

URGENT ACTION

IVAN KULESH AT IMMINENT RISK OF EXECUTION

On 29 March, the Supreme Court of Belarus upheld the death sentence of Ivan Kulesh. His only hope now is to appeal for clemency to the President but this is likely to be rejected. Ivan Kulesh is at imminent risk of execution.

Ivan Kulesh was sentenced to death on 20 November 2015 by Hrodna Regional Court for “committing murder with particular cruelty”, theft and robbery. He was found guilty of the murder of three female shop assistants in 2013 and 2014 and of stealing goods and money from the shops where they worked. He was the second person to be sentenced to death in Belarus in 2015.

During the appeal hearing, Ivan Kulesh’s lawyer asked for his death sentence to be replaced with 25 years’ imprisonment, given that he had fully cooperated with the investigation. The Public Prosecutor said he saw no reason for the sentence to be commuted and the judge upheld the original verdict.

After a year in which no executions took place in Belarus, Ivan Kulesh is now at imminent risk of execution. Even if his lawyer files an appeal for clemency it is widely expected to be rejected by President Lukashenka who has consistently declined all but one such request since he came to power in 1994. As is customary in Belarus, Ivan Kulesh could be executed, in secrecy, soon after the President’s decision.

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

- Urging the President to commute the death sentence of Ivan Kulesh and all others on death row in Belarus;
- Calling on the President to establish an immediate moratorium on the use of the death penalty with a view to abolishing it;
- Stress that whilst not seeking to diminish the seriousness of Ivan Kulesh’s crime, research shows that the death penalty does not deter crime; it is also the ultimate denial of human rights.

PLEASE SEND APPEALS BEFORE 17 MAY 2016 TO:

President

Alyaksandr Lukashenka
Vul. Karla Marksa 38
220016 Minsk
Belarus
Fax: +375 17 226 0610
Email: contact@president.gov.by
**Salutation: Dear President
Lukashenka**

And copies to:

Prosecutor General
Alyaksandr Kaniuk
Vul. Internatsionalnaya 22
220050 Minsk
Belarus
Fax: +375 17 226 4252 (say “fax” clearly
if a voice answers)
Email: info@prokuratura.gov.by

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, 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 266/15. Further information:
<https://www.amnesty.org/en/documents/EUR49/2926/2015/en/>

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ADDITIONAL INFORMATION

Belarus remains the only country in Europe and the former Soviet Union which still carries out executions.

In Belarus, death sentences are often imposed after unfair trials which include forced confessions; 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 tell them where they are buried. Executions are carried out despite requests from the UN Human Rights Committee to the government not to do so until the Committee has considered 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. As of today, 140 countries have abolished the death penalty in law or practice. Three more countries – Fiji, Madagascar and Suriname – became abolitionist for all crimes in 2015.

Name: Ivan Kulesh

Gender m/f: m

Further information on UA: 266/15 Index: EUR 49/3766/2016 Issue Date: 5 April 2016