

EXTERNAL

AI Index: EUR 50/05/96

10 April 1996

Further information on EXTRA 06/96 (EUR 50/01/96, 15 January 1996) and follow-up (EUR 50/04/96 27 February 1996) - Fear of imminent execution

UKRAINE Vitaly GUMENYUK, aged 24

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Amnesty International has learned with deep concern that Vitaly Gumenyuk's clemency petition has been turned down by the President of Ukraine and that he is now in imminent danger of execution.

Vitaly Gumenyuk's lawyer recently discovered that Zhitomir Regional Court had been informed by the Supreme Court of Ukraine that his petition for clemency had been rejected. The petition for clemency was Vitaly's last hope of avoiding execution after the Supreme Court upheld his death sentence on 18 January 1996.

The clemency petition was rejected despite the fact that Ukraine, by having joined the Council of Europe on 9 November 1995, has committed itself to impose an immediate moratorium on executions and to abolish the death penalty within three years.

Amnesty International is extremely worried by the ambiguity in Ukraine's position on the introduction of a moratorium on executions. This is the first report the organization has received of a petition for clemency being turned down since Ukraine's admission to the Council of Europe.

It has also become increasingly difficult to obtain information about the use of the death penalty in Ukraine since Ukraine acceded to the Council of Europe. Families of those on death row continue not to be informed promptly of the fate of their relatives. Vitaly Gumenyuk's mother has not been allowed to see her son since 18 January 1996 and was told by the regional director of Internal Affairs that prisoners such as her son are not permitted visits. Amnesty International is concerned that this may indicate that Vitaly Gumenyuk has already been executed or has been transferred to a prison where executions are carried out.

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

- expressing alarm that Vitaly Gumenyuk may face imminent execution following the President's decision to uphold his death sentence despite the moratorium;
- urging President Kuchma to reverse his decision to refuse clemency to Vitaly Gumenyuk, to stop the execution and to commute all other death sentences that come before him;
- urging that the authorities put an end to the agonizing uncertainty the families of death row prisoners are experiencing by keeping them fully and promptly informed about each stage of the prisoner's case and by allowing them regular visits.

**APPEALS TO:**

President of Ukraine, Leonid Kuchma

Ukraina

252601 Kiev

ul. Bankovaya, 7

Prezidentu Ukrainy Kuchma L.  
**Faxes: +380 44 291 61 61**  
**Telegrams: Ukraina, Kiev, Prezidentu Kuchma**  
**Salutation: Dear President**

**COPIES TO:**

Chairman of the Presidential Clemency Commission, Pyotr Andreychenko  
Ukraina  
252220 g. Kiev  
ul. Bankovaya, 7  
Kommissiya po voprosam pomilovaniya pri Prezidente  
Predsedatelyu ANDREYCHENKO P.  
**Fax: +380 44 291 61 61**

Procurator General of Ukraine, Grigory Vorsinov  
Ukraina  
252601 g. Kiev II  
ul. Reznitskaya, 13/15  
Prokuratura Ukrainy  
Generalnomu prokuroru VORSINOVU G.  
**Fax: +380 44 290 26 03**

Chairman of the Supreme Court of Ukraine, Vitaly BOYKO  
Ukraina  
252601 g. Kiev 24 GSP  
ul. M. Grushevskogo  
Verkhovny Sud Ukrainy  
Predsedatelyu BOYKO V.

Head of the Regional Court in Zhitomir Region, name not known  
Ukraina  
g. Zhitomir  
Oblastnoy Sud  
Predsedatelu

and to diplomatic representatives of Ukraine accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat,  
or your section office, if sending appeals after 12 May 1996.