

EXTERNAL

10 January 1994

Jozas Maksimavicus

Republic of Lithuania

Amnesty International is concerned that Jozas Maksimavicus was sentenced to death by the Supreme Court of Lithuania on 20 December 1993. According to a report by ITAR-TASS news agency, he was convicted of the murder of the director of a metal works in Kazakhstan in December 1992. An accomplice was given a 15-year prison sentence.

Background information about the death penalty in Lithuania

The death penalty is retained in Lithuania for one crime only - premeditated murder under aggravated circumstances. According to an official of the Supreme Court, 13 people were sentenced to death in 1993. Nine of these sentences were commuted. Vladimir Ivanov, sentenced to death in July 1993 for the murder of a woman and her four-year-old daughter, and Valentinas Laskys, sentenced to death in August 1993 for the murder of "at least three people over the last three years" were both executed on 22 December 1993, following the rejection of their petitions for clemency. Another man, Aleksandras Novadkis, had previously been executed in August 1992. Amnesty International had appealed for the commutation of these death sentences. A petition for clemency in the case of Vidmantas Zibaitis, sentenced to death in September 1993, is known to be under consideration at present.

Capital cases in Lithuania are tried in the first instance before the Collegium of Criminal Cases of the Supreme Court. Appeals may be heard at the next highest level within the Supreme Court, the Supreme Court Presidium. A death sentence may also be reduced by judicial review. Under this procedure the highest judicial authority, the Supreme Court Plenum, re-examines the case after it has received a protest from the Chairman of the Supreme Court or the Procurator General against the judgment of the lower court. The final stage in the judicial process in death penalty cases is the submission of a petition for clemency by the condemned person. Clemency petitions are considered by the President of the Republic of Lithuania on the recommendation of the Clemency Commission, composed of the Ministers of Justice and of the Interior, the Chairman of the Supreme Court and the Procurator General.

A working committee charged with drafting a new criminal code is believed to be near to the end of its work. It is unclear what its conclusions will be on the death penalty.

Amnesty International has consistently pressed the Lithuanian authorities to review the use of the death penalty as a step towards its abolition and to impose a moratorium on death sentences and executions until an exhaustive review of the death penalty has taken place.