

URGENT ACTION

PAVEL SELYUN SEEKS PRESIDENTIAL CLEMENCY

Pavel Selyun's appeal was turned down by the Supreme Court on 17 September. He had been sentenced to death on 12 June, and will now appeal to the President for clemency.

The Supreme Court turned down Pavel Selyun's appeal on 17 September. He had been sentenced to death by the Hrodna Regional Court on 12 June for the murder of his 21-year-old wife and her 23-year-old lover in August 2012. He is being held in a detention centre for death row prisoners in the capital, Minsk. The next stage for Pavel Selyun is to apply for clemency to the President of the Republic of Belarus.

The murder took place on 5 August 2012. Pavel Selyun was detained two days later on a train from the city of Hrodna, in western Belarus, to Baranavichy, about 200km away. The court found Pavel Selyun guilty under Article 139 (2) (murder of two or more people with particular cruelty), Article 205 (robbery), Article 347 (mutilation of corpse or grave), and Article 378 (theft of personal documents) of the Criminal Code of the Republic of Belarus.

After pronouncement of sentence on 12 June, his mother, Tamara Selyun, who lives over 300km from Hrodna, did not receive any letters from him for three weeks, and was concerned that he might be suicidal. On 4 July, the Hrodna Regional Court gave her permission to visit her son, and she was able to see him for the first time since the hearing where the verdict was read out on 12 June. Pavel Selyun was held in the Investigation Isolation Prison (SIZO) No. 1 in Hrodna, and in early August he was transferred to a detention centre for death row prisoners in Minsk.

In Belarus, prisoners on death row are told that they will be executed only moments before the sentence is carried out. They are shot in the back of the head; sometimes more than one bullet is needed. The body is not handed over to the family, who are often informed only afterwards, and the place of burial is kept secret, causing further distress to relatives. Pavel Selyun's relatives will be appealing to the UN Human Rights Committee to intervene.

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

- ✓ Calling on President Lukashenka to grant clemency to Pavel Selyun;
- ✓ Urging him to commute immediately all the death sentences in Belarus;
- ✓ Calling on him to introduce an immediate moratorium on the use of the death penalty.

PLEASE SEND APPEALS BEFORE 29 OCTOBER 2013 TO:

President

Alyaksandr Lukashenka

ul. Karla Marxa 38

220016 Minsk

Belarus

Fax: +375 17 226 0610,

+375 17 222 3872

Email: contact@president.gov.by

Salutation: Dear President

Also send copies to diplomatic representatives accredited to your country.

Please check with your section office if sending appeals after the above date. This is the first update of UA 166/13. Further information: <http://www.amnesty.org/en/library/info/EUR49/009/2013/en>

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ADDITIONAL INFORMATION

Belarus is the last country in Europe and Central Asia which still carries out executions: in 2012 it executed at least three men. To Amnesty International's knowledge, three death sentences have been pronounced so far in 2013: Rygor Yuzepchuk was sentenced on 24 April, and Alyaksandr Harynou on 14 June.

In Belarus, the use of the death penalty is compounded by a flawed criminal justice system. There is credible evidence that torture and other ill-treatment are used to extract "confessions"; condemned prisoners may not have access to effective appeal mechanisms; they and their relatives are subjected to cruel, inhuman and degrading treatment because of the secrecy surrounding the death penalty.

All details about executions in Belarus are secret and the only official information about how the death penalty is carried out is to be found in Articles 174 – 176 of the Criminal Executive Code. According to Article 175(2): "The death penalty is carried out in private by means of shooting". The Criminal Executive Code states that the Prosecutor, a representative of the detention facility and a doctor are present, although in exceptional circumstances other people may be allowed to attend with the permission of the Prosecutor. The Code further stipulates that the administration of the detention facility informs the judge about each death sentence that is carried out, and the judge informs the relatives. The body is not handed over to the relatives for burial and the place of burial is kept secret. Condemned prisoners are given no warning that they are about to be executed. They are first taken to a room where they are told that their appeal for clemency has been turned down, and sentence is carried out within minutes. They are then taken to a neighbouring room where they are forced to their knees and shot in the back of the head. Their families are only informed days or sometimes weeks after the execution that their relative has been executed.

As many as 400 people may have been executed in Belarus since it gained independence in 1991. There has only been one successful application for clemency since President Lukashenka came to power in 1994.

Amnesty International opposes the death penalty in all cases without exception. The death penalty violates the right to life, as proclaimed in the Universal Declaration of Human Rights. It is the ultimate cruel, inhuman and degrading punishment.

Name: Pavel Selyun

Gender m/f: M

Further information on UA: 166/13 Index: EUR 49/018/2013 Issue Date: 17 September 2013