

URGENT ACTION

TWO COULD BE EXECUTED IN DAYS IN BELARUS

Two men on death row in Belarus, Dzmitry Kanavalau and Uladzslau Kavalyou, are likely to be executed within the next few days. The President has denied clemency to both men.

Dzmitry Kanavalau and **Uladzslau Kavalyou** were sentenced to death on 30 November, following a trial that has failed to meet international fair trial standards. The two men's sentences were passed by the Supreme Court of Belarus. The only possibility for further appeal was for the families of the two men to ask the President for clemency. On 14 March, the national TV channel announced that President Lukashenka has decided not to pardon Dzmitry Kanavalau and Uladzslau Kavalyou.

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 2011. Uladzslau Kavalyou was found guilty of assisting him and failing to inform the authorities. Uladzslau Kavalyou denied all the charges and applied for clemency. Dzmitry Kanavalau has not denied the charges. Amnesty International opposes the death penalty in all cases without exception. It violates the right to life, as proclaimed in the Universal Declaration of Human Rights. It is the ultimate cruel, inhuman and degrading punishment.

Since 14 March, the lawyer of Uladzslau Kavalyou has been trying to get access to his client in remand prison in Valadarski Street, Minsk, but was told on 15 March that Uladzslau Kavalyou was not there any more. In the past, prison authorities have often informed relatives and lawyers that prisoners have been moved, when in fact they had been executed.

In Belarus, prisoners on death row are told that they will be executed only moments before the sentence is carried out. They are shot in the back of the head; sometimes more than one bullet is needed. The body is not handed over to family members, who are informed only months afterwards, and the place of burial is kept secret, causing further distress to relatives.

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

- Calling on President Lukashenka to stop the executions of Dzmitry Kanavalau and Uladzslau Kavalyou;
- Calling on the Belarusian authorities to immediately allow Uladzslau Kavalyou access to his lawyer and to reveal his location.
- 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 27 APRIL 2012 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

General Prosecutor

Alyaksandr Koniuk
Internatsionalnaya str. 22
220050 Minsk, Belarus
Fax: +375 17 226 42 52 (Please say "fax" clearly if someone answers)
Email: info@prokuratura.gov.by

Salutation: Dear General Prosecutor

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 348/11. Further information:

www.amnesty.org/en/library/info/EUR49/025/2011/en

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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 explosion in Minsk on 11 April 2011, 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 meet international fair trial standards on a number of levels. Uladzslau Kavalyou's mother has said that both men were beaten during interrogation. 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.

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 2011 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 Dzmitry Kanavalau and Uladzslau Kavalyou was started in the country. It has already been signed by over 50,000 people. Over 250,000 signatures from all over the world were collected by Amnesty International's global membership and Belarusian organizations calling for the abolition of the death penalty in Belarus. The petition, which began as a local initiative by Human Rights Centre Viasna became a focus of Amnesty International's 50th anniversary campaign against the death penalty.

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

Further information on UA: 348/11 Index: EUR 49/002/2012 Issue Date: 16 March 2012