

PUBLIC

AI Index: EUR 57/001/2003

21 February 2003

Further Information on UA 148/02 (EUR 57/001/2002, 17 May 2002) and follow-up (EUR 57/004/2002 11 November 2002) - Death Penalty/Torture/III-treatment

KAZAKSTAN

**Mikhail Vershinin (m) aged 27
Evgeniy Turochkin (m) aged 26
Sergey Kopay (m) aged 35**

On 18 December 2002, the Collegium of the Supreme Court of Kazakstan upheld the death sentence against Mikhail Vershinin, Evgeniy Turochkin and Sergey Kopay. The three men had reportedly been tortured in order to force them to confess to a number of murders, and were sentenced to death in September 2001.

Mikhail Vershinin has written appeals to the general procurator, members of parliament and to the Kazak media asking for support in his attempt to have his sentence commuted. On 20 January 2003, he went on a hunger-strike and as a result of this was put into a punishment cell. His parents visited him on 27 January and have told Amnesty International that though he was very thin, he had not complained about his treatment in detention.

The three men's only hope of a reprieve now depends upon obtaining clemency from President Nursultan Nazarbayev. Mikhail Vershinin's family have written to Amnesty International asking for support.

BACKGROUND INFORMATION

Several senior government officials, including President Nursultan Nazarbayev, have made statements in favour of abolishing the death penalty. According to press reports, President Nursultan Nazarbayev is quoted as saying at a meeting with senior law enforcement officials in March 2002: "Perhaps it is worth announcing a moratorium on the use of the death penalty and then discussing this issue with society and parliament and abolishing the death sentence altogether in Kazakstan." Other government officials who spoke out in favour of abolishing the death penalty included Bolat Baykadamov, first Commissioner for Human Rights in Kazakstan. Among those advocating the retention of the death penalty was the Supreme Court chairman Kayrat Mami.

Kazakstan is applying for Observer Status at the Parliamentary Assembly of the Council of Europe (PACE), which would allow Kazak delegates to attend Assembly sessions, but not to vote on resolutions. PACE resolved on 25 June 2001 that it would "only recommend the granting of Observer status with the Organisation as a whole to states which strictly respect a moratorium on executions or have already abolished the death penalty".

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English, Russian, Kazak or your own language:

- stating that you oppose the death penalty because it violates the most fundamental human right, the right to life;
- expressing sympathy for the victims of crime and their families, but pointing out that the death penalty has never been shown to deter crime more effectively than other punishments;
- asking President Nursultan Nazarbayev to grant clemency to Mikhail Vershinin, Evgeniy Turochkin and Sergey Kopay;

- encouraging the authorities to take steps towards the abolition of the death penalty, to impose a moratorium on executions and to commute all pending death sentences.

APPEALS TO:

President of the Republic of Kazakstan, Nursultan NAZARBAYEV

Respublika Kazakstan

473000 g. Astana

ul. Beybitshilik 11

Apparat Prezidenta

Prezidentu RK

NAZARBAEVU, N.A.; KAZAKSTAN

Fax: + 7 317 232 6182

Salutation: Dear President

Human Rights Commissioner of Kazakstan, Bolat BAYKADAMOV

Respublika Kazakstan

473000 g. Astana

ul. Beybitshilik 2

Upolnomochennomu po pravam cheloveka RK

BAYKADAMOVU B.; KAZAKSTAN

Fax: + 7 317 232 1767 (there will be a Russian voice, saying that you can send a fax, press start after the beep)

Salutation: Dear Commissioner

COPIES TO:

Chairman of the Supreme Court of the Republic of Kazakstan, Kayrat MAMI

Respublika Kazakstan

473000 g. Astana

ul. Zh. Omarova, 57

Verkhovny Sud Respubliki Kazakstan

Predsedatelyu

MAMI Kayrat

Chairperson of the Clemency Commission of the Republic of Kazakstan

Zinaida Leontievna FEDOTOVA

Respublika Kazakstan

473000 g. Astana

ul. Beybitshilik 11

Apparat Prezidenta

Komissiya po pomilovaniyu

Respubliki Kazakstan

Predsedatelnitse

FEDOTOVOY Z.L.; KAZAKSTAN

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and to diplomatic representatives of Kazakstan accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 4 April 2003.