

PC.DEL/815/11  
1 September 2011

ENGLISH  
Original: RUSSIAN

Delegation of Belarus

**STATEMENT BY MR. ALYAKSANDR SYCHOV,  
PERMANENT REPRESENTATIVE OF THE REPUBLIC OF BELARUS  
TO THE OSCE, AT THE MEETING OF THE  
OSCE PERMANENT COUNCIL**

1 September 2011

**In response to the statement by the delegation of Switzerland**

Mr. Chairperson,

The members of the OSCE Permanent Council are well familiar with the position of the Republic of Belarus on the question of capital punishment.

The temporary application of the death penalty pending its abolition is provided for under the Constitution of the Republic of Belarus. Nor does the application of the death penalty contravene our country's international commitments.

At the same time, this measure is an exceptional one and is applied only in extremely rare cases for particularly grave and brutal crimes.

Active work is continuing in Belarus with the aim of developing public support and creating conditions that would be conducive to the non-application in judicial practice of such a form of punishment as the death penalty and would ultimately lead to a moratorium on capital punishment or to its abolition.

To that end, in 2010 a special working group on the question of the death penalty was set up within the Belarusian Parliament, and the subject of a moratorium is being discussed in the media and at public information events, including those organized by the OSCE and the Council of Europe. In July of this year, in response to a request by the OSCE Office for Democratic Institutions and Human Rights we provided information on the situation regarding the death penalty in the Republic of Belarus.

Belarusian society is engaged in a frank dialogue on the issue of capital punishment. The question of the abolition of this form of punishment is a complex and multifaceted one that demands a comprehensive and balanced analysis, *inter alia* taking into account the results of the 1996 referendum in the country in which an overwhelming majority of the population spoke out in favour of the retention of this highest form of punishment. That being the case, we are counting on the understanding of our partners and hope that our arguments will be given proper consideration.

As regards the specific cases dealt with in the Swiss statement, we should like to say the following.

On 14 May 2010, under a ruling by the Grodno regional court, Mr. Andrei Burdyko and Mr. Oleg Grishkovets, both citizens of the Republic of Belarus, were sentenced to death. These persons, who had on previous occasions been repeatedly tried, were found guilty of having committed the crime provided for in Article 139, part 2, of the Criminal Code of the Republic of Belarus (murder under aggravating circumstances). In fact, they murdered three persons in the course of an assault for the purpose of robbery.

On 17 September 2010, the sentences against Mr. Andrei Burdyko and Mr. Oleg Grishkovets were upheld under an appeals ruling by the chamber for criminal cases of the Supreme Court of the Republic of Belarus. In this way, these sentences acquired legal force but were not carried out for the reason that appeals for clemency were under review by the Head of State. These sentences were carried out after clemency was refused by the Commission on Clemency under the Office of the President of the Republic of Belarus.

Thank you, Mr. Chairperson.