

EXTERNAL

AI Index: EUR 50/03/96

26 February 1996

Further information on EXTRA 124/95 (EUR 50/17/95, 24 October 1995) and follow-up (EUR 50/19/95, 5 December and EUR 50/02/96, 2 February 1996) - Death penalty

UKRAINE Fears of continuing executions despite announced moratorium

**Sergey Nikolayevich DRAGUNOV, aged 21
Anatoly Nikolayevich SKIBY, aged 25**

**new names: Sergey Gennadiyevich TEKUCHEV, aged 27
Maksim Georgiyevich ARTSYUK**

Amnesty International is alarmed that two more men sentenced to death in Ukraine, Sergey Gennadiyevich Tekuchev and Maksim Georgiyevich Artsyuk, may be facing imminent execution unless their sentences are commuted by the President of Ukraine, Leonid Kuchma. This is despite the fact that Ukraine, by having joined the Council of Europe, has committed itself to an immediate moratorium on executions.

Sergey Tekuchev's appeal against his death sentence is believed to have been turned down by the Supreme Court of Ukraine in early 1996, exact date not known.

He was sentenced to death for premeditated aggravated murder (Article 93 of the Ukrainian Criminal Code) by Sevastopol City Court on 11 September 1995.

His relatives allege that Sergey Tekuchev's confession was obtained under duress and that he did not commit the murder he has been charged with. There are claims that the emergency services were called six times in October 1994 to treat Sergey Tekuchev for injuries resulting from beatings in custody and that the prison authorities refused to pass medication from his relatives to Sergey Tekuchev.

Maksim Artsyuk was sentenced to death for premeditated aggravated murder by the Supreme Court of the Crimean Republic, Ukraine (date unknown). It is believed that his appeal against his death sentence was turned down by the Supreme Court of Ukraine. His family allege that his "confession" was obtained under duress, and that he was subjected to mock executions in detention.

Amnesty International is extremely concerned by the ambiguity in Ukraine's position on the introduction of a moratorium on executions. Despite official commitments to the Council of Europe to impose such a moratorium from 9 November 1995, the day of accession to the Council of Europe, Ukrainian authorities are not believed to have informed local officials and bodies that a moratorium is in force. Amnesty International's concern that this situation leaves individuals on death row at risk of execution has been heightened by reports that executions may be continuing.

Since this ambiguity surrounding the moratorium in Ukraine began, it has become increasingly difficult to obtain information about the use of the death penalty there. Hence Amnesty International has been unable to establish whether or not Sergey Nikolayevich Dragunov or Anatoly Nikolayevich Skiby have been executed. Families of those on death row continue not to be informed promptly of the fate of their relatives.

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

- urging the Ukrainian authorities to ensure that, as a member of the Council of Europe, they fully respect all commitments undertaken to impose an immediate moratorium on executions, and to abolish the death penalty within three years;
- expressing serious concern that Sergey Tekuchev and Maksim Artsyuk and may face imminent execution despite the moratorium;
- urging President Kuchma to grant them clemency and to commute their death sentences, and all others that come before him;
- calling for an investigation into allegations of ill-treatment in detention of Sergey Tekuchev and Maksim Artsyuk;
- reiterating concern for Sergey Nikolayevich Dragunov and Anatoly Nikolayevich Skiby and seeking clarification on their cases.

APPEALS TO:

President of Ukraine, Leonid Kuchma

Ukraine

252601 Kiev

ul. Bankovaya, 7

Prezidentu Ukrainy KUCHMA L.

Faxes: +380 44 291 61 61

Telegrams: Ukraine, Kiev, Prezidentu Kuchma

Salutation: Dear President

Procurator General of Ukraine, Grigory Vorsinov

Ukraine

252601 g. Kiev II

ul. Reznitskaya, 13/15

Prokuratura Ukrainy

Generalnomu prokuroru VORSINOVU G.

Faxes: +380 44 290 26 03

Telegrams: Ukraine, Kiev, Prokuroru Vorsinovu

Salutation: Dear Procurator General

Minister of Justice, Serhiy Holovatiy

Ukraine

252030 g. Kiev

ul. Kotsyubinskogo, d. 12

Ministerstvo yustitsii Ukrainy

Ministry HOLOVATOMU S.

Telegrams: Ukraine, Kiev, Ministry yustitsii

Salutation: Dear Minister

COPIES TO:

Chairman of the Presidential Clemency Commission, Pyotr Andreychenko

Ukraine

252220 g. Kiev

ul. Bankovaya, 7

Kommissiya po voprosam pomilovaniya pri Prezidenta

Predsedatelyu Andreychenko P.

Faxes: +380 44 291 61 61

Chairman of the Sevastopol City Court, name not known

Ukraine

Respublika Krym

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Gorodskoy Sud
Predsedatelyu

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 5 April 1996.