

EXTERNAL (for general distribution)

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Death Penalty

12 January 1993

REPUBLIC OF ESTONIA: Vladimir BOTCHKO

Amnesty International is concerned that Vladimir Botchko may soon be executed.

According to a report in the Baltic Independent newspaper, Vladimir Botchko, aged 34, was sentenced to death at the Harju county court on 16 December 1992.

He was convicted of the rape and murder of a five-year-old girl in the town of Paldiski. Vladimir Botchko has the right to appeal to the Supreme Court.

If the Supreme Court decides to uphold the death sentence, then Vladimir Botchko's final recourse will be to petition the President of Estonia for clemency.

BACKGROUND INFORMATION

The death penalty is retained in Estonia for three crimes: aggravated murder, assassination and acts of terrorism. Five people are known to have been sentenced to death since July 1988, all for the crime of premeditated murder under aggravated circumstances. In two cases clemency was granted, in another the sentence was carried out. Amnesty International is continuing to appeal for commutation of the death sentence passed in another case - that of Mihail Talyschanov.

The death sentence imposed on Vladimir Botchko is the first to have been passed by a county court since the new constitution of Estonia came into effect in July 1992. Previously all capital crimes were tried by the Supreme Court as the court of first instance. Since 5 October 1992 petitions for clemency are heard by the President of Estonia. The President receives recommendations on whether the death sentence should be commuted from the Clemency Commission, composed of four members of the Estonian Parliament, the Chairman of the Supreme Court, the Procurator General and the Minister of Justice.

Amnesty International opposes the death penalty in all cases as a violation of the right not to be subjected to cruel, inhuman or degrading treatment or punishment, as proclaimed in the Universal Declaration of Human Rights.

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

- appealing for commutation of the death sentence passed on Vladimir Botchko;
- explaining Amnesty International's opposition to the death penalty in all

circumstances without exception;

- urging the authorities in the Republic of Estonia to consider the complete abolition of the death penalty.

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APPEALS TO:

1. Chairman of the Supreme Court of the Republic of Estonia:

Rait Maruste

Chairman of the Supreme Court

Pärnu mnt. 7

Tallinn EE01014

Republic of Estonia

Telegrams: Chairman, Supreme Court, Tallinn, Estonia

Salutation: Dear Chairman

2. President of the Republic of Estonia:

Lennart Meri

President of the Republic of Estonia

Lossi plats 1A

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Republic of Estonia

Telegrams: President of Estonia, Tallinn, Estonia

Telephone: + 7 0142 426 200

Faxes: + 7 0142 436 389 (or + 358 298186 via Finland)

Telexes: 173647 VIKING

Salutation: Dear President

3. Minister of Justice of the Republic of Estonia:

Kaido Kama

Minister of Justice

Pärnu mnt. 7

Tallinn EE0104

Republic of Estonia

Telegrams: Minister of Justice, Tallinn, Estonia

Telephone: + 7 0142 445 120

Faxes: + 7 0142 445 120

Salutation: Dear Minister

4. Procurator General of the Republic of Estonia:

Leo Urge

Procurator General

Wismari 7

Tallinn EE0100

Republic of Estonia

Telegrams: Procurator General, Tallinn, Estonia

Telephone: + 7 0142 445 226

Salutation: Dear Procurator General

COPIES OF YOUR APPEALS TO: diplomatic representatives of the Republic of Estonia accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 23 February 1993.