

EXTERNAL (for general distribution)

AI Index: EUR 46/08/95  
Distr: UA/SC

24 March 1995

Further information (6) on UA 446/94 (EUR 46/03/94), 15 December 1994) - and follow-ups (EUR 46/01/95, 4 January 1995; EUR 46/02/95, 25 January; EUR 46/03/95, 1 February; EUR 46/06/95, 13 March; EUR 46/07/05, 15 March) - Appeal for respect of humanitarian law

RUSSIAPresident Yeltsin rejects law on "illegal armed formations"

On 21 March President Yeltsin rejected the proposed amendments to the criminal code which would have introduced a possible death sentence for a new offence of "organizing, or participating in, illegal armed formations". The President refused to sign the amendments into law on the grounds that they were unconstitutional, and returned them to the State Duma, Russia's lower house of parliament, for further discussion.

The State Duma's proposed new Article 77-2 of the Criminal Code would have carried a possible death sentence for those whose activity in illegal armed formations was accompanied by "mass violence, the death of people or other serious damage". However, Article 20 of the Russian Constitution stipulates that the death penalty may only be applied for "especially severe crimes against life". President Yeltsin has suggested either dropping the death penalty as a possible punishment, or reworking the article to ensure that the death penalty may only be applied for premeditated actions by members of illegal armed formations which result in the loss of human life.

Those fighting Russian troops introduced into the Chechen Republic in December 1994 are frequently referred to by government sources as "illegal armed formations". Amnesty International takes no position on territorial disputes.

The organization's concern about this issue stems from its opposition to the death penalty in all cases, without reservation, on the grounds that it is a violation of the right to life and the right not to be subjected to cruel, inhuman or degrading treatment or punishment. Amnesty International is urging all relevant authorities to ensure that the use of the death penalty in Russia is not extended to this or any other laws.

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

- welcoming President Yeltsin's strict adherence to the Constitution in matters relating to the application of the death penalty;
- urging that all appropriate steps be taken to ensure that the use of the death penalty is not extended to the new law on "illegal armed formations", or to any other law, on the grounds that it is a violation of the right to life.

**APPEALS TO:**

*This is a limited action. Please restrict appeals to 15 per section.*

Chairman of the State Duma of the Russian Federation, Ivan Petrovich Rybkin  
Rossiyskaya Federatsiya  
103009 g. Moskva  
Okhotny ryad 1  
Gosudarstvennaya Duma Rossiyskoy Federatsii

Predsedatelyu Rybkinu I.P.

**Faxes +7 095 292 53 58**

**Telegrams: Russia, 103009 Moskva, GosDuma RF, Predsedatelyu Rybkinu I.P.**

**Salutation: Dear Chairman**

Chairman of the Federation Council of the Russian Federation, Vladimir  
Filippovich Shumeyko

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**Telegrams: Russia, Moskva, B. Mitrovka, 26, Sov.Fed. RF, Predsedatelyu Shumeyko  
V.F.**

**Salutation: Dear Chairman**

**COPIES OF YOUR APPEALS TO:**

President of the Russian Federation, Boris Nikolayevich Yeltsin

Rossiyskaya Federatsiya

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Kreml

Prezidentu Rossiyskoy Federatsii YELTSINU B.N.

**Faxes: +7 095 206 51 73**

Minister of Foreign Affairs, Andrey Vladimirovich Kozyrev

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Ministerstvo inostrannykh del

Ministru KOZYREVU A.V.

**Faxes: +7 095 230 24 08**

Commissioner for Human Rights, Sergey Adamovich Kovalyov

Rossiyskaya Federatsiya

103132 g. Moskva

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Upolnomochennomu po pravam cheloveka pri Prezidente

Kovalyovu S.A.

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and to diplomatic representatives of Russia accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat,  
or your section office, if sending appeals after 5 May 1995.