

**EXTERNAL**

9 September 1992

**@Talyschanov (first name not known)**

**£Republic of Estonia**

The information on this case comes from a letter to Amnesty International from the Chairman of the Supreme Court, Jaak Kirikal. Talyschanov was sentenced to death for murdering a military school cadet and a taxi-driver. He has already petitioned the Presidium of the Supreme Council for clemency but his petition was rejected. It is believed that his petition may be resubmitted. Amnesty International has no further details concerning this case.

**Background information about the death penalty in Estonia**

New information on the death penalty in the Republic of Estonia was given to Amnesty International by the Chairman of the Supreme Court earlier this year. According to this information a new revision of the criminal code came into force on 1 June. It is intended that this newly revised criminal code will represent a transitional step towards the adoption of a completely new criminal code. This process may take another two to three years. The death penalty is currently retained for three crimes: aggravated murder, assassination and acts of terrorism. Execution is by shooting. Persons under 18 or over 65 years of age are exempted from the death penalty, as are all women. The mental state of the person accused or sentenced has to be taken into account at the time of sentencing or at the due time of execution. During the period 1989-91 three persons were sentenced to death in Estonia, all for the crime of premeditated murder under aggravated circumstances. In one case clemency was granted; in another the sentence was carried out; and in the third execution had been delayed until the revision of the criminal code came into force. It is believed that the third case may be that of Talyschanov.

The submission of a petition for clemency is the final stage of the judicial process for capital offences in the Republic of Estonia.

Amnesty International has consistently pressed the Estonian authorities to review the use of the death penalty as a step towards its abolition; to impose a moratorium on death sentences and executions pending adoption of a new criminal code; and to publish comprehensive statistics on its application.