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Death Penalty

4 November 1992

REPUBLIC OF ESTONIA: Oleg Pyatnicky

Amnesty International is concerned that Oleg Pyatnicky may soon be executed.

Oleg Pyatnicky was sentenced to 15 years' imprisonment in 1985 for aggravated murder, rape and robbery. In November 1991, while serving his sentence, Oleg Pyatnicky with two other prisoners killed a fellow prisoner in Rummu 2 prison camp. He was sentenced to death by the Supreme Court on 2 September 1992. He did not appeal against the sentence, nor was any protest lodged against it by the Chairman of the Supreme Court or the Procurator General. Oleg Pyatnicky submitted a petition for clemency two weeks ago. This represents the final stage of the judicial process for capital offences in the Republic of Estonia.

BACKGROUND INFORMATION

The death penalty is retained in Estonia for three crimes: aggravated murder, assassination and acts of terrorism. Four persons have been sentenced to death since 1989, all for the crime of premeditated murder under aggravated circumstances. In one case clemency was granted, in another the sentence was carried out. Amnesty International has appealed for the commutation of the death sentence passed on a third man, Mihail Talyschanov. The fourth case concerns that of Oleg Pyatnicky.

Since 5 October 1992 petitions for clemency are heard by the President of the Republic of Estonia and not by the Presidium of the Supreme Court. 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. The Chairman of the Supreme Court has already recommended that the sentence on Oleg Pyatnicky be commuted to life imprisonment.

During a recent visit to Estonia Amnesty International was able, for the first time, to obtain some information about the procedures for executions in Estonia.

According to the Director of Tallinn Prison, a person condemned to death only learns whether his petition for clemency has been rejected when he is collected from his cell and taken away to be executed. Further information regarding the manner of execution and the persons present during it were not divulged on grounds of secrecy.

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 Oleg Pyatnicky;
- 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:

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3. Procurator General of the Republic of Estonia

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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 2 December 1992.