

Flygtningenævnets baggrundsmateriale

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Land:	Belarus (Hviderusland)
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EUROPE AND CENTRAL ASIA

REGIONAL TRENDS

- Belarus continued to impose and implement death sentences.
- Kazakhstan, the Russian Federation and Tajikistan continued to observe moratoriums on executions.
- Kazakhstan due to start procedures to join the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.

COUNTRY	2019 RECORDED EXECUTIONS	2019 RECORDED DEATH SENTENCES	PEOPLE KNOWN TO BE UNDER SENTENCE OF DEATH AT THE END OF 2019
Belarus	2+	3+	2+
Kazakhstan	0	0	1
Russian Federation	0	0	0
Tajikistan	0	0	0

NOTABLE COUNTRY DEVELOPMENTS

Authorities at Minsk Detention Centre No.1 in **Belarus** executed Alyaksandr Zhylnikau in June.⁹⁰ He was sentenced to death, alongside his co-defendant Viachaslau Sukharko, at a retrial in January 2018, after being found guilty of murder. Alyaksandr Zhylnikau filed a complaint to the UN Human Rights Committee in December 2018 and the Committee had requested the Belarusian authorities not to carry out the execution while the case was under consideration.⁹¹

Viachaslau Sukharko is believed to have also been executed at the same time as Alyaksandr Zhylnikau, but authorities had not issued official confirmation as of the end of the year.⁹²

The Mahiliou Regional Prosecutor's Office confirmed that Alyaksandr Asipovich was executed in December in Minsk. The Mahiliou Regional Court convicted and sentenced him to death in January for murder and the Supreme Court upheld the decision in May.⁹³

In July, the Viciebsk Regional Court convicted and sentenced to death Viktor Paulau for murder. The Supreme Court upheld the decision in November putting him at imminent risk of execution.⁹⁴

In October, the Brest Regional Court convicted and sentenced to death Viktor Serhil for murder. Viktor Paulau and Viktor Serhil were the only two people known to be on death row at the end of 2019.

90 Human Rights Center "Viasna", *Death convict executed in Belarus on the verge of II European Games*, 13 June 2019, <http://spring96.org/en/news/93194>

91 Human Rights Center "Viasna", *UN HRC registers complaint of Belarusian death row prisoner*, 29 December 2018, <https://dp.spring96.org/en/news/91717>

92 Amnesty International, *Belarus: Amnesty International condemns another death sentence execution* (Index: EUR 49/0535/2019)

93 "Belarusian Supreme Court upholds death sentence in double-murder case", RFE/RL, 14 May 2019, www.rferl.org/a/belarusian-supreme-court-upholds-death-sentence-in-double-murder-case/29940461.html

94 Human Rights Center "Viasna", *Supreme Court confirms death penalty for Viktor Paulau*, 12 November 2019, <http://spring96.org/en/news/94940>

In his report in December, the General Rapporteur of the Parliamentary Assembly of the Council of Europe continued to raise concerns about the secrecy in which executions were carried out in Belarus. He highlighted that authorities continued to execute people sentenced to death without giving prior notice to prisoners, their families or their lawyers. Furthermore, families were unable to recover the body of the executed family member or even find out where they were buried.⁹⁵ He also expressed concern that “many death sentences are passed at the end of unfair trials during which proof of guilt is provided by ‘confessions’ drawn up after the use of torture or in the absence of any defence counsel.”⁹⁶

In her report in May, among other concerns, the UN Special Rapporteur on the situation of human rights in Belarus noted the violations of human rights associated with the use of the death penalty in Belarus. Although she welcomed the work of the parliamentary working group on the question of the death penalty established in early 2017, she highlighted that no progress had been recorded at the time of her report and emphasized that it is clear that “achieving significant change requires political will and leadership.”⁹⁷ She urged the Belarusian government to reconsider its official line that the death penalty should be maintained until a majority of the population supports its abolition and added that a referendum is not needed where a moratorium can be decided either by the President or the parliament.⁹⁸

In December, the President of **Kazakhstan**, Kassym-Jomart Tokayev, instructed the Ministry of Foreign Affairs to start procedures to join the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.⁹⁹ The Optional Protocol commits its state parties to the abolition of the death penalty.

95 PACE, *Abolition of the death penalty in Council of Europe member and observer states, Belarus and countries whose parliaments have co-operation status – situation report*, AS/Jur (2019) 50, 11 December 2019, para. 37

96 PACE, *Abolition of the death penalty in Council of Europe member and observer states, Belarus and countries whose parliaments have co-operation status – situation report*, AS/Jur (2019) 50, 11 December 2019, para. 38

97 UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in Belarus, UN Doc. A/HRC/41/52, para. 90

98 UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in Belarus, UN Doc. A/HRC/41/52, para. 23

99 “Kazakhstan intends to sign international protocol on death penalty abolition”, KAZINFORM, 20 December 2019, www.inform.kz/en/kazakhstan-intends-to-sign-international-protocol-on-death-penalty-abolition_a3596675