

EXTRA 197/96

Fear of imminent execution 23 December 1996UKRAINE Andrey Yevtemy, aged 21

Amnesty International is alarmed that another man sentenced to death, Andrey Yevtemy, may be facing imminent execution unless his sentence is commuted by the President of Ukraine, Leonid Kuchma. Andrey's mother has just written to Amnesty International with the information that Andrey Yevtemy's appeal against his death sentence was turned down by the Supreme Court of Ukraine on 16 May 1996. Andrey Yevtemy was sentenced to death for premeditated aggravated murder (Article 93 of the Ukrainian Criminal Code) by Zhitomir regional court on 19 March 1996.

Andrey Yevtemy's mother writes *"It's difficult for me to write, but even more difficult to live everyday without a future, in uncertainty. I simply don't have the strength to go on waiting, without any kind of news...I have no one to share my grief with, it's hard for me to tell other people about it, none of my relatives know about this. I don't even have anyone to cry with. I know I'm not alone in this request, and that you are very busy, but please don't leave me alone at this difficult time, I beg you."*

Amnesty International is appalled that executions are continuing in Ukraine, a year after Ukraine joined the Council of Europe and committed itself to imposing an immediate moratorium on executions. Ukraine made the commitment on 26 September 1995 "to sign within one year and ratify within three years from the time of accession Protocol no. 6 of the Convention for the Protection of Human Rights and Fundamental Freedoms on the abolition of the death penalty, and to put into place, with immediate effect from the day of accession, a moratorium on executions" (Parliamentary Assembly Opinion 190, 1995). On 9 November 1995 Ukraine undertook to impose a moratorium on executions and it is bound in good faith to implement this solemn commitment as a member of the Council of Europe. Despite this people on death row in Ukraine continue to be executed to this day.

Zsolt Nemeth, Council of Europe rapporteur on the honouring of obligations and commitments by Ukraine, confirmed reports received by Amnesty International in July of this year, when he stated at a press conference on 29 November in Kiev, that over 100 people had been executed since the beginning of 1996. The Ukrainian Minister of Justice, Sergiy Holovaty, confirmed that 89 people had been executed in the first six months of 1996. Amnesty International has been able to confirm five of these executions: that of Yury Strukhov in March; Vladimir Ogoltsov, in June; Aleksey Vedmedenko and Denis Birukov in August and Sergey Tekuchev in October.

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

to the President

- urging President Kuchma to grant clemency to Andrey Yevtemy;
- urging President Kuchma not to sign any more execution orders as to do so places Ukraine in violation of its commitment to the Council of Europe.
- urging President Kuchma to take the necessary steps for Ukraine to honour its commitment to the Council of Europe and to sign Protocol 6 of the Convention for the Protection of Human Rights and Fundamental Freedoms.

to the Head of the Clemency Commission, Peotr Andreychenko

- urging him to recommend to the President to intervene to prevent Andrey Yevtemy's execution and to grant him clemency;

to the Head of the Central Directorate for the Execution of Punishment (GUIN) at the Ministry of Internal Affairs

- urging I.V. Shtanko to intervene in the case of Andrey Yevtemy to prevent his execution taking place, thereby implementing Ukraine's commitment to a moratorium on executions; asking him to issue an order to all prison directors and personnel telling them to stop all executions of prisoners in their prisons, and not to transfer prisoners to other prisons where executions take place.

APPEALS TO:

President of Ukraine, Leonid KUCHMA

Ukraina

252601 Kiev

ul. Bankovaya, 7

Prezidentu Ukrainy Kuchma L.

Faxes: +380 44 291 61 61

Telegrams: Ukraina, Kiev, Prezidentu Kuchma

Salutation: Dear President

Chairman of the Presidential Clemency Commission, Pyotr ANDREYCHENKO

Ukraina

252220 g. Kiev

ul. Bankovaya, 7

Kommissiya po voprosam pomilovaniya pri Prezidenta

Predsedatelyu Andreychenko P.

Telegrams: Ukraina, Kiev, Kommissiya po voprosam pomilovaniya, Predsedatelyu

Fax: +380 44 291 6161

Salutation: Dear Chairman

Head of the Central Directorate for the Execution of Punishment (GUIN) at the Ministry of Internal Affairs, I.V. SHTANKO

Ukraina

252024 g. Kiev

ul. Bogomoltsa, 10

Ministerstvo vnutrennikh

del Ukrainy

Glavnoye Upravleniye Iсполneniya Nakazanii

Nachalniku

Shtanku I.V.

Fax: +380 44 291 1733

Telegrams: Ukraina, Kiev, GUIN, Nachalniku

Salutation: Dear I.V. Shtanko

COPIES TO:

Procurator General of Ukraine, Grigory VORSINOV

Ukraina

252601 g. Kiev II

ul. Reznitskaya, 13/15

Prokuratura Ukrainy

Generalnomu prokuroru VORSINOVU G.

Fax: +380 44 290 26 03

Head of the Regional Court in Zhitomir Region, name not known
Ukraina
g. Zhitomir
Oblastnoy Sud
Predsedatelu

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 23 January 1997.