

EXTERNAL (for general distribution)

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Further information on UA 240/94 (EUR 50/04/94, 21 June 1994) - Fear of imminent execution

UKRAINE Aleksandr Anatolyevich Porokhnya ( \_\_\_\_\_ in  
Russian)

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Aleksandr Porokhnya's petition for clemency is due to be examined very soon. Amnesty International has learned that the Presidential Clemency Commission of Ukraine is due to reconvene shortly and examine all the petitions for clemency submitted by prisoners on death row over the past few months. It will then pass its recommendations to the new President of Ukraine, Leonid Kuchma.

Amnesty International believes that it is several months since the clemency commission last met. A reliable source has confirmed that the Commission will reconvene shortly and will examine a backlog of petitions from prisoners on death row. The source also reports that the majority of the members of the Commission are supporters of the death penalty, and that the President of Ukraine always follows the Commission's recommendations.

An unofficial source has claimed that in response to international pressure on behalf of Aleksandr Porokhnya, in June 1994 it was decided to grant him clemency. The source alleges, however, that clemency was granted instead to another prisoner on death row with a name similar to Aleksandr Porokhnya's. The source maintains that Aleksandr Porokhnya was the intended beneficiary of clemency, but that the names of the two prisoners were mixed up. As a result, a decision on Aleksandr Porokhnya's petition for clemency is still pending.

To Amnesty International's knowledge, when clemency has been granted to a prisoner it cannot subsequently be rescinded. Therefore, it does not believe that appeals on behalf of Aleksandr Porokhnya could jeopardize the commutation of the other prisoner who is alleged to have been granted clemency by mistake, and whose identity is not known to Amnesty International.

**FURTHER RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express and airmail letters**

- urging the Clemency Commission to recommend that President Kuchma grant clemency to Aleksandr Porokhnya and commute his death sentence;
- urging the Clemency Commission to recommend that President Kuchma commute all other pending death sentences;
- reiterating Amnesty International's opposition to the death penalty in all cases as a violation of the right to life as proclaimed in the Universal Declaration of Human Rights, and on the grounds that it is the ultimate form of cruel, inhuman and degrading treatment.

**APPEALS TO:**

Chairman of the Presidential Clemency Commission, name not known  
Ukraine  
252601 Kiev  
ul. Bankovaya, 7  
Apparat Prezidenta Ukrainy  
Kommissiya po voprosam pomilovaniya pri Prezidente  
Predsedatelyu

**Telegrams:** Ukraine, 252601 Kiev, ul. Bankovaya, Kommissiya pomilovaniya  
**Faxes:** +7 044 291 61 61  
**Salutation:** Dear Chairman

**COPIES OF YOUR APPEALS TO:**

President of Ukraine, Leonid Kuchma  
Ukraine  
252601 Kiev  
ul. Bankovaya, 7  
Prezidentu Ukrainy Kuchma L.  
**Faxes:** +7 044 291 61 61

Head of the Department for Citizenship and Clemency Issues at Ukraine's  
Presidential Administration, P.A. Andreychenko  
Ukraine  
252220 Kiev  
ul. Bankovaya, 11  
Otdel po voprosam grazhdanstva i pomilovaniya  
pri administratsii Prezidenta Ukrainy  
Zaveduyushchemu otdelom Andreychenko P.A.  
**Faxes:** +7 044 291 61 61

Chairman of the Supreme Court, Heorhiy Butenko  
Ukraine  
252601 Kiev 24 GSP  
ul. M. Grushevskogo  
Verkhovny Sud Ukrainy  
Predsedatelyu Butenko H.

Foreign Minister of Ukraine, Hennady Udovenko  
Ukraine  
252501 Kiev 24  
ul. Karla Liebknecht, 15/1  
Ministerstvo inostrannykh del Ukrainy  
Ministru Udovenko H.  
**Faxes:** +7 044 226 31 69

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 1 January 1995.