

URGENT ACTION

BELARUS EXECUTES TWO MEN

According to sources in Belarus, two men were executed in the Belarusian capital, Minsk, in the last few days. The authorities should now release the bodies of the two men, Andrei Zhuk and Vasily Yuzepchuk, to their families for burial.

It seems likely that **Andrei Zhuk** and **Vasily Yuzepchuk** were shot around 18 March. On 19 March, when Andrei Zhuk's mother tried to deliver a food parcel to the prison in Minsk where both men were held, the parcel was returned to her by the prison authorities, and she was told that the two men "had been moved". She was told not to come looking for her son any more, but to wait for official notification from the court. On the morning of 22 March, she was informed by staff at the prison that both men had been shot. Soon after hearing this news, Andrei Zhuk's father was taken to hospital, having suffered a heart attack.

In Belarus, official notification that an execution has been carried out is issued by the court that pronounced the death sentence. It may be weeks or months before the court issues this notification. The bodies of those executed are not released to their relatives for burial, but are instead buried in secret in a location which is never disclosed to relatives. In addition, relatives are not given any of the personal effects of those executed. In 2003 the UN Human Rights Committee ruled, in the cases of two other executed prisoners, Anton Bondarenko and Igor Lyashkevich, that the secrecy surrounding the death penalty in Belarus had the effect of punishing the families and amounted to inhuman treatment. The Committee called on the authorities to inform Anton Bondarenko's mother of "the location where her son is buried, and [provide] compensation for the anguish suffered. The State party is also under an obligation to prevent similar violations in the future."

According to the lawyer for Andrei Zhuk and Vasily Yuzepchuk, in October 2009 the United Nations Human Rights Committee called on the Belarusian government not to execute the two men until the Committee has considered their cases. It is not clear whether the Human Rights Committee ruled on the men's cases before their death.

PLEASE WRITE IMMEDIATELY in Russian or your own language:

- Calling on the Belarusian authorities to release the bodies of Andrei Zhuk and Vasily Yuzepchuk to their families for burial, in line with the UN Human Rights Committee's 2003 rulings in the cases of *Bondarenko v. Belarus* and *Lyashkevich v. Belarus*;
- Expressing regret at the execution of the two men, and 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 3 MAY 2010 TO:

President

Alyaksandr Lukashenka
Administratsia Prezidenta Respubliki
Belarus
ul. Karla Marksa, 38
220016 Minsk, BELARUS

Fax: +375 17 226 06 10/ +375 17 222 38 72

Email: contact@president.gov.by

Salutation: Dear President Lukashenka

Send copies to diplomatic representatives of Belarus accredited to your country. Please check with your section office if sending appeals after the above date. This is the fifth update of UA: 218/09 (EUR 49/008/2009). Further information: www.amnesty.org/en/library/info/EUR49/008/2009.

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ADDITIONAL INFORMATION

Belarus is the last country in Europe and the former Soviet Union which still carries out executions.

Vasily Yuzepchuk was sentenced to death on 29 June 2009 for the murder of six elderly women, following an investigation and trial which his lawyer argues were fundamentally flawed: he says that Vasily Yuzepchuk was beaten to force him to confess. Andrei Zhuk was sentenced to death on 22 July 2009, for the armed assault and murder of a man and woman in February 2009. His lawyer has expressed his concerns regarding procedural violations during Andrei Zhuk's initial interrogation. Furthermore, he asserts that the influence of the media in Belarus and a statement by the Minister of Internal Affairs, referring to Andrei Zhuk and his accomplices as "criminals" before they had been convicted, was a violation of the right to the presumption of innocence. Both men appealed against their sentences and were turned down. They also applied for clemency.

Condemned prisoners are given no warning that they are about to be executed, and they are usually put to death 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.

Further information on UA: 218/09 Index: EUR 49/004/2010 Issue Date: 22 March 2010

