

EXTERNAL (for general distribution)

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Death penalty

1 June 1992

KAZAKHSTAN: Abduvakhad Kenzhebayevich TEMIROV
 Kabylzhan Kenzhebayevich TEMIROV

(in cyrillic ?????????? ?????????????? ??????????
 ?????????? ?????????????? ??????????)

Amnesty International fears that brothers Abduvakhad and Kabylzhan Temirov may face imminent execution in the former Soviet republic of Kazakhstan. They were sentenced to death for murder by the criminal cases collegium of the Supreme Court of Kazakhstan, and a petition for clemency was turned down by the clemency department of the Office of the President of Kazakhstan in January 1991. A further petition for clemency was lodged with the clemency commission of the USSR Supreme Soviet, but this body was disbanded apparently before the petition could be considered, following the demise of the USSR. Amnesty International believes that the case has therefore been returned to the Kazakh authorities for final consideration.

Abduvakhad Temirov and Kabylzhan Temirov are ethnic Uzbeks from the town of Kara-su in the Osh region of the Republic of Kyrgyzstan. They were convicted, along with three others, of murdering two Kyrgyz women in Kara-su during an outbreak of intercommunal violence between Kyrgyz and Uzbeks in Osh region in June 1990. They were tried in Kazakhstan apparently on the orders of USSR procuracy officials, who considered that to hold the trial in Kyrgyzstan would incite further ethnic conflict. The date of the original trial is not known.

Amnesty International opposes the death penalty in all cases and 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 as proclaimed in the Universal Declaration of Human Rights. Amnesty International is appealing to the President of Kazakhstan to exercise his constitutional authority and commute the death sentences passed on these two men.

BACKGROUND

The Kazakhstan Criminal Code retains the death penalty for 18 offences. However, statistics shown to Amnesty International by Justice Ministry officials in April 1992 revealed that between 1987 and 1991 the death penalty had been applied for only four offences: murder under aggravating circumstances, rape, threatening the life of a police officer, and banditism. In 1991, 66 people were sentenced to death for murder, and one person for threatening the life of a police officer. To date 26 of those

death sentences have been commuted. The figure for the number of executions carried out in 1991 has not been made available to Amnesty International. Execution is by shooting.

RECOMMENDED ACTION: Telegrams/express and airmail letters

- urging that the death sentences passed on Abduvakhad Temirov and Kabylzhan Temirov be commuted;
- urging that a moratorium be imposed on death sentences and executions pending a comprehensive review of the death penalty.

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APPEALS TO:

1. President of the Republic of Kazakhstan - Nursultan NAZARBAYEV
Respublika Kazakhstan
g. Alma-Ata
Prezidentu Respubliki Kazakhstan
NAZARBAYEVU, N.A.
Telegrams: Kazakhstan, g. Alma-Ata, Prezidentu Nazarbayevu, N.A.

Salutation: Dear President Nazarbayev

2. Chairman of the Clemency Commission of the Republic of Kazakhstan - Yury KHITRIN
Respublika Kazakhstan
480091 Alma-Ata
pl. Respublika, 4
Komissiya po voprosam pomilovaniya
Predsedatelyu KHITRINU Yu.A.
Telegrams: Kazakhstan, 480091 Alma-Ata, Komissiya po voprosam pomilovaniya, Predsedatelyu Khitrinu

Salutation: Dear Chairman Khitrin

COPIES TO:

1. Procurator-General of the Republic of Kazakhstan - Zh. TUYAKBAYEV
Respublika Kazakhstan,
480091 g. Alma-Ata,
ul. Mira, 110
Prokuratura Respubliki Kazakhstan
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Zh.

2. Chairman of the Supreme Court of the Republic of Kazakhstan - Tamas AYTMUKHAMBETOV
Respublika Kazakhstan,
480103 g. Alma-Ata,
ul. Sovetskaya, 66
Verkhovny Sud Respubliki Kazakhstan,
Predsedatelyu AYTMUKHAMBETOVU T.K.

3. The Minister of Foreign Affairs of the Republic of Kazakhstan - Toleutai SULEIMENOV
Respublika Kazakhstan,
g. Alma-Ata,
Ministerstvo inostrannykh del
Respubliki Kazakhstan,
Ministru SULEIMENOVU T.

4. The Minister of Justice of the Republic of Kazakhstan - Dolga DOSTOLOV
Respublika Kazakhstan,
g. Alma-Ata,
Ministerstvo yustitsii Respubliki
Kazakhstan,
Ministru DOSTOLOVU D.

and to diplomatic representatives of Kazakhstan in your country (normally to be found at the embassy of the Russian Federation).

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 13 July 1992.