



Death penalty concerns in Belarus must be addressed. Oral intervention at the UN Human Rights Council 20th Session (18 June – 6 July 2012)

Item 4: Inter-active Dialogue with the High Commissioner for Human Rights in connection with the situation of human rights in Belarus¹

Madam President,

Amnesty International is concerned about the retention of the death penalty by Belarus and its application in disregard of even the most fundamental internationally recognised safeguards. This Council must address these egregious violations of the right to life.

The execution of Uladzslau Kavalyou and Dzmitry Kanavalau in March 2012 in connection with a series of bomb attacks in Belarus illustrates the failure to respect international standards. Amnesty International has serious concerns over the fairness of their trial. The swiftness of their arrest calls for scepticism about the investigation. They were detained on 12 April 2011, the day after a bombing in the Minsk metro. The Belarusian President declared publicly that both men had confessed to the attack before they were even interrogated.

Official statements claimed that Kavalyou and Kanavalau were detained on the basis of security camera footage, which the prosecution used during the trial. However, the security footage was only seized days after their detention, and the defence lawyer claimed it had been tampered with. Kavalyou retracted his confession, claiming it was obtained under pressure, including threats to shoot him.

Belarus continues to carry out executions in conditions of utmost secrecy. Prisoners, and the relatives of prisoners condemned to death, are not informed of the execution before it is carried out. The body is not returned to relatives, and they are not informed of the burial site. They are often kept waiting weeks or even months before they receive the official death notice.

Amnesty International urges the Government of Belarus to:

- promptly establish a moratorium on all executions with a view to abolishing the death penalty;

Pending full abolition, Belarus must:

- amend article 175 of the *Criminal Executive Code* in order to comply with the UN Human Rights Committee's 2003 views in the communications *Bondarenko v. Belarus* and *Lyashkevich v. Belarus*;
- ensure that children and other family members of those on death row have access to their relatives throughout judicial proceedings and the period of detention, including regular and private meetings with the prisoners;

¹ This statement is based on Amnesty International's written statement submitted to the 20th session of the Human Rights Council: "The human rights situation in Belarus," UN index: A/HRC/20/NGO/51 of 13 June 2012 (AI index: EUR 49/006/2012 at <http://www.amnesty.org/en/library/info/EUR49/006/2012/en>)

- keep relatives informed of the place of imprisonment of those awaiting execution as well as of the progress of petitions for pardons, reports presented to bodies such as clemency commissions, and the reasoning behind the recommendations of these bodies to support or reject petitions;
- ensure that children and other family members are provided with adequate advance information about a pending execution, its date, time and location, to allow a last visit or communication with the convicted;
- return the body of a person executed to the family for burial or inform them where the body is buried; and
- stop the secrecy surrounding its use of the death penalty.

Thank you Madam President.