

EXTERNAL

AI Index: EUR 58/05/97

UA 34/97

Death penalty

31 January 1997

KYRGYZSTAN

Duyshenbek Askarovich Medetbekov
Ishenbek Askarovich Medetbekov, brothers
(?????????? ?????????? ???????????
????????? ?????????? ??????????? in cyrillic)

Amnesty International is concerned that Duyshenbek and Ishenbek Medetbekov were sentenced to death by a court in Kyrgyzstan for premeditated, aggravated murder. An appeal has been lodged against their sentences with the Supreme Court of the Kyrgyz Republic. If that is turned down, their last hope of avoiding execution will be to lodge a petition for clemency with the President of the Kyrgyz Republic.

There are few details available on this case. Duyshenbek and Ishenbek Medetbekov are brothers. Their elderly parents live in Bishkek, the capital of Kyrgyzstan. They were sentenced to death, possibly by Bishkek City Court, in 1996. The exact date of the sentence is not known. An appeal against their death sentences is now pending with the Supreme Court of Kyrgyzstan.

According to their parents, who attended the trial, Duyshenbek and Ishenbek retracted their confessions in the first court session, claiming that they had been subjected to regular beatings while in pre-trial detention and had been forced to admit to a murder they had not committed. Following this retraction the trial was postponed for two days and when it resumed the brothers reportedly confessed their guilt again. Their parents reported that their sons behaved oddly in court and readily pleaded guilty to all charges put to them.

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.

BACKGROUND INFORMATION

Kyrgyzstan retains the death penalty for 15 peacetime and two wartime offences. As crime rates have increased in recent years, Kyrgyzstan has increased its use of the death penalty. In 1995 at least 30 people were executed. In 1996 two of the death sentences which Amnesty International appealed against, those of Nikolay Sokolov (see UA 151/96, EUR 58/07/96, 25 June 1996 and follow-ups) and Lyubov Sirotkina, were commuted to 15-year prison sentences.

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

To the President:

- urging him to exercise his constitutional authority to commute death sentences should petitions for clemency for Duyshenbek and Ishenbek Medetbekov come before him;
- urging the President to commute all other death sentences that come before him;

To the Chairman of the Clemency Commission:

- urging him to recommend to the President that the death sentences passed on the two brothers are commuted;

To the Procurator General:

- urging him to order an inquiry into allegations that the two brothers were beaten to force confessions from them, with the findings made public and the perpetrators responsible brought to justice;
- noting that Article 15 of the Convention against Torture provides that any statement which is established to have been made as a result of torture shall not be invoked as evidence in any proceedings (except against a person accused of using torture).

APPEALS TO:

1) The President of the Kyrgyz Republic, Askar Akayev

Kyrgyzskaya Respublika

720003 g. Bishkek

Prospekt Chuy, 205

Dom pravitelstva

Prezidentu AKAYEVU A.A.

Telegrams: Kyrgyzskaya Respublika, 720003 Bishkek, Prezidentu Akayevu A.A.

Faxes: +7 3312 21 86 27

Salutation: Dear President

2) Chair of the Clemency Commission

The Head of the Department for Citizenship and Clemency Questions at the President's Apparatus, Aynabek Kachkynbayev

Kyrgyzskaya Respublika

720003 g. Bishkek

Prospekt Chuy, 205

Dom pravitelstva

Apparat Prezidenta

Otdel po voprosam grazhdanstva i pomilovaniya

Zaveduyushchemu otdelom KACHKYNBAYEVU A.

Telegrams: Kyrgyzskaya Respublika, 720003 Bishkek, Otdel pomilovaniya, Kachkynbayevu A.

Faxes: +7 3312 21 86 27

Salutation: Dear Sir

3) The Procurator General, Asanbek Sharshenaliev

Kyrgyzskaya Respublika

720632 g. Bishkek

ul. Orozbekova, 72

Prokuratura Kyrgyzskoy Respubliki

Generalnomu prokuroru SHARSHENALIYEVU A.

Telegrams: Kyrgyzskaya Respublika, 720632 Bishkek, Generalnomu prokuroru

Salutation: Dear Procurator General

COPIES TO:

The Chairman of the Supreme Court, Mamadiyar Isabayev

Kyrgyzskaya Respublika

720040 g. Bishkek

ul. Orozbekova, 37

Verkhovny Sud

Predsedatelyu ISABAYEVU M.

The Minister of Foreign Affairs, Ms Roza Otunbayeva

Kyrgyzskaya Respublika

g. Bishkek

ul. Abdumomunova, 205

Ministerstvo inostrannykh del

Ministru OTUNBAYEVOY R.

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and to diplomatic representatives of Kyrgyzstan accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 14 March 1997.