



Empire State Building #4202  
New York, NY 10118

17 August 2020

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**PRESIDENT AND CEO**

*PERSON*

Garry Kasparov  
**CHAIRMAN**

*ROLE*

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**PERSON,**

We would like to notify you of information that demands your urgent attention:

- (1) HRF has concluded that security agencies of the Belarusian State are committing crimes against humanity;
- (2) we have reasons to believe that you, **PERSON,** are one of the persons behind said crimes against humanity;
- (3) crimes against humanity are imprescriptible under international law and are not subject to amnesty;
- (4) HRF will make sure that you serve time in prison for your role in the commission of these crimes, in addition to verifying that your name is included in the list of persons subject to economic and immigration sanctions in all democratic countries around the world;
- (5) HRF demands that you resign from your position as **ROLE,** surrender your rank, surrender your authority, and facilitate a transition to democracy as soon as possible in Belarus; if you do this, HRF pledges to include your name on a list of persons under extenuating circumstances that will be submitted to the international community and to the future democratic government of Belarus, so that they may consider your role in forming a democratic Belarus and preventing further bloodshed in the country.

**IN MEMORIAM**

Václav Havel  
**CHAIRMAN EMERITUS**  
(1936-2011)  
  
Vladimir Bukovsky  
(1942-2019)  
  
Palden Gyatso  
(1933-2018)  
  
Eduardo Mendoza  
(1917-2009)  
  
Ramón José Velásquez  
(1916-2014)  
  
Elie Wiesel  
(1928-2016)  
  
Harry Wu  
(1936-2016)

**1. Crimes against humanity committed by agents of the Belarussian State**

The Rome Statute of the International Criminal Court defines “crimes against humanity” as any of a series of criminal acts as long as they are committed as “part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack.” These crimes include murder, imprisonment or other serious deprivation of physical liberty in violation of fundamental rules of international law, torture, rape or other sexual abuse of comparable gravity, the persecution of an identifiable group or community due to politically motivated reasons, or other inhumane act of a similar character that intentionally causes great suffering or presents a serious threat to physical integrity or mental or physical health.

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HRF has verified that each of these crimes - murder, imprisonment of innocent persons, torture, persecution based on political motives, and other inhumane acts - have been taking place in Belarus as part of a generalized and systematic attack against the civilian population that is demonstrating in the streets against the dictatorship of Alexander Lukashenko.

*a. Murder*

To date, two protesters have been killed by state security forces as a result of the excessive use of force by the repressive forces of the State led by you. One man was killed in Minsk on August 10, 2020 at a demonstration. Videos on social media show that he was shot by state security agents. A second man was killed in Gomel on 13 August, 2020, after being taken into custody and beaten by security forces.

*b. Imprisonment*

Only in the past week, thousands of people have been arbitrarily arrested by the Belarusian government security forces. It is estimated that 6700 people in total were beaten and detained. HRF considers them prisoners of conscience because they are innocent people imprisoned for exercising their human rights, that is imprisoned in a context of a generalized or systematic attack against the civilian population opposed to the government that is peacefully protesting in the streets, with the government's knowledge of the attack.

*c. Torture*

There are dozens of credible allegations by victims of torture by State agents who receive orders from the Lukashenko regime. Many people have attested to the fact that torture is taking place in detention centers across Belarus. For example, women have said they are threatened with rape, forced to strip naked and parade in front of video cameras. There are testimonies that people are stuffed into tiny cells without food or water, unable to move and forced to sit in their own blood and excrement, that the arrested are told to lie face down on the floor on top of each other, and are beaten bloody.

**2. Your commission of at least one of these crimes against humanity and responsibility for crimes committed under your command.**

In the case of *Prosecutor v. Blaskic*, *Prosecutor v. Kordić & Čerkez*, and *Prosecutor v. Duško Tadić*, the International Criminal Tribunal for the former Yugoslavia found that “*a single act* committed by a perpetrator within a context of a generalized or systematic attack against the civil population brings about individual criminal liability, and it is not necessary for the perpetrator to commit numerous offenses in order to be considered responsible.”

Your role as **ROLE** allowed you to supervise directly the commission of one of the following crimes: murder, incarceration, and torture.

Article 28 of the Rome Statute of the International Criminal Court codified the doctrine of command responsibility. According to this article, “military commanders are held criminally responsible for crimes committed by armed forces under their effective command and control, such as rape and any sexual violence used in war. This applies to instances where the superior knew or should have known about such crimes, or failed to take all necessary and reasonable measures to prevent their commission”. This means that even if you were not directly involved in a particular act, you will be held responsible for the acts of any people serving under your command.

Therefore, due to your position within the hierarchy of law enforcement, it is clear that you are responsible under the doctrine of command responsibility for the commission of the crimes against humanity referred to above.

### **3. Imprescriptibility and inapplicability of amnesty for crimes against humanity.**

Under international law, crimes against humanity are imprescriptible, irrespective of the date on which the offences were committed. This means that you can be tried anytime in the future for the crimes you have committed anytime in the past or will commit in the future.

Similarly, according to international law, you will not be able to argue that the actions carried out by the repressive forces you lead were "legal" in accordance with the norms dictated and interpreted at will by the Lukashenko regime and the Supreme Court of Justice controlled by his dictatorship.

### **4. HRF's commitment is to seek criminal prosecution for these crimes both in Belarus and abroad**

HRF's mission is to defend human rights where they are systematically denied to people. In other words, in dictatorships and authoritarian countries. Therefore, since its foundation in 2005, HRF's board of directors has included people from all over the world who at some point were wrongfully imprisoned for political motives in authoritarian countries.

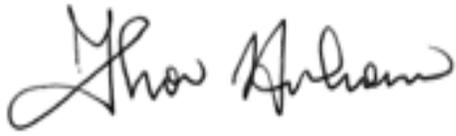
In over 15 years of work in the promotion and protection of human rights, HRF has developed a high-quality network of international contacts at international organizations and in democratic governments. HRF will do all the necessary work to make sure that, while the dictatorship still stands, and especially once it falls, you are prosecuted, your assets are confiscated and your visas to democratic countries are denied, and, finally, that you serve time in prison to pay for the crimes against humanity you are responsible for.

### **5. Leniency in case of repentance and collaboration with the fall of the regime**

Having said all the above, international criminal law recognizes mitigating actions that, under exceptional circumstances, can lead to a reduction in the sentence given to perpetrators of crimes against humanity, especially if their actions facilitate the prosecution and punishment of other higher-ranking perpetrators of these same crimes. HRF urges you to resign from your position, surrender your rank and authority, lay down the weapons that you currently use on behalf of the dictatorship of Alexander Lukashenko, and invites you to facilitate a transition to democracy as soon as possible in Belarus.

If you do this, HRF commits to including your name on a list of persons with extenuating circumstances that we will publish for the international community and will submit to the future democratic government of Belarus, so that they may consider your change of heart and your commitment to a peaceful and democratic Belarus.

Sincerely yours,



Thor Halvorssen  
President



Garry Kasparov  
Chairman