak delegates to attend Assembly sessions, but not to vote on resolutions. PACE resolved on 25 June 2001 that it would "only recommend the granting of Observer status with the Organisation as a whole to states which strictly respect a moratorium on executions or have already abolished the death penalty."

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English, Russian, Kazak or your own language (Kazak fax numbers may be difficult to reach. If a voice answers, repeat 'fax' until you hear the signal. Fax machines may be switched off outside office hours - GMT +7):

- protesting against the imposition of the death penalty on Mikhail Vershinin, Evgeniy Turochkin and Sergey Kopay by Almaty City Court on 28 September 2001, on the grounds that it is a violation of the right to life;
- expressing concern at reports that police reportedly tortured the men to force them to confess, and urging the authorities to open prompt and impartial investigations into these allegations, with the results made public and anyone found responsible brought to justice;
- urging the President to use his constitutional authority to commute these death sentences when the men's clemency petitions are submitted;
- welcoming the President's recent statements advocating a review of the death penalty, and urging the authorities to take immediate steps to move towards abolition of the death penalty, imposing a moratorium on executions and commuting all pending death sentences;
- pointing out that Kazakstan is applying for observer status at the Parliamentary Assembly of the Council of Europe, which is be only granted to states that "strictly respect a moratorium on executions or have already abolished the death penalty";
- expressing sympathy for the victims of crime and their families, but pointing out that the death penalty has never been shown to deter crime more effectively than other punishments, and is brutalizing to all those involved in its application.

APPEALS TO:

President of the Republic of Kazakstan, Nursultan NAZARBAEV
 Respublika Kazakstan; 473000 g. Astana; ul. Beybitshilik 11; Apparat
 Prezidenta;
 Prezidentu RK;
 NAZARBAEVU N.A.;
 KAZAKSTAN

Fax: + 7 3172 32 61 82

Salutation: Dear President

Procurator General, Rashid TUSUPBEKOV
 Respublika Kazakstan; g. Astana; pr. Pobedy, 31; Prokuratura RK; Generalnomu prokuroru; TUSUPBEKOVU R.; KAZAKSTAN

Salutation: Dear Procurator General

Chairman of the Supreme Court, Kayrat MAMI
 Respublika Kazakstan; 473000 g. Astana; ul. Zh. Omarova, 57; Verkhovny Sud RK; Predsedatelyu MAMI K.; KAZAKSTAN

Salutation: Dear Chairman

COPIES TO:

Foreign Minister of the Republic of Kazakstan, Kasymzhomart TOKAEV
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Chairman of the Clemency Commission of the Republic of Kazakstan, Zinaida FEDOTOVA

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Minister of Internal Affairs of the Republic of Kazakstan, Kairbek SULEYMENOV

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and to diplomatic representatives of Kazakstan accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY.