

# URGENT ACTION

## EXECUTION IMMINENT AFTER DEATH SENTENCE UPHELD

**The death sentences of Ihar Hershankou and Siamion Berazhnoy were upheld by the Supreme Court of Belarus on 20 December 2017. The two men were convicted and sentenced to death by the Mahiliou Regional Court, in eastern Belarus, on 21 July 2017. In the likely event that their appeal for clemency is rejected by the President, both men will be at risk of imminent execution.**

On 21 July 2017, the Mahiliou Regional Court, in eastern Belarus, sentenced **Ihar Hershankou** and **Siamion Berazhnoy** to death. The two men were found guilty of murdering six people between 2009 and 2015 with the aim of appropriating their property. The case has become widely known as the “black real estate agents” case. On 20 December 2017 the Supreme Court of Belarus upheld their sentences. They will now request clemency from President Alyaksandr Lukashenka. Since 1994 the Supreme Court has upheld all death sentences that came before its review and President Lukashenka has only once granted clemency. Amnesty International therefore fears that in the likely event that their appeal for clemency is rejected by the President, both men will be at risk of imminent execution.

In Belarus, no notice is given of the date or time of execution, neither before nor after they are carried out, and no final meeting with relatives is granted. Death row prisoners are executed with a shot to the back of the head. In accordance with Belarusian law, their bodies are not returned to their families for burial, nor is the location of the burial site disclosed.

Belarus is the only country in Europe and Central Asia which continues to implement the death penalty. Amnesty International opposes the death penalty in all cases without exception as a violation of the right to life, as proclaimed in the Universal Declaration of Human Rights, and the ultimate cruel, inhuman and degrading punishment.

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

- Urging the President to grant clemency to Ihar Hershankou and Siamion Berazhnoy;
- Calling on the President to introduce an immediate moratorium on executions with a view to abolishing the death penalty;
- Stress that whilst we are not seeking to downplay the seriousness of the crime, research shows that the death penalty does not have a unique deterrent effect and is the ultimate denial of human rights.

### **PLEASE SEND APPEALS BEFORE 23 FEBRUARY 2017 TO:**

#### President

Alyaksandr Lukashenka  
Vul. Karla Marksa, 38  
220016 Minsk  
Belarus  
Fax: +375 17 226 06 10  
+375 17 222 38 72  
Email: [contact@president.gov.by](mailto:contact@president.gov.by)  
**Salutation: Dear President**

#### Prosecutor General

Alyaksandr Kaniuk  
Vul. Internatsionalnaya, 22  
220050 Minsk  
Belarus  
Fax: +375 17 226 42 52 (Say 'fax' clearly  
if voice answer)  
Email: [info@prokuratura.gov.by](mailto:info@prokuratura.gov.by)  
**Salutation: Dear Prosecutor General**

#### **And copies to:**

Human Rights Centre Viasna  
Vul. Miarzhynkaha, 8-26  
220012 Minsk  
Belarus  
Email: [viasna@spring96.org](mailto:viasna@spring96.org)

**Also send copies to diplomatic representatives accredited to your country.** HIS EXCELLENCY MR SERGEI ALEINIK Embassy of the Republic of Belarus, 6 Kensington Court W8 5DL, 020 7937 3288, Fax 020 7361 0005, [uk.london@mfa.gov.by](mailto:uk.london@mfa.gov.by), [www.uk.mfa.gov.by](http://www.uk.mfa.gov.by)  
**Please check with your section office if sending appeals after the above date.** This is the first update of UA 195/17. Further information: [www.amnesty.org/en/documents/eur49/6930/2017/en/](http://www.amnesty.org/en/documents/eur49/6930/2017/en/)

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### ADDITIONAL INFORMATION

Ihar Hershankou, Siamion Berazhnoy, and two other people, were found guilty of murder, kidnapping, embezzlement, drug possession and falsification of documents between 2009 and 2015 with the aim of appropriating real estate property. Their two co-defendants in the case were sentenced to 22 and 24 years in prison respectively.

Despite continuing assurances from the Belarusian authorities that it is progressing towards establishing a moratorium on the death penalty, Belarus continues to show a flagrant disdain for the global and regional trends towards abolition. Now, along with Ihar Hershankou and Siamion Berazhnoy, there are two other prisoners currently on death row in Belarus who were convicted and sentenced to death in 2016 and 2017, respectively: Kiryl Kazachok and Aliaksei Mikhalenya. Kiryl Kazachok chose not to appeal his conviction and sentence and the Supreme Court rejected Aliaksei Mikhalenya's appeal on 30 June 2017. Both men are at risk of imminent execution.

Death sentences are often imposed in Belarus after unfair trials which include use of forced "confessions" as evidence to convict; they are implemented in strict secrecy and without giving adequate notice to the condemned prisoners themselves, their families or legal representatives. The authorities refuse to return the bodies of those executed to their relatives or even disclose where they are buried. Executions have been carried out in breach of requests from the UN Human Rights Committee to the government for stays, pending the Committee's consideration of the petitions to review the cases. In November 2012, the Human Rights Committee found that the application of the death penalty in Belarus violates the human rights of those condemned and their families.

By failing to publish full information about the use of the death penalty, including comprehensive statistics about the number of death sentences imposed and executions carried out, the Belarusian authorities prevent informed public debate about the issue and hamper the movement towards abolition.

Amnesty International believes that the death penalty is the ultimate cruel, inhuman and degrading punishment, and a violation of the right to life as proclaimed in the Universal Declaration of Human Rights. Amnesty International supports calls, included in five resolutions adopted by the UN General Assembly since 2007, for the establishment of a moratorium on executions with a view to abolishing the death penalty. As of today, 105 countries have fully abolished the death penalty in law and 142 are abolitionist in law or practice.

Further information on UA: 195/17 Index: EUR 49/7712/2018 Issue Date: 12 January 2018