

EXTERNAL

AI Index: EUR 50/14/96

UA 271/96

Death penalty / Legal concern

21 November 1996

UKRAINE

Vladimir Yureyvich CHERNITSA, aged 23

---

Amnesty International has learned that Vladimir Chernitsa's petition for clemency is soon to be considered by the Clemency Commission and the President of Ukraine. He sent his petition to President Kuchma on 11 September 1996. This is the final stage of appeal against the death sentence, and therefore Vladimir Chernitsa's last hope of avoiding execution.

Vladimir Chernitsa was sentenced to death by Odessa Regional Court on 3 April 1996, for premeditated, aggravated murder. The death sentence passed on him was upheld by the Supreme Court of Ukraine in September 1996.

There are allegations that Vladimir Chernitsa cannot be held fully responsible for his actions at the time of the murder as he suffers repercussions from severe head injuries.

Amnesty International is appalled that executions are continuing in Ukraine, a year after Ukraine joined the Council of Europe and committed itself to imposing a moratorium on executions. Ukraine made the commitment on 26 September 1995 " to sign within one year and ratify within three years from the time of accession Protocol no. 6 of the Convention for the Protection of Human Rights and Fundamental Freedoms on the abolition of the death penalty, and to put into place, with immediate effect from the day of accession, a moratorium on executions" (Parliamentary Assembly Opinion 190, 1995). Ukraine joined the Council of Europe on 9 November 1995 and from that moment was bound in good faith to implement this solemn commitment to a moratorium. However, to this day, people on death row in Ukraine continue to be executed.

The chairman of the Ukrainian Supreme Court, Vitaly Boyko, confirmed on 1 August that there is no moratorium on executions in Ukraine. He reported that 93 people were sentenced to death in Ukraine in the first six months of 1996. Amnesty International knows that at least two people have been executed, Vladimir Ogoltsov in June 1996, and Sergey Tekuchev on 17 October 1996. The mother of Sergey Tekuchev reported that Pyotr Andreychenko, the Head of the Clemency Commission, told her at the end of October that he was responsible only for carrying out the law, and that he had received no instructions concerning a moratorium on executions.

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

**To the President:**

- urging President Kuchma to grant clemency to Vladimir Chernitsa;
- urging President Kuchma not to sign any more execution orders as to do so places Ukraine in violation of its commitment to the Council of Europe.

**To the Head of the Clemency Commission, Pyotr Andreychenko:**

- urge that the clemency commission recommends clemency for Vladimir Chernitsa;

President of Ukraine, Leonid KUCHMA  
Ukraine

2

252601 Kiev  
ul. Bankovaya, 7  
Prezidentu Ukrainy Kuchma L.  
**Faxes: (380 44) 291 61 61 (checked working 21/11/96)**  
**Telegrams: Ukraina, Kiev, Prezidentu Kuchma**  
**Salutation: Dear President**

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

**COPIES TO:**

Foreign Minister of Ukraine, Hennady UDOVENKO  
Ukraina  
252501 g. Kiev 24  
ul. Karla Liebknecht 15/1  
Ministerstvo inostrannykh del  
Ukrainy  
Ministru UDOVENKO H.Y

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**

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 31 December 1996.