

EXTERNAL

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Death penalty / Legal concern

2 December 1996

UKRAINE Sergey Vysochansky, aged 23

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Amnesty International is alarmed that another man sentenced to death, Sergey Vysochansky, may be facing imminent execution unless his sentence is commuted by the President of Ukraine, Leonid Kuchma. His appeal against his death sentence is believed to have been turned down by the Supreme Court of Ukraine on 4 August 1996. Sergey Vysochansky was sentenced to death for premeditated aggravated murder (Article 93 of the Ukrainian Criminal Code) by Khelmenitsky regional court on 3 April 1996.

Amnesty International is gravely concerned at the speed with which Sergey Vysochansky's case is being processed, especially in the light of claims that there is evidence which suggests that Sergey Vysochansky is innocent and that he is being used as a scapegoat in order that the murder investigation be resolved.

Amnesty International is appalled that executions are continuing in Ukraine, a year after Ukraine joined the Council of Europe and committed itself to imposing an immediate moratorium on executions. Ukraine made the commitment on 26 September 1995 "to sign within one year and ratify within three years from the time of accession Protocol no. 6 of the Convention for the Protection of Human Rights and Fundamental Freedoms on the abolition of the death penalty, and to put into place, with immediate effect from the day of accession, a moratorium on executions" (Parliamentary Assembly Opinion 190, 1995). Ukraine joined the Council of Europe on 9 November 1995 and from that moment was bound in good faith to implement this solemn commitment to a moratorium. However, people on death row in Ukraine continue to be executed to this day.

Zsolt Nemeth, Council of Europe rapporteur on the honouring of obligations and commitments by Ukraine, reported at a press conference on 29 November in Kiev, that over 100 people had been executed since the beginning of 1996. The Ukrainian Minister of Justice, Sergiy Holovaty, confirmed that 89 people had been executed in the first six months of 1996.

Amnesty International has been able to confirm five of these executions: that of Yury Strukhov in March; Vladimir Ogoltsov, in June; Aleksey Vedmedenko and Denis Birukov in August and Sergey Tekuchev in October.

**RECOMMENDED ACTION: Please send telegrams/faxes/express/airmail letters, in equal numbers to each addressee, in Ukrainian, Russian, English or your own language:**

**To the President:**

- urging President Kuchma to grant clemency to Sergey Vysochansky;
- expressing outrage that Ukraine is violating its commitment to the Council of Europe by continuing executions;
- urging President Kuchma to take the necessary steps for Ukraine to honour its commitment to the Council of Europe and to sign Protocol 6 of the Convention for the Protection of Human Rights and Fundamental Freedoms.

**To the Head of the Clemency Commission, Peotr Andreychenko:**

- urging him to recommend to the President to intervene to prevent Sergey Vysochansky's execution and to grant him clemency;

**To the Head of the Central Directorate for the Execution of Punishment (GUIN)  
at the Ministry of Internal Affairs:**

- urging I. V. Shtanko to intervene in the case of Sergey Vysochansky to prevent his execution taking place, thereby implementing Ukraine's commitment to a moratorium on executions. Ask him to issue an order to all prison directors and personnel telling them to stop all executions of prisoners in their prisons, and not to transfer prisoners to other prisons where executions take place.

**APPEALS TO:**

President of Ukraine, Leonid KUCHMA

Ukraina

252601 Kiev

ul. Bankovaya, 7

Prezidentu Ukrainy Kuchma L.

**Faxes: (380 44) 291 61 61**

**Telegrams: Ukraina, Kiev, Prezidentu Kuchma**

**Salutation: Dear President**

Chairman of the Presidential Clemency Commission, Pyotr ANDREYCHENKO

Ukraina

252220 g. Kiev

ul. Bankovaya, 7

Kommissiya po voprosam pomilovaniya pri Prezidenta

Predsedatelyu Andreychenko P.

**Telegrams: Ukraina, Kiev, Kommissiya po voprosam pomilovaniya, Predsedatelyu**

**Fax: (380 44) 291 61 61**

**Salutation: Dear Chairman**

Head of the Central Directorate for the Execution of Punishment (GUIN) at the  
Ministry of Internal Affairs, I.V. SHTANKO

Ukraina

252024 g. Kiev

ul. Bogomoltsa, 10

Ministerstvo vnutrennikh

del Ukrainy

Glavnoye Upravleniye Iсполneniya Nakazanii

Nachalniku

Shtanku I.V

**Fax: (380 44) 291 17 33**

**Telegrams: Ukraina, Kiev, GUIN, Nachalniku**

**Salutation: Dear I.V. Shtanko**

**COPIES TO:**

Procurator General of Ukraine, Grigory VORSINOV

Ukraina

252601 g. Kiev II

ul. Reznitskaya, 13/15

Prokuratura Ukrainy

Generalnomu prokuroru VORSINOVU G.

**Fax: (380 44) 290 26 03**

The Procurator of Khelmenitsky region, name not known

UKRAINE

Khelmenitsky oblast

Khelmenitsk  
Oblastnaya prokuratora  
Prokuroru

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 7 January 1997.