

URGENT ACTION

BELARUS SUPREME COURT REJECTS SECOND APPEAL

On 27 October, the Supreme Court of Belarus rejected the appeal of Andrei Zhuk, the second man whose death sentence has been upheld within the last month. Once he receives written notification of the rejection, Andrei Zhuk will have 10 days in which to apply to President Lukashenka for clemency.

On 17 July, 25-year-old **Andrei Zhuk** and two other men were found guilty by Minsk regional court of armed assault and the murder of a man and woman in February. On 22 July, the court sentenced Andrei Zhuk to death, and his two accomplices to life imprisonment and 13 years' imprisonment respectively. On 27 October, the Supreme Court of Belarus rejected Andrei Zhuk's appeal against the death sentence.

The 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.

Also on 27 October, the Supreme Court rejected Andrei Zhuk's complaint that he was beaten in custody on 1 March while in pre-trial detention, despite medical records that substantiate his claim.

Belarus is the last country in Europe and the former Soviet Union which still carries out executions. The death sentences of Andrei Zhuk and another man, **Vasily Yuzepchuk** (see UA update EUR49/012/2009), were passed shortly after Parliamentary Assembly of the Council of Europe (PACE) voted to restore Special Guest Status to the Belarusian Parliament, on the condition that Belarus declared a moratorium on the imposition of the death penalty.

Vasily Yuzepchuk received notification of the Supreme Court's rejection of his appeal on 13 October. He applied for clemency within the stipulated period; as yet there is no news that the sentence has been carried out.

PLEASE WRITE IMMEDIATELY in Russian or your own language:

- Urging President Lukashenka to grant clemency to Andrei Zhuk and Vasily Yuzepchuk;
- 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 9 DECEMBER 2009 TO:

President

Alyksandr 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 fourth 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

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 weeks later.

Further information on UA: 218/09 Index: EUR 49/014/2009 Issue Date: 29 October 2009

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