

EXTERNAL

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Fear of imminent execution

22 January 1997

KAZAKSTAN

Oleg Amiranovich GOROZASHVILI, aged 27
(???? ??????????? ??????????? in cyrillic)

Amnesty International fears that Oleg Amiranovich Gorozashvili is facing imminent execution after the Clemency Commission of Kazakstan turned down his petition for clemency. According to reliable sources in Kazakstan, Oleg Gorozashvili's execution is expected to be carried out in two days, on 24 January.

Amnesty International has learned that on 22 January 1997 Oleg Gorozashvili was being transferred from death row at a prison in East Kazakstan Region to a prison in Almaty, the capital of Kazakstan, which has facilities to carry out executions.

Oleg Gorozashvili was sentenced to death by the East Kazakstan Regional Court for premeditated, aggravated murder under Article 88 of the Kazakstani Criminal Code. The Supreme Court of Kazakstan turned down his appeal against his death sentence on 3 July 1996. On 25 December 1996 the Clemency Commission refused to recommend to grant him clemency. It appears that the President of Kazakstan has followed the recommendation of the Clemency Commission not to grant him a pardon.

Oleg Gorozashvili's father is a Kazak citizen of ethnic Georgian origin. There are allegations that after his arrest on suspicion of murder Oleg Gorozashvili was questioned without the presence of a defence lawyer, and that he was forced to make a confession.

Amnesty International is particularly outraged that the Kazakstani authorities are preparing to execute Oleg Gorozashvili at the same time as an international conference about abolition of the death penalty is taking place in Almaty, bringing together representatives of governments and non-governmental organizations from Kazakstan and other CIS countries. Amnesty International is urging the Kazakstani authorities not to demonstrate such naked contempt for the conference, and to order an immediate stay on the execution of Oleg Gorozashvili as a prelude to granting him clemency

BACKGROUND INFORMATION

In March 1996 Amnesty International issued a statement condemning the use of the death penalty in Kazakstan. Information recently received by the organization from official and unofficial sources indicates that 110 death sentences were passed during 1995, and 101 executions had been carried out. The Kazakstani authorities have publicly stated that Amnesty International's statistics are incorrect, and that the number of executions carried out in 1995 was 63. However, they have offered no explanation about how this figure of 63 executions relates to the other limited statistical information they have provided. Amnesty International has consistently pointed out to the Kazakstani authorities the requirement as a member of the United Nations and the Organisation for Security and Co-operation in Europe to publish detailed statistics on the use of the death penalty. Until Kazakstan is prepared to do this, Amnesty International stands by its original statement.

Amnesty International was informed in June 1996 by an unofficial source that in the first five months of 1996 the Clemency Commission had refused 25 petitions for clemency and had upheld only two.

RECOMMENDED ACTION: Please send telegrams/faxes/express/airmail letters in Russian, English or your own language:

- urging President Nazarbayev to reconsider his decision not to grant clemency to Oleg Gorozashvili, to order a stay of execution, and to commute his death sentence;
- urging President Nazarbayev to commute all other death sentences that come before him.
- expressing unconditional opposition to the death penalty as 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;
- 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, and is brutalizing to all involved in its application.

APPEALS TO:

The President of Kazakstan, Nursultan Nazarbayev

Respublika Kazakhstan

480091 g. Almaty (Alma-Ata)

Pl. Respubliki, 4

Prezidentu Respubliki Kazakhstan NAZARBAYEVU N.A.

Telegrams: Kazakstan, Almaty, apparat prezidenta, Prezidentu Nazarbayevu

Faxes: +7 3272-63 76 33; +7 3272-63 70 33

Salutation: Dear President

COPIES TO:

The Head of the Presidential Clemency Commission of Kazakstan, Igor Rogov

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Komissiya po voprosam pomilovaniya

Zaveduyushemu otdelom BARANOVU M.I.

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Telegrams: Kazakstan, Almaty, Komissiya pomilovaniya

Salutation: Dear Sir

The Procurator General of Kazakstan, Stepan Shutkin

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480099 g. Almaty (Alma-Ata)

ul. Zheltoksan, 189

Prokuratura Respubliki Kazakhstan

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The Chairman of the Supreme Court of Kazakstan, Maksud Narikbayev

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Predsedatelyu NARIKBAYEVU M.S.

Minister of Foreign Affairs of the Republic of Kazakstan, Kasymzhomart
Kemel-uly Tokayev

Respublika Kazakhstan

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and to diplomatic representatives of Kazakstan accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY.