

## FREEDOM IN THE WORLD

# Belarus

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### OVERVIEW:

The September 2012 parliamentary elections were neither free nor fair and once again resulted in a legislature that lacked any opposition representation. Although Belarus released two political prisoners in the spring, the authorities held at least a dozen more. The regime of President Alyaksandr Lukashenka continued to crack down on all forms of protest, further concentrate power in the hands of Lukashenka's sons, maintain tight control over the media, and harass leaders of internet news sites.

Belarus declared independence in 1991, ending centuries of rule by Poland, Russia, and the Soviet Union. In 1994, voters made Alyaksandr Lukashenka, a member of parliament with close links to the security services, Belarus's first post-Soviet president. He pursued reunification with Russia and subordinated the government, legislature, and courts to his political whims while denying citizens basic rights and liberties. A widely criticized 1996 referendum approved constitutional amendments that extended Lukashenka's term through 2001, broadened presidential powers, and created a new bicameral parliament, the National Assembly.

Lukashenka won a second term through disputed elections in September 2001, amid accusations by former security officials that the president was directing a death squad aimed at silencing his opponents. Four politicians and journalists who had been critical of the regime disappeared during 1999 and 2000. Not a single opposition candidate won a seat in the 2004 parliamentary elections (three had been elected in 2000), and voters ostensibly endorsed a parallel referendum proposal to allow Lukashenka to run again in 2006.

The March 2006 presidential election, in which Lukashenka won a third term, did not meet democratic standards. The poll brought 10,000 to 15,000 protesters to Minsk's October Square on election day. The authorities detained and beat many activists, and opposition activity dwindled after the protests as the government jailed opposition leaders and intimidated their supporters with fees and warnings. Alyaksandr Kazulin, one of three opposition candidates, was sentenced to five and a half years in prison for protesting the flawed election and the subsequent crackdown.

To bolster his international standing, Lukashenka released all political prisoners identified by the European Union (EU) and the United States by August 2008, including Kazulin. However, no opposition candidates won seats in the September 2008 parliamentary elections, and the authorities arrested a new batch of political prisoners in a February 2009 crackdown.

On December 19, 2010, Lukashenka won a fourth term as president in a deeply flawed election, though some opposition candidates were allowed to run. When approximately 15,000 protesters turned out to question the legitimacy of the vote, the authorities arrested more than 700 individuals,

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including seven of the nine opposition presidential candidates, and many of them remained in jail for long periods. The regime later sentenced three of the former candidates to prison: Andrei Sannikau (five years), Dzmitry Uss (five and a half years, released in October 2011), and Mikalay Statkevich (six years). In August 2011, the authorities arrested Viasna Human Rights Center leader Ales Byalyatski after he circulated reports about the regime's crackdown on freedom of assembly; he was sentenced to four and a half years in jail for tax evasion. In 2012, despite releasing Sannikau and his colleague Dzmitry Bandarenka in the spring, the authorities continued to hold at least 12 political prisoners, including Byalyatski, Statkevich, and Dzmitry Dashkevich, leader of the Young Front political movement, who had a third year added to his original two-year sentence in August for disobedience in prison.

Parliamentary elections held on September 23, 2012 once again failed to elect a single member of the opposition. The Organization for Security and Co-operation in Europe declared that the elections were "not competitive from the start." The outcome in 1 of the 110 races remained undecided when the only candidate running failed to win the necessary number of votes to validate his election. Official voter participation was 74.6 percent, though observers claimed that the turnout was inflated through ballot stuffing. More than a quarter of the voters cast early ballots, often an indicator of fraud. The authorities blocked key opposition figures from running for office, harassed critics of the regime, failed to administer the elections fairly, and prevented observers from independently verifying the vote count. The opposition was divided over whether to boycott the elections or to participate, with two major parties—the United Civic Party and the Belarussian Peoples Front—pulling out of the elections just before the balloting. In contrast to previous elections, no protests followed the blatantly rigged voting, suggesting that the authorities had improved the effectiveness of their repressive techniques. In October, the EU extended its sanctions against 243 officials in the Belarusian regime and 32 state-controlled entities for another year.

Amid the on-going crackdown, Lukashenka appeared increasingly interested in concentrating power in the hands of his family. During a trip to Venezuela, the president hinted that he was grooming his 7-year-old son, Mikalay, to be his successor. Lukashenko subsequently denied such an intention, but the child frequently accompanies him as he performs his official duties. Another son, Viktar, 36, is officially the president's adviser on national security issues and reportedly controls the KGB; within the past year, he has subordinated the police to the organization, making him the second most powerful man in the country. However, following the dismissal of KGB chairman Vladimir Zaitsev in November 2012, some analysts have argued that Viktar's influence is weakening and the president remains the only key player.

## **POLITICAL RIGHTS AND CIVIL LIBERTIES:**

Belarus is not an electoral democracy. Serious and widespread irregularities have marred all recent elections, including the December 2010 presidential poll and the September 2012 parliamentary elections. The 110 members of the Chamber of Representatives, the lower house of the rubber-stamp National Assembly, are popularly elected for four years from single-mandate constituencies. The upper house, the Council of the Republic, consists of 64 members serving four-year terms; 56 are elected by regional councils and 8 are appointed by the president. The constitution vests most power in the president, giving him control over the government, courts, and even the legislative process by stating that presidential decrees have a higher legal force than ordinary legislation. The president is elected for five-year terms, and there are no term limits.

