

URGENT ACTION

GENNADII YAKOVITSKII'S DEATH SENTENCE UPHeld

The Supreme Court of Belarus upheld the death sentence of Gennadii Yakovitskii on 4 April. He is now at imminent risk of execution.

Gennadii Yakovitskii was sentenced to death on 5 January having been found guilty of the murder of his partner in June 2015. His was the first death sentence to be passed in 2016. Gennadii Yakovitskii was accused of killing his partner in the flat which they shared, following two days of drinking with friends. Amnesty International has recently learnt that he has denied the charges against him and his defence lawyers maintain that vital evidence was omitted from his trial and that his guilt had not been unequivocally established. Gennadii Yakovitskii and his lawyer have lodged an appeal to the Supreme Court to establish whether or not there were procedural or fair trial violations during the trial, which they maintain there were. This could lead to a retrial at which point they will present the omitted evidence. Nonetheless, Gennadii Yakovitskii's death sentence remains in force.

Gennadii Yakovitskii has also appealed for clemency to the President. It is highly improbable that this will be granted; since coming to power in 1994, President Lukashenka has granted clemency only once. If clemency is denied, Gennadii Yakovitskii might be executed soon after, without due warning. In Belarus, death row prisoners are executed with a shot to the back of their heads. Gennadii Yakovitskii's family will not be informed or given the opportunity for a final meeting with him. In accordance with Belarusian practice, the whereabouts of his body will not be disclosed.

Belarus is the only country in Europe and Central Asia which continues to apply the death penalty. Amnesty International opposes the death penalty in all cases without exception, as a violation of the right to life, as proclaimed in the Universal Declaration of Human Rights. It is the ultimate cruel, inhuman and degrading punishment.

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

- Urging President Lukashenka to halt any planned executions and immediately commute the death sentence of Gennadii Yakovitskii and all others sentenced to death in Belarus;
- Highlighting the defence's claims that vital evidence was omitted from Gennadii Yakovitskii's trial in violation of his right to a fair trial and call for him to receive a retrial in accordance with international fair trial standards;
- Calling on President Lukashenka to establish an immediate moratorium on executions with a view to abolishing the death penalty.

PLEASE SEND APPEALS BEFORE 14 JUNE 2016 TO:

President

Alyaksandr Lukashenka
Vul. 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**

Prosecutor General

Alyaksandr Kaniuk
Vul. Internatsionalnaya 22
220050 Minsk, Belarus
Fax: +375 17 226 42 52 (Say "fax"
clearly if voice answers)
Email: info@prokuratura.gov.by

Salutation: Dear Prosecutor General

And copies to:

Vyasna
Vul. Merzhinkovo, 8-26
220012, Minsk, Belarus
Email: viasna@spring96.org

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date. This is the first update of UA 18/16. Further information:

<https://www.amnesty.org/en/documents/EUR49/3294/2016/en/>

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GENNADII YAKOVITSKII'S DEATH SENTENCE UPHELD

ADDITIONAL INFORMATION

The European Union and the Organization for Security and Cooperation in Europe have issued statements this year urging Belarus to respect the right to life for each of its citizens and to join a global moratorium on the death penalty as a first step towards its full abolition. Its continued use stands in direct opposition to any intended progress of Belarus' parliamentary working group on the prospect of abolishing the death penalty which was established in February 2010. The working group continues to report to international observers on the use of the death penalty in Belarus.

Death sentences are often imposed in Belarus after unfair trials which include forced confessions; they are implemented in strict secrecy and without giving adequate notice to the condemned prisoners themselves, their families or legal representatives. The authorities refuse to return the bodies of those executed to their relatives or even tell them where they are buried. Executions are carried out despite requests from the UN Human Rights Committee to the government not to do so until the Committee has considered the cases. In November 2012, the Human Rights Committee found that the application of the death penalty in Belarus violates the human rights of those condemned and their families.

The Belarusian authorities argue that there is strong public support for the death penalty in Belarus. However, by failing to publish full information about the use of the death penalty, including comprehensive statistics about the number of death sentences imposed and executions carried out, the Belarusian authorities prevent informed public debate about the issue and hamper the movement towards abolition.

As of today, 140 countries have abolished the death penalty in law or practice.

Name: Gennadii Yakovitskii

Gender m/f: m

Further information on UA: 18/16 Index: EUR 49/3890/2016 Issue Date: 3 May 2016