

EXTERNAL (for general distribution)

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EXTRA 52/95

Fear of Imminent Execution

12 May 1995

LITHUANIA

Boris Dekanidze

Amnesty International fears that Boris Dekanidze may be executed within the next few days after his final appeal for clemency was rejected on 11 May 1995 by the President of Lithuania, Algirdas Brazauskas. A spokesman for the Lithuania government indicated to journalists that the execution was imminent, although no date had been set.

Boris Dekanidze was sentenced to death in November 1994 for ordering the murder of an investigative journalist who had exposed the activities of a mafia gang operating in the Lithuanian capital, Vilnius. Dekanidze, who was alleged to have been the leader of the gang, maintained his innocence throughout his highly publicized trial. He was reportedly convicted solely on the evidence of the actual murderer who was himself sentenced to life imprisonment. In December 1994, Dekanidze appealed for clemency to the Lithuanian President. In February 1995, the Lithuanian Supreme Court decided there were insufficient grounds to review the sentence.

Executions in Lithuania are carried out by firing squad.

BACKGROUND INFORMATION

The death penalty in Lithuania is retained for one crime only - premeditated murder under aggravated circumstances. Since Lithuania gained independence in March 1990, five death sentences have been carried out, four of which have taken place since December 1993. In all cases Amnesty International had appealed to the Lithuanian authorities for clemency. The organization has been informed by the Lithuanian authorities that the issue of whether the death penalty will be included into the new Criminal Code is currently under debate in the Lithuanian Parliament.

Capital cases in Lithuania are tried before the Collegium of Criminal Cases of the Supreme Court. Petitions for clemency are considered by the President of the Republic of Lithuania on the recommendation of the Clemency Commission. A particular concern for Amnesty International is the short length of time between the passing of a death sentence and the rejection of a petition for clemency - in this case less than six months. Amnesty International has repeatedly sought information from the Lithuanian government about the mechanisms that exist to ensure that prisoners' internationally guaranteed right to have their conviction and sentence examined by a court of higher jurisdiction is respected. In the case of Boris Dekanidze no full review seems to have taken place.

Amnesty International has consistently pressed the Lithuanian authorities to review the use of the death penalty as a step towards its total abolition and to impose a moratorium on death sentences and executions until this review has taken place.

RECOMMENDED ACTION: Please send telegrams/faxes/express and airmail letters either in English, French or German or in your own language:

- appealing for the commutation of the death sentence passed on Boris Dekanidze;
- explaining Amnesty International's opposition to the death penalty in all circumstances without exception;

- urging the Lithuanian authorities to impose a moratorium on death sentences and executions pending adoption of the new criminal code.

APPEALS TO

President

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Faxes: +370 2 614544
Telegrams: President Brazauskas, Vilnius, Lithuania
Salutation : Dear President

COPIES OF YOUR APPEALS TO:

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Parliamentary Committee for Human and Citizens' Rights and Nationalities Affairs

Mindaugas Stakvilevi_ius
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and to diplomatic representatives of Lithuania accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY.