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Belarus: UN human rights experts denounce execution

OHCHR (01.07.2019) — <https://bit.ly/2xHjINA> — Belarus must halt the executions of individuals who have submitted complaints to the Human Rights Committee, UN human rights experts said today upon being informed about the execution of Aleksandr Zhilnikov whose case is being examined by the Committee.

The Human Rights Committee, together with the UN Special Rapporteur on the situation of human rights in Belarus and the UN Special Rapporteur on extrajudicial, summary or arbitrary executions, strongly condemn Belarus for its continued use of the death penalty, following local news reports that the country had defied the Human Rights Committee's requests for a stay of execution for Aleksandr Zhilnikov. To date, Belarus has disregarded every Committee request for interim measures not to execute individuals while their cases were under the Committee's consideration. The Committee's procedure known as *interim measures* aims to stop the State from taking any action that would have irreparable consequences. Non-compliance with that procedure constitutes a serious violation by Belarus of its international obligations under article 1 of the Optional Protocol to the International Covenant on Civil and Political Rights, to which Belarus acceded in 1992.

"By not complying with the requests of the Committee to stay execution until the allegations of due process violations are examined, Belarus not only shows disrespect to the Committee, it also shows lack of respect toward the right to life itself", said Yuval Shany, Vice-Chair of the Human Rights Committee and one of the Special Rapporteurs on new communications and interim measures.

"Capital punishment may only be carried out after a legal process that gives all possible safeguards, including those provided for in international human rights law, to ensure a fair trial and pursuant to a final judgement", said Agnes Callamard, the Special Rapporteur on summary executions. "We remind Belarus that the only thing that distinguishes capital punishment from arbitrary execution is full respect for stringent due process guarantees."

Mr. Zhilnikov became the 14th person whose execution was carried out despite his pending case before the Human Rights Committee, in disregard of the Committee's request to halt the execution while the independent experts examined his allegations of human rights violations. He was initially sentenced to life in prison, however upon re-trial was sentenced to death in 2018. His pending complaint before the UN Human Rights Committee alleges that he was tortured in detention, denied access to legal assistance, and was subjected to an unfair trial.

"It is time for Belarus to show political will and leadership on the question of the death penalty and review its retentionist stand. The official line that the death penalty should be maintained until a majority of the population supports its abolition should be reconsidered. It is up to the Government to lead the debate and actively work to change mentalities in favour of abolition," said Anaïs Marin, Special Rapporteur on the situation of human rights in Belarus.

Belarus remains the last country in Europe and Central Asia that applies the death penalty. In its last report on the Republic of Belarus published in November 2018 (available in [English](#) and in [Russian](#)), the Human Rights Committee emphasized that Belarus “should consider establishing a moratorium on executions as an initial step towards legal abolition of the death penalty and ratification of the Second Optional Protocol to the Covenant, commute all pending death sentences to imprisonment and increase efforts to change public perception about the necessity of maintaining the death penalty”.

Despite Mr. Zhilnikov’s death, the Human Rights Committee will, per its usual practice, fully examine his case.
