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**EXTERNAL**

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**Vidmantas Zibaitis**

**Republic of Lithuania**

Amnesty International is concerned that Vidmantas Zibaitis has been sentenced to death by the Supreme Court of Lithuania on 2 September 1993. According to a report in the Baltic Observer, the 22-year-old man was convicted of three murders in the Panevezys region, Kaunas and Minsk. An accomplice, 41-year-old Yelena Ustinovich from Belarus, received a nine-year prison sentence.

Background information about the death penalty in Lithuania

The death penalty is retained in Lithuania for one crime only - premeditated murder under aggravated circumstances. Eight death sentences have been passed since March 1990. Of these, two people had their sentences commuted following the submission of a petition for clemency ; one person committed suicide; one death sentence was overturned and one execution was carried out. Aleksandras Novadkis, convicted of the murder of a young girl, was executed on 8 August 1992, following the rejection of his petition for pardon on 2 May 1992. According to Amnesty International's information, this is the only execution to have been carried out since Lithuania gained independence. Amnesty International recently learned of two other death sentences passed in Lithuania. Vladimir Ivanov, who had been convicted of the murder of a woman and her four-year-old daughter, was sentenced to death on 21 July. Another man, Valentinas Laskys, was sentenced to death on 5 August for the murder of "at least three people over the last three years". Amnesty International is currently appealing for commutation of both these death sentences.

Capital cases in Lithuania are tried in the first instance before the Collegium of Criminal Cases of the Supreme Court. Appeals may be heard at the next highest level within the Supreme Court, the Supreme Court Presidium. A death sentence may also be reduced by judicial review. Under this procedure the highest judicial authority, the Supreme Court Plenum, re-examines the case after it has received a protest from the Chairman of the Supreme Court or the Procurator General against the judgment of the lower court. The final stage in the judicial process in death penalty cases is the submission of a petition for clemency by the condemned person. Clemency petitions are considered by the President of the Republic of Lithuania on the recommendation of the Clemency Commission, composed of the Ministers of Justice and of the Interior, the Chairman of the Supreme Court and the Procurator General.

A working committee charged with drafting a new criminal code is believed to be near to the end of its work. It is unclear what its conclusions will be on the death penalty.

Amnesty International has consistently pressed the Lithuanian authorities to review the use of the death penalty as a step towards its abolition and to impose a moratorium on death sentences and executions until an exhaustive review of the death penalty has taken place.