There is no official progovernment political party. Opposition parties have no representation in the National Assembly, while most members of the parliament are unaffiliated with any party. Young members of opposition parties report being deliberately drafted into the military; soldiers are banned from party membership. Amendments to the electoral law adopted in 2009 give parties more opportunities to campaign but do not provide for a transparent vote

count. Groups that advocate election boycotts, such as Tell the Truth, face prison terms and other harassment.

The state controls 70 percent of the Belarusian economy, feeding widespread corruption. Graft is also encouraged by an overall lack of transparency and accountability in government. Belarus was ranked 123 out of 176 countries surveyed in the 2012 Transparency International Corruption Perceptions Index.

President Alyaksandr Lukashenka systematically curtails press freedom. Libel is both a civil and a criminal offense, and a 2008 media law gives the state a monopoly over information about political, social, and economic affairs. Belarusian national television is completely under the control of the state and does not present alternative or opposition views. The state-run press distribution monopoly limits the availability of private newspapers. The authorities routinely harass and censor the remaining independent media outlets, including by using physical force, confiscating equipment, and revoking journalists' credentials. The authorities do allow two independent newspapers to publish: *Nasha Niva* and *Narodnaya Volya*.

Internet penetration has doubled from a quarter to nearly half of the population over the last five years. Every day, more than 400,000 Belarusians—the audience size for state television—visit news websites. To deal with this shift, the government is seeking greater control over the internet, through legal and technical means. The 2008 media law subjects internet outlets to the same restrictions as traditional media, and the government owns the country's sole internet-service provider. A presidential decree that took effect in June 2010 requires internet café owners to identify users and track their activities. At the beginning of 2012, a law codified the provisions of the decree. The authorities have repeatedly blocked access to social-networking sites, such as the Russian VKontakte and U.S.-based Facebook and Twitter, while the KGB harasses on-line opposition activists. The opposition website Charter97.org frequently experiences denial-of-service attacks, and its staff members have been threatened and arrested; its editors now work from Poland and Lithuania. Web sites that claimed the parliamentary election turnout figures were exaggerated were blocked from the view of Belarusian internet users. In July 2012, photo-journalist blogger Anton Suryapin was arrested for posting images of a Swedish plane dropping teddy bears into Belarus to support local dissidents; he faces a potential prison term of seven years.

Despite constitutional guarantees of religious equality, government decrees and registration requirements have increasingly restricted religious activity. Legal amendments in 2002 provided for government censorship of religious publications and barred foreigners from leading religious groups. The amendments also placed strict limitations on religious groups that have been active in Belarus for fewer than 20 years. The government in 2003 signed a concordat with the Belarusian Orthodox Church, which enjoys a privileged position. The authorities have discriminated against Protestant clergy and ignored anti-Semitic attacks.

Academic freedom is subject to intense state ideological pressures, and institutions that use a liberal curriculum or are suspected of disloyalty face harassment and liquidation. Regulations stipulate immediate dismissal and revocation of degrees for students and professors who join opposition protests. Wiretapping by state security agencies limits the right to privacy.

The government restricts freedom of assembly for critical independent groups. Protests and rallies require authorization from local authorities, who can arbitrarily deny permission. When public demonstrations do occur, police frequently break them up and arrest participants.

Freedom of association is severely restricted. More than a hundred of the most active nongovernmental organizations (NGOs) were forced to close down between 2003 and 2005, and participation in an unregistered or liquidated political party or organization was criminalized in 2005. Registration of groups remains selective. As a result, most human rights activists operating in the country face potential jail terms ranging from six months to two years. Regulations introduced in 2005 ban foreign assistance to NGOs, parties, and individuals deemed to have promoted "meddling in the internal affairs" of Belarus from abroad.

Independent trade unions face harassment, and their leaders are frequently fired and prosecuted for peaceful protests. No independent trade unions have been registered since 1999. Over 90 percent of workers have fixed-term contracts, meaning that they can be arbitrarily dismissed when the contract expires.

Although the constitution calls for judicial independence, courts are subject to significant executive influence. The right to a fair trial is often not respected in cases with political overtones. Observers raised questions about the fairness of a trial that sentenced two men to death for a 2011 train bombing that killed 15; the men were executed in a hasty manner in March 2012 by being shot in the back of the head. Human rights groups continue to document instances of beatings, torture, and psychological pressure during detention in cases involving leaders of the democratic opposition. An October 2012 report from Human Rights Watch documented cases of abuse against political prisoners such as Ales Byalyatski and Dzmitry Dashkevich and warned that the situation was getting worse. Several lawyers for the political opposition have been disbarred. The power to extend pretrial detention lies with a prosecutor rather than a judge, in violation of international norms. Ethnic Poles and Roma often face discrimination.

An internal passport system limits freedom of movement and choice of residence. Some opposition activists have been turned back at the border or detained for lengthy searches. On December 7, 2012, Lukashenka signed a decree preventing wood processing plant employees from quitting without their superior's permission, effectively blocking labor migration to Russia. The state has also nationalized companies that had earlier been privatized. Belarus's command economy severely limits economic freedom.

Women are not specifically targeted for discrimination, but there are significant discrepancies in income between men and women, and women are poorly represented in leading government positions. As a result of extreme poverty, many women have become victims of the international sex trade. In May 2012, the government denied gay activists a permit to protest discrimination.

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