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FREEDOM IN THE WORLD

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Belarus

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OVERVIEW:

Public protests following the deeply flawed December 19, 2010, presidential election led incumbent Alyaksandr Lukashenka, who claimed to have won a new term, to orchestrate an extensive crackdown on all forms of dissent. Most visibly, three former presidential candidates received prison terms of five years or more for their roles in the demonstrations. Protesters continued to come into the street during 2011, but they faced prison terms even for mild forms of expression like wordlessly clapping hands. The regime also continued to harass the media and attempted to gain tighter control over the internet. Ethnic Poles and their leaders similarly faced official harassment during the year.

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 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. As with previous votes, the Organization for Security and Cooperation in Europe (OSCE) declared that the parliamentary elections fell "significantly short" of Belarus's commitments.

The March 2006 presidential election, in which Lukashenka won a third term, did not meet democratic standards, according to the OSCE. The poll brought 10,000 to 15,000 protesters to Minsk's October Square on election day. However, the authorities detained and beat many activists, and opposition activity dwindled after the protests, as the government jailed opposition leaders and intimidated their rank-and-file 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. The authorities' brutal treatment of the approximately 15,000 protesters who turned out to question the legitimacy of the vote cast a shadow over the country during 2011. More than 700 individuals were arrested, 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), and Mikalay Statkevich (six years). In March, Youth Front leader Dzmitry Dashkevich received two years, while another activist, Eduard Lobau, was sentenced to four. The two had been arrested before the December vote and charged with assaulting a passerby so that they would not be free to lead protest activity on election day. At least 41 people were convicted for participating in the postelection demonstrations, with 28 arrestees still in jail by mid-September.

2012 SCORES

STATUS

Not Free

FREEDOM RATING

6.5

CIVIL LIBERTIES

6

POLITICAL RIGHTS

7

The numerous crackdowns on antigovernment protests during 2011 drove demonstrators to adopt novel tactics, such as wordlessly clapping their hands or ringing their mobile phones in unison, in an attempt to deprive the police of a pretext for arresting them. Nevertheless, more than 100 people were arrested on July 3 (Independence Day) for engaging in such an action. At their height in the summer, the unusual forms of protest brought out thousands of people in 30 cities across the country.

Also during 2011, the KGB carried out an extensive harassment campaign against all activists who spoke out against the government or published critical material. In August, 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.

Separately, on April 11, a bomb blast struck a Minsk subway station, killing 15 people. Two Belarusian men from Vitebsk were sentenced to death for carrying out the unprecedented terrorist act in a trial that critics claimed was flawed. The authorities harassed media outlets that criticized the emergency response and the criminal investigation into the explosion.

Russia's ongoing efforts to slash energy subsidies to Belarus caused an economic crisis during 2011, with a plummeting currency, increasing unemployment, spiraling inflation, and goods shortages. These conditions undermined Lukashenka's long-standing argument that his rule guaranteed a reasonable standard of living for Belarusian citizens.

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. 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.

Opposition parties have no representation in the National Assembly, while pro-presidential parties serve only superficial functions. 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. Local elections in April 2010 produced unusually large returns for proregime candidates.

The state controls 70 percent of the Belarusian economy, feeding widespread corruption. Graft is also encouraged by the overall lack of transparency and accountability in government.

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 and 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 through physical force and revocation of journalists' credentials. The authorities do allow two independent newspapers to publish: *Nasha Niva* and *Narodnaya Volya*. Charges filed against the papers for "wrong coverage" were dropped without explanation in July 2011. Also that month, a Belarusian court convicted Andrzej Poczobut, an ethnic Polish Belarusian citizen who writes for Poland's *Gazeta Wyborcza*, of defaming Lukashenka. He received a suspended three-year prison sentence and was banned from leaving Belarus.

Internet penetration has doubled from a quarter to nearly half of the population over the last five years, and the number of broadband subscribers has exploded from 11,400 in 2006 to 1.8 million in January 2011. 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. 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. The authorities have repeatedly blocked access to social-networking sites, such as the Russian VKontakte and U.S.-based Facebook and Twitter. Charter97.org news editor Natalya Radina, who had been facing trial for publishing appeals to citizens to participate in the December 2010 protests, fled the country in March 2011 and sought political asylum in Lithuania. Charter97.org frequently experiences denial of service attacks, and its staff members have been threatened and arrested.

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, according to the U.S. State Department.

Academic freedom is subject to intense state ideological pressures, and institutions that use a liberal curriculum, promote national consciousness, 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. In May 2011, the Economic Court evicted the Belarusian Popular Front opposition party from premises it had used since the 1990s. 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 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. Human rights groups continue to document instances of beatings, torture, and inadequate protection during detention in cases involving leaders of the democratic opposition, and their trials are frequently held in secret. In May 2011, the European Parliament passed a resolution condemning the reported use of torture by the police and KGB against opposition activists and journalists. 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. In 2010, the police seized the property of the unofficial Union of Poles in Belarus and arrested its activists. Uladzislau Tokarau, head of the Vitebsk branch of the Union of Poles in Belarus, fled the country in May 2011, fearing that he would be arrested on fraud charges following a police search of his apartment.

An internal passport system limits freedom of movement and choice of residence. Citizens no longer need a travel permit before going abroad, but as of 2010, at least 120,000 people were banned from foreign travel due to their possession of state secrets, pending legal cases, or outstanding financial obligations. Some opposition activists have been turned back at the border or detained for lengthy searches. 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.

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