



Inter-Parliamentary Union

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Belarus

Decision adopted unanimously by the IPU Governing Council at its 206th session (Extraordinary virtual session, 3 November 2020)



BLR-05 – Victor Gonchar

Alleged human rights violations

- ✓ Enforced disappearance
- ✓ Impunity

A. Summary of the case

Mr. Victor Gonchar disappeared in September 1999, along with Mr. Anatoly Krasovsky. Mr. Gonchar had been the Deputy Speaker of the 13th Supreme Soviet and a major political opponent of the President of Belarus, Mr. Aleksandr Lukashenko. He was the third prominent opposition figure in Belarus to have “disappeared” since April 1999.

Mr. Gonchar was expected to play a leading role in the talks organized by the Organization for Security and Co-operation in Europe between the opposition and President Lukashenko. At the time of his disappearance, he was due to chair an extended parliamentary session which could have set in motion the process to impeach the President.

Allegations have been made attributing his “disappearance” to State-run death squads known as SOBR (special rapid response unit) on the personal order of the former Minister of the Interior and of the Secretary General of the Belarusian Security Council. Official investigations have

Case BLR-05

Belarus: Parliament affiliated to the IPU

Victim: Male opposition member of parliament

Qualified complainant(s): Section I.(1)(a) of the [Committee Procedure](#) (Annex I)

Submission of complaint: August 1998

Recent IPU decision(s): February 2019

Recent IPU mission(s): November 1999

Recent Committee hearing(s): - - -

Recent follow-up:

- Communications from the authorities: Letters from the Chairman of the Committee on National Security of the House of Representatives dated July 2012 and January 2013
- Interview with sources: July 2020
- Communication from the complainant: August 2020
- Communication addressed to the authorities: Letter addressed to the Chairman of the House of Representatives (October 2020)
- Communication addressed to the complainant: August 2020

proved unavailing. Key officials suspected of involvement were never questioned and were subsequently promoted.

A report on disappearances in Belarus issued in February 2004 by the Parliamentary Assembly of the Council of Europe concluded that no proper investigation had been conducted, and that senior state officials may be implicated in the disappearances of several opposition figures, including Mr. Gonchar. The report mentioned numerous pieces of evidence pointing towards the involvement of the State in the disappearance, including evidence that a gun used for carrying out the death penalty against Mr. Gonchar was signed out by order of the Minister of the Interior on the date of Mr. Gonchar's disappearance. The authorities objected to the report's conclusions.

In March 2012, the United Nations Human Rights Committee also concluded, in the case of the enforced disappearance of Mr. Krasovsky, that Belarus had violated its obligations to investigate properly and take appropriate remedial action. It requested Belarus to provide the victims with an effective remedy, including a thorough and diligent investigation into the disappearance and prosecution and punishment of the perpetrators. No implementation measures have been taken by the authorities.

No information from the Parliament of Belarus or from the judicial authorities has been forthcoming since January 2012. Meetings with the leader of the Belarus delegation to the 132nd IPU Assembly (Hanoi, March–April 2015) and between the IPU President and the Speaker of the House of Representatives (September 2015) have been inconclusive, as the authorities have continued to affirm that the investigation was ongoing and confidential and that they did not need assistance. They have failed to provide any other information or to respond to the Committee's long-standing request to conduct a visit to Belarus.

The families and their lawyers have never been granted access to the investigation files, despite numerous petitions. Their requests – and those of the opposition United Civil Party – for the investigation into state officials and other leaders have remained unanswered. They had, *inter alia*, asked for the Prosecutor General to take into account, and investigate, documentaries and video testimonies aired on TV pointing to the involvement of the same top officials, in particular the documentary "Krestny Batka" (The Nation's Godfather), aired by the Russian channel NTV in the summer of 2010, and the important video testimony (allegedly dating from 2003 and aired in September 2018) of Mr. Viktor Zabolotsky, a Belarusian citizen who claimed to have been near the crime scene at the time of Mr. Gonchar's disappearance. The complainant indicated that the families had been informed on 6 December 2018 by the investigative authorities that the investigation had been suspended, as they had failed to identify the perpetrator, but that they would reopen it, should they identify a suspect. However, a prominent journalism investigation story based on the accounts of Mr. Yuri Garavsky, a new witness and self-confessed accomplice to the alleged murder of Mr. Gonchar, caused a sensation in the country when it came out in December 2019. According to an official letter provided by the complainant, the investigation into the disappearance of Mr. Gonchar was reopened on 24 December 2019, but was suspended once again in February 2020.

