

EXTERNAL (for general distribution)

AI Index: EUR 57/02/94
Distr: UA/SC

EXTRA 14/94

Fear of imminent execution

18 March 1994

KAZAKHSTAN

TAGIROV (in cyrillic _____)

ZINAYEV (_____)

OBEDKOV (_____)

(first names unknown)

Amnesty International fears that the three men named above face imminent execution unless President Nursultan Nazarbayev of Kazakhstan exercises his constitutional authority to commute their death sentences.

The men were sentenced to death by the Regional Court of Pavlodar region, northeast Kazakhstan. Amnesty International has just learned from Russian press sources that an appeal to the Supreme Court of Kazakhstan against these sentences was rejected within the last two months (the dates of the original trial and the appeal hearing are not known). Although they have the right to petition to the President of Kazakhstan for clemency, to Amnesty International's knowledge the carrying out of a death sentence is not automatically suspended while such petitions are under consideration.

Reports describe Tagirov, Zinayev and Obedkov as having operated a crime racket involving the theft of private cars in Kazakhstan and their subsequent sale in Russia. They were convicted of murders committed in the course of two such thefts in the cities of Pavlodar and Oral (formerly Uralsk).

Amnesty International opposes the death penalty in all cases and without reservation, on the grounds that it is a violation of the right to life and the right not to be subjected to cruel, inhuman or degrading treatment or punishment as proclaimed in the Universal Declaration of Human Rights.

BACKGROUND INFORMATION

The Kazakhstan Criminal Code retains the death penalty for 18 peacetime offences. However, statistics shown to Amnesty International by Justice Ministry officials in April 1992 revealed that between 1987 and 1991 the death penalty had been applied for only four offences: murder under aggravating circumstances, rape, threatening the life of a police officer, and banditism.

In 1991, the last year for which death penalty statistics have been made available to Amnesty International, 66 people were sentenced to death for murder, and one person for threatening the life of a police officer. Execution is by shooting.

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

- stating Amnesty International's opposition to the death penalty in all circumstances;
- expressing concern that Tagirov, Zinayev and Obedkov have been sentenced to death in Kazakhstan;
- urging President Nursultan Nazarbayev to grant clemency to Tagirov, Zinayev and Obedkov, and to commute the death sentences;
- urging President Nazarbayev to commute all other death sentences that come before him.

APPEALS TO

1. The President of Kazakhstan, Nursultan Nazarbayev

Respublika Kazakhstan,
480091 g. Alma-Ata,
pl. Respubliki, 4
Apparat prezidenta
Prezidentu Nazarbayevu N.A.

Telegrams: Kazakhstan, Alma-Ata, apparat prezidenta, Prezidentu Nazarbayevu N.A.

Faxes: + 7 3272 63 76 33 or + 7 3272 63 95 95

Salutation: Dear President Nazarbayev

2. The Chairman of the Clemency Commission, Yury Khitrin

Respublika Kazakhstan,
480091 g. Alma-Ata,
pl. Respubliki, 4
Komissiya po voprosam pomilovaniya
Predsedatelyu Khitrinu, Yu.

Telegrams: Kazakhstan, Alma-Ata, Komissiya pomilovaniya, Predsedatelyu Khitrinu.

Salutation: Dear Chairman Khitrin

COPIES OF YOUR APPEALS TO:

Procurator-General of Kazakhstan, Zharmakhan Tuyakbayev

Respublika Kazakhstan,
480099 g. Alma-Ata,
ul. Zheltoksan, 189
Prokuratura Respubliki Kazakhstan,
Generalnomu Prokuroru Tuyakbayevu Zh.

Chairman of the Supreme Court, Mikhail Malakov

Respublika Kazakhstan,
480103 g. Alma-Ata,
ul. Sovetskaya, 66
Verkhovny Sud Respubliki Kazakhstan,
Predsedatelyu Malakovu M.

Foreign Minister of Kazakhstan, Toleutai Suleimenov

Respublika Kazakhstan,
g. Alma-Ata,
Ministerstvo inostrannykh del
Ministru Suleimenov T.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 15 April 1994.