

EXTERNAL (for general distribution)

AI Index: EUR 50/11/94
Distr: UA/SC

UA 416/94

Death penalty

28 November 1994

UKRAINE Aleksandr Pantelyeyevich TREFILOV (_____ in
Russian), aged 31
Sergey KUZMIN (_____), aged 22
A. BUYANOV (_____)
Aleksandr Vitalyevich DATSENKO (_____), aged 25

Amnesty International fears that the four men named above face imminent execution unless the Presidential Clemency Commission of Ukraine recommends that the President of Ukraine exercises his constitutional authority to commute their death sentences.

Aleksandr Trefilov was sentenced to death for murder by Donetsk Regional Court on 19 April 1994. His appeal against the death sentence was rejected by the Supreme Court of Ukraine, exact date not known. A petition for clemency lodged with the President of Ukraine is still pending with the Presidential Clemency Commission.

Sergey Kuzmin was sentenced to death for murder by Donetsk Regional Court, probably in 1994 but the exact date is not known. It is believed that A. Buyanov was also sentenced to death for murder by Donetsk Regional Court. Their appeals against their death sentences were rejected by the Supreme Court of Ukraine. Their petitions for clemency lodged with the President of Ukraine are now pending with the Presidential Clemency Commission.

Aleksandr Datsenko was sentenced to death for murder and rape by the Military Court of the Central Ukrainian Military District on 14 February 1994. His appeal against the death sentence was rejected by the Supreme Court of Ukraine probably in June 1994. A petition for clemency lodged with the President of Ukraine is still pending with the Presidential Clemency Commission.

Amnesty International believes that it is several months since the Clemency Commission last met. A reliable source has confirmed that the Commission will reconvene shortly and will examine a backlog of petitions from prisoners on death row. The source also reports that the majority of the members of the Commission are supporters of the death penalty, and that the President of Ukraine always follows the Commission's recommendations.

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

- urging the Clemency Commission to recommend that President Kuchma grant clemency to Aleksandr Trefilov, Sergey Kuzmin, A. Buyanov and Aleksandr Datsenko and commute their death sentences;
- urging the Clemency Commission to recommend that President Kuchma commute all other pending death sentences;
- reiterating Amnesty International's opposition to the death penalty in all cases as a violation of the right to life as proclaimed in the Universal Declaration of Human Rights, and on the grounds that it is the ultimate form of cruel, inhuman and degrading treatment.

APPEALS TO

Chairman of the Presidential Clemency Commission
Ukraine

252601 Kiev
ul. Bankovaya, 7
Apparat Prezidenta Ukrainy
Kommissiya po voprosam pomilovaniya pri Prezidente
Predsedatelyu

Telegrams: Ukraine, 252601 Kiev, ul. Bankovaya, Kommissiya pomilovaniya

Faxes: +7 044 291 61 61

Salutation: Dear Chairman

COPIES OF YOUR APPEALS TO:

President of Ukraine, Leonid Kuchma

Ukraine

252601 Kiev

ul. Bankovaya, 7

Prezidentu Ukrainy Kuchma L.

Faxes: +7 044 291 61 61

Head of the Department for Citizenship and Clemency Issues at Ukraine's
Presidential Administration, P.A. Andreychenko

Ukraine

252220 Kiev

ul. Bankovaya, 11

Otdel po voprosam grazhdanstva i pomilovaniya

pri administratsii Prezidenta Ukrainy

Zaveduyushchemu otделom Andreychenko P.A.

Fax: +7 044 291 61 61

Chairman of the Supreme Court, Heorhiy Butenko

Ukraine

252601 Kiev 24 GSP

ul. M. Grushevskogo

Verkhovny Sud Ukrainy

Predsedatelyu Butenko H.

Foreign Minister of Ukraine, Hennady Udovenko

Ukraine

252501 Kiev 24

ul. Karla Liebknecht, 15/1

Ministerstvo inostrannykh del Ukrainy

Ministru Udovenko H.

Faxes: +7 044 226 31 69

and to diplomatic representatives of Ukraine accredited to your country

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat,
or your section office, if sending appeals after 9 January 1994.