

URGENT ACTION

TWO MEN IN BELARUS AT RISK OF EXECUTION

The Belarusian authorities must not execute Dzmitry Kanavalau and Uladzslau Kavalyou, who were sentenced to death on 30 November, following a trial that has failed to meet international fair trial standards.

Dzmitry Kanavalau has been found guilty of committing terrorist attacks and producing explosives, in connection with a series of bomb attacks in Belarus, most recently in Minsk on 11 April. **Uladzslau Kavalyou** was found guilty of assisting him and failing to inform the authorities.

The two men's sentences were passed by the Supreme Court of Belarus. The only possibility for further appeal is for the families of the two men to ask the President for clemency, within ten days of the sentence being passed. If the clemency appeals are rejected, Dzmitry Kanavalau and Uladzslau Kavalyou may be executed just minutes after the President's decision is confirmed.

Amnesty International has serious concerns over the fairness of the trial. Uladzslau Kavalyou retracted his confession during the trial, claiming it was obtained under pressure. He said that during his interrogation, the investigator threatened to shoot him. He also claimed that he could hear Dzmitry Kanavalau screaming in another room. Uladzslau Kavalyou's mother has said that both men were beaten during interrogation.

The swiftness of Dzmitry Kanavalau and Uladzslau Kavalyou's arrest has also led to scepticism about the investigation. They were detained the day after the explosion, on 12 April. Violating their right to the presumption of innocence, the President declared that two men had confessed to the attack before they were even interrogated.

There is no forensic evidence linking either Dzmitry Kanavalau or Uladzslau Kavalyou to the explosion and no traces of explosives were found on either of them. Experts concluded that it would not have been possible for them to prepare the explosives in the basement in which they are accused of having done so.

Official statements claimed they were detained on the basis of security camera footage, which the prosecution relied on heavily during the trial. However, the security footage was only seized days after their detention and the defence lawyer claimed it had been clearly tampered with.

Please write immediately in Russian, Belarusian or your own language:

- Calling on President Lukashenka to grant clemency to Dzmitry Kanavalau and Uladzslau Kavalyou;
- Expressing your serious concerns about the allegations that torture and other ill-treatment were used to obtain confessions from Dzmitry Kanavalau and Uladzslau Kavalyou and calling on the Belarusian authorities to open an investigation into allegations that Dzmitry Kanavalau and Uladzslau Kavalyou were tortured or ill-treated;
- Calling for Dzmitry Kanavalau and Uladzslau Kavalyou to be re-tried in proceedings which comply with international fair trial standards, especially with regard to their right to effective legal counsel
- Calling on President Lukashenka to establish an immediate moratorium on the use of the death penalty, in line with UN General Assembly resolution 63/168, adopted on 18 December 2008.

PLEASE SEND APPEALS BEFORE 13 JANUARY 2012 TO:

President

Alyaksandr Lukashenka
ul. Karla Marxa 38
220016 Minsk
Belarus
Fax: +375 17 226 06 10/ +375 17 222 38
72
Email: contact@president.gov.by
Salutation: Dear President

General Prosecutor

Alyaksandr Koniuk
Internatsionalnaya str. 22
220050 Minsk
Belarus
Fax: +375 17 226 42 52
Email: info@prokuratura.gov.by
Salutation: Dear General Prosecutor

There is a possibility that the fax numbers could sporadically be blocked. If so, please use email addresses instead.

Also send copies to diplomatic representatives accredited to your country.

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

The case of Dzmitry Kanavalau and Uladzslau Kavalyou has been very high profile within Belarus, following the shock that filled the country after the 11 April explosion in which 15 people died and hundreds were injured.

There has been increasing public criticism about the swiftness and nature of the investigation and trial, as both Dzmitry Kanavalau and Uladzslau Kavalyou were detained within hours of the incident and the trial has failed to meet international fair trial standards on a number of levels.

In a survey carried out in September by the Lithuanian Independent Institute of socio-political and economic research, only 21.2 per cent of Belarusians believed that the April explosion in Minsk was carried out by "a lone terrorist and his accomplice", 32.4 per cent believed that the crime was carried out under orders and 36.7 per cent were sure that "the crime was committed by other people."

In an unprecedented show of public scepticism in Belarus, a petition against the anticipated execution of Dzmitry Kanavalau and Uladzslau Kavalyou was started in the country. It has already been signed by over 50,000 people.

Amnesty International opposes the death penalty in all cases, as the ultimate cruel, inhuman and degrading punishment. Belarus remains the only country in Europe and the former Soviet Union which still carries out executions. The use of the death penalty is compounded by a flawed justice system and the secrecy surrounding its application which means that prisoners and family members are not informed in advance and may not be informed until months after the execution has taken place.

Belarus is the last country in Europe and the former Soviet Union which still carries out executions. Amnesty International condemns the Belarusian authorities' continuing use of the death penalty. Despite public statements regarding its intention to move towards abolition, the Belarusian government continues to issue death sentences and execute prisoners. Two men were executed in 2010 and at least one man in 2011.

In Belarus, condemned prisoners are given no warning that they are about to be executed, and they are usually executed within minutes of being told that their appeal for clemency has been rejected. They are first taken to a room where, in the presence of the Director of the detention facility, the Prosecutor and one other Ministry of Interior employee, they are told that their appeal for clemency has been turned down and that the sentence will be carried out. They are then taken to a neighbouring room where they are forced to their knees and shot in the back of the head. Their families will only be informed days or sometimes months after the execution that their relative has been executed.

Name: Dzmitry Kanavalau and Uladzslau Kavalyou
Gender m/f: both male