

PUBLIC

AI Index: EUR 49/10/98

EXTRA 82/98 Fear of imminent execution / Death Penalty /  
Unfair trial

13 November 1998

**BELARUS** Ivan Vyacheslavovich Fomin ( \_\_\_\_\_ )  
Sergey Yemelyanovich ProtiraeV ( \_\_\_\_\_ )  
Igor Sklyarenko ( \_\_\_\_\_ )  
Mikhail Nikolayevich Glushenok ( \_\_\_\_\_ )  
Sergey A. Zababurin ( \_\_\_\_\_ )

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Ivan Fomin, Sergey ProtiraeV, Igor Sklyarenko, Mikhail Glushenok and Sergey Zababurin could be facing imminent execution in Belarus. Two of the men were reportedly tortured and forced to sign confessions and four are thought to have been given seriously unfair trials.

Both Ivan Fomin and Mikhail Glushenok were reportedly severely tortured and forced to sign a confession of murder. The investigation of the murder of which Ivan Fomin is convicted is thought to have been flawed.

There are also allegations of serious procedural irregularities during the investigation and judicial process in the cases of Sergey ProtiraeV, Igor Sklyarenko and Sergey Zababurin. There has been serious criticism of the lack of conclusive evidence in all five cases.

The fact that Mikhail Glushenok was a drug addict on a five year probation at the time of his arrests was reportedly used against him by the case investigators. According to sources in Belarus, the court also refused to take Mikhail Glushenok's statement that he was tortured into account.

Lawyers from the City Collegiate of Zhlobin and the Minsk Regional Collegiate were reportedly indignant at the crude manipulation of case materials and the blatant violations of the Criminal Procedural Code of Belarus during the investigation of Sergey ProtiraeV.

Igor Sklyarenko was denied the right to legal defence, and the right to be presumed innocent until proved guilty. Witnesses who testified that he was in another town when the murder took place were ignored by the court.

Sergey Zababurin has maintained his innocence throughout the investigation. Although someone else admitted to committing the crime he was found guilty of after his trial, Zababurin's death sentence has not been overturned.

All five men are currently on death row in detention centre (SIZO) number one in Minsk. They reportedly describe their detention conditions as being unbearable, and are subject to constant verbal abuse.

#### **BACKGROUND INFORMATION**

In a press report in August 1998, Alyaksandr Ivanowski, the deputy Procurator General of Belarus, stated that 33 people have been executed in the country so far this year. In October 1998, Amnesty International received information that at least 84 people are currently on death row in Belarus.

#### **RECOMMENDED ACTION: Please send telegrams/faxes/express/airmail letters in Russian, English or your own language:**

- urging the Clemency Commission to recommend, and President Lukashenka to grant, clemency to Ivan Fomin, Sergey ProtiraeV, Igor Sklyarenko, Mikhail Glushenok and

Sergey Zababurin and to all other prisoners on death row in Belarus, and to commute their sentences;

- expressing concern at the allegations of torture in the cases of Ivan Fomin and Mikhail Glushenok and urging that they be fully investigated and that any perpetrators be brought to justice;

- expressing concern at the high number of executions carried out in Belarus this year;

- urging the Belarussian authorities to declare an official moratorium on executions, particularly while the country's application for membership of the Council of Europe is pending, in order to demonstrate their intent to move towards the abolition of the death penalty, as required of all states admitted to the Council;

- calling for official and comprehensive statistics on the application of the death penalty in Belarus to be made public;

- expressing deep sympathy with the victims of violent crime and their families, but pointing out that the death penalty has never been shown to deter crime more effectively than other punishments and is brutalizing to all involved in its application;

- reminding the government of Belarus of its commitment to the Universal Declaration of Human Rights, in particular Article 3: "Everyone has the right to life..."

**APPEALS TO:** (Please mark all appeals "URGENT - SROCHNO") **Due to Belarus' unreliable telephone system fax tones may be difficult to obtain. Please keep trying (it can help to dial slowly). If possible, please try ringing during office hours (+2 hours GMT) as fax machines are sometimes turned off at the end of the working day. If a voice answers, repeat "fax" until connected.**

The President of Belarus, Alyaksandr LUKASHENKA

Respublika Belarus, 220016 g. Minsk, ul. Karla Marksa, 38, Administratsia Prezidenta Respubliki Belarus, Presidentu Lukashenka A.H, BELARUS

**Telegrams: Presidentu Lukashenka, Minsk, Belarus**

**Faxes: + 375 172 22 38 72 / 26 06 10**

**Salutation: Dear President**

The Head of the Department for Applications for Clemency and Citizenship at the President's Administration, Vladimir Samusev

Respublika Belarus, 220016 g. Minsk, ul. Karla Marksa, 38, Administratsia Prezidenta Respubliki Belarus, Otdel po voprosam pomilovaniya i grazhdanstva, Zaveduyushchemu otdelom, Samusevu V. BELARUS

**Telegrams: Samusevu, Administratsia Prezidenta, Minsk, Belarus**

**Faxes: + 375 172 22 38 72 / 26 06 10**

**Salutation: Dear Mr Samusev**

**COPIES TO:**

The Procurator General of Belarus, Aleh BOZHELKO

Respublika Belarus, 220050 g. Minsk, Ul. Internatsionalnaya, 22, Prokuratura Respubliki Belarus, Generalnomu Prokuroru, BOZHELKU A., BELARUS

The Chairman of the Supreme Court of Belarus, Valentin SUKALO

Respublika Belarus, 220681 g. Minsk, Ul. Lenina, 28, Verkhovny Sud Respubliki Belarus, Predsedatelyu Sukalo V., BELARUS

**Faxes: + 375 172 27 12 25**

The Minister of Foreign Affairs of Belarus, Ivan ANTONOVICH

Respublika Belarus, 220030 g. Minsk, Ul. Lenina, 19, Ministerstvo inostrannykh del, Respubliki Belarus, Ministru ANTONOVICH I., BELARUS

**Faxes: + 375 172 27 45 21**

and to diplomatic representatives of Belarus accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.**

***"Everyone has the right to life..."***

*Article*

*3, Universal Declaration of Human Rights*

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<http://www.amnesty.excite.com>**