



Inter-Parliamentary Union

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Belarus

BLS/05 - Victor Gonchar

Decision adopted by consensus by the IPU Governing Council at its 196th session (Hanoi, 1st April 2015) ¹

The Governing Council of the Inter-Parliamentary Union,

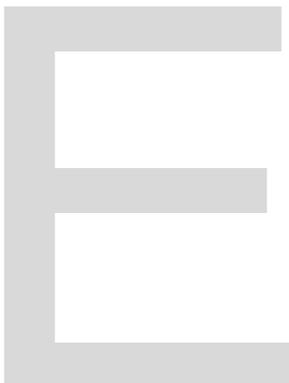
Referring to the case of Mr. Victor Gonchar, a member of the Thirteenth Supreme Soviet of Belarus, who disappeared, together with his friend, Mr. Anatoly Krasovsky, on 16 September 1999, and to the resolution it adopted at its 193rd session (October 2013),

Recalling, among the extensive information on file, the following:

- The investigation into the disappearances of Mr. Gonchar and Mr. Krasovsky after their abduction has thus far yielded no results, and the authorities have consistently refuted the conclusions of a report by the Parliamentary Assembly of the Council of Europe into disappearances for allegedly political reasons in Belarus (Pourgourides report), which linked senior officials to the disappearances. The evidence collected by Mr. Pourgourides to this effect includes a handwritten document from the then police chief, General Lapatik (the authenticity of which the Belarusian authorities have acknowledged), in which General Lapatik accuses Mr. V. Sheyman, then secretary of the Belarusian Security Council, of having ordered the killing of Mr. Zakharenko, a former Minister of the Interior, and states that the order was carried out by a special task force (SOBR unit) commanded by Colonel Pavlishenko, with the assistance of the then Minister of the Interior, Mr. Sivakov, who provided Colonel Pavlishenko with an official pistol, temporarily removed from SIZO-1 prison, for the execution. The same method was reportedly used in the executions of Mr. Gonchar and Mr. Krasovsky;
- According to the results of the initial investigation by the Belarusian authorities, Mr. Gonchar and Mr. Krasovsky were abducted by an organized armed group and driven to an undisclosed location. The traces of blood discovered at the scene proved to belong to Mr. Gonchar. Witnesses were found to the abduction. In November 2000, after the media reported the alleged implication of senior state officials, the Prosecutor General, the KGB Chairman and his deputy, and the officials involved in the investigation were removed from duty. Mr. Sheyman, the main suspect at the time in the case, was appointed Prosecutor General². According to the complainants, it was at that time that the investigation started to drag on and two volumes disappeared from the investigation file;

¹ The delegation of Belarus expressed its reservation regarding the decision.

² Following heavy criticism of his appointment, including in a joint statement issued by the Committee on Legal Affairs of the Parliamentary Assembly of the Council of Europe and the IPU Committee on the Human Rights of Parliamentarians, Mr. Sheyman was later removed from this post.



- In an interview President Lukashenko gave on 10 June 2009 to the Russian newspaper *Zavtra*, he stated that the cases of Mr. Gonchar and Mr. Krasovsky “were murders for business reasons; they had to buy or sell something and failed to stick to their promises, so they were killed, as is usual in ‘half-bandit’ circles, and traces of a murderer had been found in Germany”. The German authorities, however, denied this, and Ms. Krasovsky denied that her husband had any business problems;
- In July and August 2010, a documentary entitled “The Nation’s Godfather” was aired on a Russian TV channel and was also available in Belarus. The film dealt, inter alia, with the involvement of state authorities in the disappearance of politicians, including Mr. Gonchar. No response has been received to an application made to the Prosecutor General to investigate the evidence presented in the documentary;
- According to the letter dated 8 January 2013 from the Chairman of the House of Representatives Standing Committee on National Security, who was appointed after the September 2012 legislative elections in Belarus, the Standing Committee was informed by the General Prosecutor’s Office that the case of the disappearance of Mr. Gonchar and Mr. Krasovsky had been transferred from the Minsk City Prosecutor’s Office to a new Investigative Committee, which was established on 1 January 2012 in order to conduct the preliminary investigation under the oversight of the General Prosecutor’s Office and pursuant to an additional investigation plan. In his letter, the Chairman further indicated that the investigation had once more been extended, this time until 24 March 2013, but, yet again, provided no new information, and in particular no response to or observations on the specific questions and considerations long raised in previous resolutions. The Chairman merely reiterated that various lines of investigation were being pursued, that no details regarding the investigation could be revealed before the investigation was closed, and that the House of Representatives lacked supervisory authority over the Prosecutor General’s Office, thereby precluding any possibility of studying the case material being investigated by the Office,

Recalling that, in April 2012, the United Nations Human Rights Committee established under the International Covenant on Civil and Political Rights issued its decision on the merits of the application filed by Ms. Krasovsky and her daughter regarding the disappearance of Mr. Krasovsky. It concluded that Belarus had violated its obligation to investigate properly and take appropriate remedial action regarding Mr. Krasovsky’s disappearance, and requested Belarus to provide the victims with an effective remedy, including a thorough and diligent investigation and prosecution and punishment of the perpetrators. The UN Human Rights Committee further required Belarus to provide adequate information concerning the results of the investigation, as well as adequate compensation to the authors of the complaint, and Belarus was given 180 days by the Human Rights Committee to submit information about the measures taken pursuant to its decision,

Considering that, according to the complainant, no measures have been taken to date by the Belarusian authorities to implement the decision of the UN Human Rights Committee,

Further considering that the Parliament of Belarus has not supplied any updated information on the case since January 2013, or provided a response to its request of March 2013 that the Committee conduct a visit to Belarus,

1. *Is appalled* that impunity continues to prevail in the present case, almost 16 years after Mr. Gonchar’s disappearance;
2. *Deeply regrets* that the parliamentary authorities have remained silent on the proposed visit of the Committee to Belarus and they have not supplied any updated information; *remains convinced* that a visit to Belarus by a delegation of the Committee would offer an opportunity to obtain first-hand information on the current state of the investigation and the prospects for progress in the case; and *urges* once again the authorities to respond positively to the request;
3. *Recalls* that the conclusions by the United Nations Human Rights Committee in the case of Mr. Krasovsky have confirmed its own long-standing concerns about the absence of an effective investigation into both disappearances and the secrecy in which the investigation has been shrouded from the beginning; *further recalls* that impunity presents a serious threat both to members of parliament and to those they represent and that, accordingly, attacks against

the life of members of parliament, if left unpunished, not only violate the fundamental rights of individual parliamentarians, but also affect the ability of Parliament to fulfil its role as an institution;

4. *Reaffirms its view* that the Parliament of Belarus has a direct responsibility to ensure that every effort is made by all relevant authorities to identify and punish those responsible for the enforced disappearance of one of its members, and that the grave conclusions reached by the United Nations Human Rights Committee should prompt the Belarusian authorities to investigate thoroughly and diligently the many leads and concerns that have emerged thus far, in particular in the report of the Parliamentary Assembly of the Council of Europe; *wishes* therefore to know how this has been addressed to date;
5. *Requests* the Secretary General to convey this decision to the relevant authorities and to any third party likely to be in a position to supply relevant information, as well as to continue seeking the authorities' agreement for a visit;
6. *Requests* the Committee to continue examining this case.