

# AMNESTY INTERNATIONAL

## PUBLIC STATEMENT

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### **Belarus: Amnesty International and Belarusian Helsinki Committee condemn reported executions**

Amnesty International and the Belarusian Helsinki Committee condemn the reported recent executions of Syarhey Marozaw, Ihar Danchanka and Valery Harbaty (Valerii Gorbatii). They were found guilty of grave crimes in the Gomel region between 1990 and 2004. All three men were sentenced to death by shooting by the Supreme Court on 1 December 2006. On 9 October 2007, Syarhey Marozaw, the leader of the gang and his assistant Ihar Danchanka were tried for further crimes and sentenced again to the death penalty. Both trials were conducted in the Minsk remand centre where the men were held; the trials were closed and the remand centre was surrounded by security forces. News of the executions was reported to *BelaPAN* news agency by the secretary of the Supreme Court in February 2008. One of the lawyers involved in the case also reported that documents certifying the death of Syarhey Marozaw were delivered to the registration office of the district in Gomel where the deceased was registered.

On 11 December, Amnesty International and the Belarusian Helsinki Committee wrote to Alyaksandr Lukashenka urging him to declare a moratorium on the death penalty and, on 19 December, Amnesty International called on the President to commute the death sentences of the three men.

On 18 December, the United Nations General Assembly passed a resolution calling upon states that still maintain the death penalty "to establish a moratorium on executions with a view to abolishing the death penalty". It urges these states, including Belarus, "to respect international standards that provide safeguards guaranteeing the protection of the rights of those facing the death penalty", "to provide the Secretary-General with information relating to the use of capital punishment" and "progressively restrict the use of the death penalty and reduce the number of offences for which it may be imposed."

It has been stressed to the Belarusian authorities that the UN Special Rapporteur on extrajudicial, summary or arbitrary executions has stated that "transparency is essential wherever the death penalty is applied. Secrecy as to those executed violates human rights standards."

The UN Human Rights Committee noted with regard to communication No. 887/1999, related to a death sentence in Belarus, that "complete secrecy surrounding the date of execution, and the place of burial and the refusal to hand over the body for burial have the effect of intimidating or punishing families by intentionally leaving them in a state of uncertainty and mental distress. The Committee considers that the authorities' initial failure to notify the author [prisoner's mother] of the scheduled date for the execution of her son, and their subsequent persistent failure to notify her of the location of her son's grave amounts to inhuman treatment of the author, in violation of article 7 of the Covenant [prohibition of torture and inhuman treatment]."

Amnesty International and the Belarusian Helsinki Committee are urging the Belarusian authorities to immediately inform the families of Syarhey Marozaw, Ihar Danchanka and Valery Harbaty about the dates and places of execution and burial, and to allow them to collect the prisoners' remains and any personal effects.

Amnesty International and the Belarusian Helsinki Committee oppose the death penalty in all cases, without exception. The death penalty is the ultimate denial of human rights – the premeditated and cold-blooded killing of a human being by the state in the name of justice. It violates the right to life as proclaimed in Article 3 of the Universal Declaration of Human Rights and is the ultimate cruel, inhuman and degrading punishment. Scientific studies have consistently failed to find convincing evidence that the death penalty deters crime more effectively than other punishments. The most recent survey of research findings on the relation between the death penalty and homicide rates, conducted for the UN in 1988 and updated in 2002, concluded: "...it is not prudent to accept the hypothesis that capital punishment deters murder to a marginally greater extent than does the threat and application of the supposedly lesser punishment of life imprisonment."

### **Background**

Belarus is the only country in Europe and the former Soviet Union that still executes prisoners. In November, it was reported in the press that Alyaksandr Syarheychyk had been executed. Belarus maintains the death penalty for "premeditated, aggravated murder" and 12 other peacetime offences. There are no figures available to date for the number of executions carried out in 2007. Execution is by a gunshot to the back of the head, and neither the condemned nor relatives are officially told of the scheduled date of the execution, and the relatives are not informed of where the body is buried.

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