



BELARUS: Acquittal of Lukashenka regime henchman in Switzerland

(St. Gallen, Paris, Minsk, Geneva, 28 September 2023) - Yuri Harauski has been acquitted of the crime of enforced disappearance of three political opponents in 1999 in Belarus. While the Court recognised the responsibility of the regime in the crimes, the judges were not convinced of the involvement of the defendant in the events. The families of the victims remain in a state of uncertainty about the exact circumstances of their loved ones' disappearances. TRIAL International, FIDH and Viasna regret today's verdict and will continue to support the victims in their quest for justice, including during the appeal process.

Following a two-day trial, the District Court of Rorschach (canton of St. Gallen, Switzerland) acquitted Yuri Harauski of the enforced disappearances, even though he had publicly and repeatedly confessed to and apologized for having participated in the kidnappings and murders of Yury Zakharenka, Viktor Hanchar and Anatoly Krasouski - three leading figures in the opposition to Aliaksandr Lukashenka's regime - in Belarus in 1999.

Despite the consensus between the suspect, his lawyer, the prosecution and the civil parties that Mr. Harauski had taken part in these tragic events, the Court held that his participation in the crimes could not be established beyond reasonable doubt. Yuri Harauski was therefore acquitted of the charge of enforced disappearances.

Thus, twenty-four years after the events, the families of the missing persons remain in a deeply troubling state of uncertainty regarding the fate of their loved ones and the identities of the individuals who participated in their disappearances. For Valeriya Krasouskaya, daughter of Anatoly Krasouski, this decision is profoundly disappointing: *"I am determined to appeal against it"*. The Prosecutor might also appeal this verdict.

The three partner organisations, which initiated the proceedings in 2021, regret today's decision, noting that the verdict nonetheless does not question the brutal crimes committed by Aliaksandr Lukashenka's regime. They also regret that the Court has not engaged with the daughters of the disappeared, plaintiffs in the case, during the trial.

Irrespective of the verdict, the trial of Yuri Harauski has already set an historic precedent: for the first time anywhere in the world, a court ruled on crimes committed in Belarus, on the principle of universal jurisdiction. Today's acquittal demonstrates that the road to justice is sometimes strewn with pitfalls. However, it will not undermine the determination of the victims to pursue their fight for truth and justice.

The three partner organisations stress that the international community must now increase its efforts to hold accountable the regime's most senior officials and bring an end to impunity for the crimes committed in Belarus.

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Historical background:

Yuri Harauski went public in 2019, stating that he had participated in the kidnappings and murders of the three victims in 1999. On the basis of this confession, he was reported to the criminal prosecution authorities of the canton of St. Gallen in 2021 by TRIAL International, FIDH, and Viasna, as well as by the relatives of two of the disappeared. The procedure was made possible by the application of universal jurisdiction, as the accused was present on the territory of the canton of St. Gallen when the complaint was lodged.