

EXTERNAL

14 March 1999

Lyubov SIROTKINA (female)

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Kyrgyzstan

The information currently available on this case comes from an unofficial source, which reports that Lyubov Sirotkina was sentenced to death on 17 January 1996 by the City Court in Bishkek, the capital of Kyrgyzstan, for premeditated, aggravated murder. An appeal has been lodged against this sentence with the Supreme Court of the Kyrgyz Republic. If that is turned down, Lyubov Sirotkina's last hope of avoiding execution would be to lodge a petition for clemency with the President of the Kyrgyz Republic.

Lyubov Sirotkina was born in 1970. Judging by her name she is an ethnic Russian. She has a daughter born in 1988. In 1994 Lyubov Sirotkina married Yury Kim, a widower who had a son, Rustam, also born in 1988.

Lyubov Sirotkina has been convicted of the murder of her stepson, Rustam Kim. According to Amnesty International's information, in August 1994 Lyubov Sirotkina's husband was arrested on a drug-related criminal charge (for which he is still in custody), leaving her alone to look after the two children. In May or June 1995 she sent her daughter to live with relatives in the countryside, but Rustam remained at home in Bishkek. Allegedly for the next two months he was left alone in the family's apartment while Lyubov Sirotkina went out to her job on a factory assembly line. According to Lyubov Sirotkina, on 17 August 1995 she returned from the night shift to find Rustam Kim dead. She herself called an ambulance. Reportedly, a post mortem examination found that Rustam Kim had starved to death.

Initially, the October district procurator's office in Bishkek charged Lyubov Sirotkina under Article 124 of the Criminal Code of the Kyrgyz Republic ("leaving in danger"). However, after an investigation the procurator's office substituted a charge under Article 94 ("premeditated, aggravated murder") and the case was referred to Bishkek City Court, which on 17 January 1996 found Lyubov Sirotkina guilty of "premeditated murder, committed from motives of self-interest and with particular cruelty". Lyubov Sirotkina is reported to have acknowledged partial guilt.

Lyubov Sirotkina's mother has reportedly submitted an appeal against the sentence to the Supreme Court on her behalf.

Background information on the death penalty in Kyrgyzstan

Kyrgyzstan retains the death penalty for 15 peacetime and two wartime offences, although the then Procurator General told an Amnesty International delegation to Kyrgyzstan in April 1992 that in practice death sentences are passed only for murder under aggravating circumstances.

As crime rates have increased in recent years, Kyrgyzstan has increased its use of the death penalty. Justice Ministry officials made available to Amnesty International in April 1992 statistics for the number of death sentences passed and carried out between 1987 and 1991. These showed that on average eight death sentences had been passed annually between 1987 and 1990, and that all of these had been carried out. In 1991 the number of death sentences rose sharply to 21. Statistics for the number of death sentences passed annually since then have not been made available

In February 1993 the head of the Department for Citizenship and Clemency Questions at the President's Office informed Amnesty International that three death sentences passed in 1991 had recently been commuted to 20 years' imprisonment. A fourth death sentence was commuted in October 1993. Amnesty International had taken up these cases, and unofficial sources in Kyrgyzstan reported that Amnesty International's campaign had made a decisive contribution to their positive resolution. At least one execution was carried out in 1993, however. In 1994 three cases taken up by Amnesty International ended in commutation, but in a fourth the death sentence was carried out. In 1995 at least 30 people were executed, including a man whose case had been taken up by Amnesty International.