

EXTERNAL (for general distribution)

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UA 404/91 Fear of imminent execution

21 November 1991

USSR Nikolay Aleksandrovich KOVALYOV

Amnesty International is concerned that 24-year-old Nikolay Kovalyov, who is under sentence of death in the Russian Federation (RSFSR), may face imminent execution.

He was sentenced to death on 20 December 1989 by Sakhalinsk Regional Court after being convicted of rape and murder. The death sentence was upheld by the Supreme Court of the RSFSR, and an appeal for clemency was turned down by the republic's Supreme Soviet. The case was then passed to the USSR Procurator's office which ordered a stay of execution while a judicial review was conducted. On 9 November, however, the Procurator's office announced that it had decided to uphold the death sentence passed on Nikolay Kovalyov. Amnesty International has since learned that the chief prosecution witness has retracted her testimony, which she is reported to have said was extracted from her under pressure.

Although clemency hearings are not an automatic right, in the past death sentences passed by republics normally went to the USSR Clemency Commission for final consideration. With the changing political situation in the USSR, however, it appears that the last recourse now rests at republican rather than federal level. As the Supreme Soviet of the RSFSR has already turned down Nikolay Kovalyov's petition for clemency, Amnesty International fears that he may face imminent execution.

Amnesty International is opposed to 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 subjected to cruel, inhuman or degrading treatment or punishment as proclaimed in the Universal Declaration of Human Rights. Amnesty International is appealing to the President of the RSFSR to commute the death sentence passed on Nikolay Kovalyov.

RECOMMENDED ACTION: Telegrams/telephone calls/express and airmail letters:

- appealing for the death sentence on Nikolay Aleksandrovich Kovalyov to be commuted;
- urging a moratorium on all death sentences and executions in the RSFSR.

APPEALS TO:

1. President of the RSFSR, Boris Yeltsin:

SSSR, RSFSR

Dear President Yeltsin

103274 Moskva

Krasnopresnenskaya nab. 2

Prezidentu RSFSR

YELTSINU B.N.

Telegrams: SSSR, 103274 Moskva, Prezidentu RSFSR Yeltsinu B.N.

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2. Chairman of Clemency Commission at RSFSR Supreme Soviet Nikolay Trofimovich Vedernikov:

SSSR, RSFSR

Dear Chairman Vedernikov

Moskva

Dom sovetov RSFSR

Predsedatelyu Komissii Prezidiuma

VS RSFSR po voprosam pomilovaniya

Vedernikovu N.T.

Telegrams: SSSR, Moskva, Dom sovetov RSFSR, Presedatelyu komissii po pomilovaniya, Vedernikovu N.T.

Telephone: + 7 095 205 99 85

3. Chairman of the Clemency Commission at the USSR Supreme Soviet, Nikolay Semyonovich GLAZKOV:

SSSR, RSFSR

Dear Chairman Glazkov

g. Moskva

Komissiya po voprosam pomilovaniya

Prezidiuma Verkhovnogo Soveta SSSR

Predsedatelyu GLAZKOVU N.S.

Telegrams: SSSR, Moskva, Komissiya po voprosam pomilovaniya prezidiuma VS SSSR, Predsedatelyu GLAZKOVU N.S.

Telephone: + 7 095 291 73 55

COPIES TO:

1. Chairman of the USSR Supreme Court, Yevgeny Alekseyevich SMOLENTSEV:

SSSR, RSFSR

121260 Moskva

ul. Vorovskogo, 15

Verkhovny Sud SSSR

Predsedatelyu SMOLENTSEVU Ye.A.

2. Procurator General of the RSFSR, General Valentin STEPANKOV:

SSSR, RSFSR

103760 Moskva K-31

Kuznetsky most, 13

Prokuratura RSFSR
Prokuroru Gen. STEPANKOVU V.G

3. Chairman of the Human Rights Committee of the RSFSR Supreme Soviet,
Sergey KOVALYOV:

SSSR, RSFSR
103274 Moskva
Krasnopresnenskaya nab., 2
Komitet po pravam cheloveka pri
Verkhovnom Sovete RSFSR
Predsedatelyu KOVALYOVU S.A.

4. Svetlana Orlik, journalist of the Soviet daily newspaper Komsomolskaya
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Komsomolskaya pravda
Orlik Svetlane

and to diplomatic representatives of the USSR in your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat
or your section office if sending appeals after 2 January 1992.