



# INTER-PARLIAMENTARY UNION

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## CASE No. BLS/05 - VICTOR GONCHAR - BELARUS

*Resolution adopted unanimously by the IPU Governing Council at its 193<sup>rd</sup> session  
(Geneva, 9 October 2013)*

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 192<sup>nd</sup> session (March 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 and Mr. Sheyman, the main suspect at the time in the case, was appointed Prosecutor General<sup>1</sup>; according to the sources, it was at that time that the investigation started to drag and two volumes disappeared from the investigation file;
- 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; traces of a murderer have recently been found in Germany”; the German authorities however denied this, and Mrs. 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,

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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.

*Taking into consideration* the following: 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 the new Investigative Committee of the Republic of Belarus, which was established on 1 January 2012 and was now in charge of conducting 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,

*Noting 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 Mrs. Krasovsky and her daughter regarding the disappearance of Mr. Krasovsky,

*Considering* that the Human Rights Committee 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, that the 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 that Belarus was given 180 days by the Human Rights Committee to submit information about the measures taken pursuant to its decision,

1. *Regrets* that the authorities have not replied to the request by the Committee on the Human Rights of Parliamentarians to conduct a visit to Belarus;
2. *Reiterates* that a visit to Belarus by a Committee delegation would offer a timely opportunity to obtain first-hand information on the current state of the investigation and the prospects for progress in the case and *expresses the firm hope* that the Committee will be able to conduct a visit before its next session;
3. *Recalls* that the decision by the United Nations Human Rights Committee in the case of Mr. Krasovsky confirms 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; *wishes* to be informed of the measures taken to comply with the decision and to ascertain if the authorities have likewise informed Mr. Gonchar's family, as the United Nations Human Rights Committee has required them to do in the case of Mr. Krasovsky's family, about the results of the investigation;
4. *Firmly believes* that the grave conclusions reached by the United Nations Human Rights Committee should prompt the House of Representatives to do everything possible to help ensure that an effective investigation is indeed carried out; *urges* the House of Representatives to do this, in particular by insisting on obtaining specific information regarding the leads being pursued and any progress made in the investigation;
5. *Engages* the authorities to leave no stone unturned in shedding full light on this crime, notably by thoroughly investigating the many leads and concerns that have emerged thus far, in particular in the report of the Parliamentary Assembly of the Council of Europe, and *is therefore keen* to know how the investigation plan has been addressing these leads and concerns;

6. *Requests* the Secretary General to convey this resolution to the parliamentary authorities and to continue seeking the authorities' agreement for the visit;
7. *Requests* the Committee to continue examining this case.