

(Translated from Russian)

Permanent Mission of the Republic of Belarus

Information in response to the joint communication of the Working Group on Enforced or Involuntary Disappearances and the Special Rapporteur on extrajudicial, summary or arbitrary executions

The Investigative Committee of the Republic of Belarus is carrying out a pretrial investigation into the criminal cases opened on evidence of an offence under article 101 of the Criminal Code (1960 version) involving the disappearance of Mr. Y.N. Zakharenko, Mr. [REDACTED] and Mr. A.S. Krasovskiy.

On 18 December 2019, the preliminary investigation into the criminal cases was reopened owing to the need to conduct investigative and other procedural actions both in Belarus and abroad, to verify the statements made by [REDACTED] in his interview with the media outlet Deutsche Welle alleging his involvement in the abduction and murder of Mr. Zakharenko, [REDACTED] and Mr. Krasovskiy.

As part of the investigation into the criminal cases, investigative and other procedural actions are being organized and carried out for the purpose of verifying other versions of the disappearance of Mr. Zakharenko, [REDACTED] and Mr. Krasovskiy.

Despite the measures taken during the preliminary investigation, it has not been possible to identify the persons involved in the disappearance of Mr. Zakharenko, [REDACTED] and Mr. Krasovskiy, or their whereabouts.

Petitions and complaints submitted by the participants in criminal proceedings are considered in accordance with the requirements of the national legislation in force.

Given the requirements of article 83 (5) of the Criminal Code and based on the information gathered in the course of the preliminary investigation about the circumstances surrounding the illegal acts committed against Mr. Zakharenko, [REDACTED] and Mr. Krasovskiy, there are no grounds for terminating proceedings in these criminal cases owing to expiry of the term of limitation.

It should also be noted that, in accordance with article 198 of the Code of Criminal Procedure, **information from the pretrial investigation may not be disclosed because making it public would be contrary to the interests of the preliminary investigation.**

There are no grounds for reopening the preliminary investigation into the criminal case for the murder of Mr. D.A. Zavadski, given that, according to his interview, [REDACTED] had no connection to the events surrounding Mr. Zavadski's disappearance and was not a witness to any illegal acts committed against him.

All the necessary investigative and other procedural actions related to the facts of the criminal case have been carried out. The persons who abducted Mr. Zavadski were identified and convicted of that offence. The verdict against them is final and therefore binding under article 106 (1) of the Code of Criminal Procedure for the entity conducting criminal proceedings in another criminal case as regards the established facts and their legal assessment.