The United Nations Human Rights Council has repeatedly expressed deep concern at the continuing violations of human rights in Belarus, which it found were of a systemic and systematic nature, as well as at the use of torture and ill-treatment in custody, the lack of response by the Government of Belarus to cases of enforced disappearances of political opponents, and the lack of participation of opposition political parties in parliament. Most recently, the Council held an urgent debate on the situation in Belarus following the presidential elections of August 2020, and adopted a resolution condemning the reported use of violence and torture against thousands of protestors who had mobilized after the elections over allegations of massive voter fraud.

B. Decision

The Governing Council of the Inter-Parliamentary Union

1. *Expresses grave concern* over the complete and persistent impunity in this case, over 20 years after the disappearance of Mr. Victor Gonchar;

2. *Deeply regrets* the lack of cooperation from the Belarusian authorities and that the Belarusian Parliament chose not to meet virtually with the Committee on the Human Rights of Parliamentarians at its most recent session; *recalls* in this regard that the Committee's procedure is based on ongoing and constructive dialogue with the authorities, first and foremost the parliament of the country concerned;
3. *Notes with concern* that, during a hearing with the Committee at its most recent session, Mr. Yuri Garavsky provided detailed information on the circumstances surrounding the abduction and assassination of Mr. Gonchar and Mr. Anatoly Krasovsky, including the coordinates of the location where the bodies had allegedly been buried within the former base compound of Begoml, by direct order of the Belarusian authorities; *questions* why, despite abundant new evidence, the investigation had been allegedly suspended again in February 2020; *wishes* to receive official information on the current status of the investigation; and *requests* the parliamentary authorities to keep the IPU informed of any relevant developments in this regard;
4. *Points out* that the authorities have put forward no information to sustain their assertion that a genuine investigation into the disappearance was conducted over the past 20 years; *considers* that this gives serious weight to the mounting information and indications that have emerged over the years pointing to the direct responsibility of the Belarusian authorities for the disappearance of Mr. Gonchar;
5. *Recalls* that impunity, by shielding those responsible from judicial action and accountability, decisively encourages the perpetration of further serious human rights violations, and that attacks against the life of members of parliament, when left unpunished, not only violate the fundamental rights of individual parliamentarians and of those who elected them, but also affect the integrity of parliament and its ability to fulfil its role as an institution – even more so when leading figures of parliament and the opposition are targeted in the context of a broader pattern of repression, as in the present case; *points out* that the widespread or systematic practice of enforced disappearance constitutes a crime against humanity; *stresses* the legitimate right of the relatives of the victims to know about the fate of the disappeared persons, the circumstances of their enforced disappearance and to receive adequate compensation;
6. *Reaffirms its view* that the Parliament of Belarus continues to have a direct responsibility for ensuring that every effort is made by all relevant authorities to investigate thoroughly and diligently the many leads and concerns that have emerged, to identify and punish those responsible for the enforced disappearance of one of its members and to do everything possible to ensure that such violations do not recur in the future; *urges* parliament to take decisive and effective measures to this end; and *wishes* to be informed of progress made in this regard;
7. *Deeply regrets* that the long-requested mission by the Committee to Belarus to obtain first-hand information on the investigation and any prospects for progress in this case has still not received official endorsement from the national authorities; *expresses the firm hope* that parliament and other relevant authorities will respond favourably to this request so that a Committee delegation can travel to Belarus as soon as the COVID-19 pandemic-related travel restrictions are lifted;
8. *Calls* on all IPU Member Parliaments, IPU permanent observers, parliamentary assemblies and human rights organizations active in the region to take concrete actions in support of the urgent resolution of this case in a manner consistent with respect for democratic values and human rights; and *hopes* to be able to rely on the assistance of all relevant regional and international organizations;
9. *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 to a visit;
10. *Requests* the Committee to continue examining this case and to report back to it in due course.