

Flygtningenævnets baggrundsmateriale

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Freedom in the World 2020

Belarus

NOT FREE

19
/100

<u>Political Rights</u>	5 /40
<u>Civil Liberties</u>	14 /60

LAST YEAR'S SCORE & STATUS

19 /100 Not Free

Global freedom statuses are calculated on a weighted scale. [See the methodology.](#)



Overview

Belarus is an authoritarian police state in which elections are openly rigged and civil liberties are curtailed. After permitting limited displays of liberalism during the

pursuit of better relations with the European Union (EU) and the United States, the government visibly backtracked to strengthen control over the scarce space for freedom.

Key Developments in 2019

- Candidates affiliated with President Alyaksandr Lukashenka won every lower-house seat in the November parliamentary election. The two legislators unaffiliated with Lukashenka in the last parliament were kept off the ballot.
- In March, Marina Zolotoya, editor in chief of independent news site TUT.by, was fined over a 2018 allegation that the outlet illegally accessed the output of state-run wire agency BelTA.
- In May, authorities arrested over 100 Roma in the city of Mahiliou after a police officer was found dead, though they were released several days later. The head of Lukashenka's office apologized, but the interior minister denied accusations of xenophobia surrounding the arrests.

Political Rights

A. Electoral Process

A1 0-4 pts

Was the current head of government or other chief national authority elected through free and fair elections?

0/4

The president is elected for five-year terms without limits. President Lukashenka was first elected in 1994, in the country's only democratic election. He has since extended his rule in a series of unfair contests, securing his fifth consecutive term in a noncompetitive presidential race in 2015.

Organization for Security and Co-operation in Europe (OSCE) monitors noted that longstanding deficiencies in Belarusian elections were unaddressed, including a restrictive legal framework, media coverage that fails to help voters make informed choices, irregularities in vote counting, and restrictions on free expression and

assembly during the campaign period. The group concluded that the elections fell considerably short of democratic standards.

A2 0-4 pts

Were the current national legislative representatives elected through free and fair elections?	0/4
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The 110 members of the Chamber of Representatives, the lower house of the National Assembly completely subordinate to the president, are elected by popular vote to four-year terms in single-member districts. The upper house, the Council of the Republic, consists of 64 members serving four-year terms; regional councils elect 56 and the president appoints 8.

A parliamentary election was held in November 2019, nearly a year ahead of schedule. Candidates loyal to President Lukashenka won every seat in the lower house, while independent candidates won none. OSCE election monitors reported that some ballot boxes were stuffed, and that observers were often prohibited from observing ballot boxes or papers.

A3 0-4 pts

Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies?	0/4
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The legal framework for elections fails to meet democratic standards. Among other problems, electoral commission members of all levels are politically aligned with and dependent on the government, and independent observers have no access to ballot-counting processes. Members of opposition parties were effectively barred from participating in precinct-level electoral commissions ahead of the November 2019 election; of the 63,646 people serving in these commissions, only 21 came from opposition groups.

B. Political Pluralism and Participation

B1 0-4 pts

Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings?

1/4

Involvement in political activism is considered risky in Belarus, and can result in a loss of employment, expulsion from educational institutions, smear campaigns in the media, fines, and the confiscation of property.

There is no official progovernment political party, and very few lawmakers are affiliated with any party. Political parties face formidable challenges when seeking official registration. While the Tell the Truth movement was registered in 2017 after six failed attempts, authorities have repeatedly blocked registration of the Belarusian Christian Democracy party, which has been seeking official status for over a decade. Such futile attempts to gain official status serve to discourage other politically active Belarusians from organizing and attempting to gain formal party recognition.

Independent and opposition legislators also face difficulty registering their candidacies. Electoral officials rejected over 150 candidates seeking to contest the November 2019 election, many of them opposition members, by claiming that their submitted signatures were invalid. Two lawmakers who were not aligned to Lukashenka in the last parliament were among those kept off the ballot.

B2 0-4 pts

Is there a realistic opportunity for the opposition to increase its support or gain power through elections?

0/4

Belarus has never experienced a democratic transfer of power, and there is effectively no opportunity for genuine opposition candidates to gain power through elections.

B3 0-4 pts**1/4**

Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means?	
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While private citizens and political candidates have some limited opportunities to express their views and make political choices, Lukashenka's regime is unaccountable to voters, and meaningful participation in politics is generally not possible.

B4 0-4 pts

Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities?	1/4
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No registered party represents the specific interests of ethnic or religious minority groups. Women formally enjoy equal political rights and are well represented in the lower house; 40 percent of legislators elected in November 2019 were women. However, women have historically been underrepresented in leadership positions.

Women's advocacy groups have diverging positions on promoting the political rights of women, with some such groups taking the position that there is no need for gender equality initiatives in Belarus. There has been some visible activism by women's groups seeking to raise awareness of gender-based violence, but the government has largely refrained from addressing their concerns.

C. Functioning of Government

C1 0-4 pts

Do the freely elected head of government and national legislative representatives determine the policies of the government?	0/4
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The constitution vests power in the president, stating that presidential decrees have higher legal force than legislation. Lukashenka, who was not freely elected, considers himself the head of all branches of government.

C2 0-4 pts**Are safeguards against official corruption strong and effective?****1** / 4

The state controls at least 70 percent of the economy, and graft is encouraged by a lack of transparency and accountability in government. There are no independent bodies to investigate corruption cases, and graft trials are typically closed. Presidential clemency is issued occasionally to free convicted corrupt officials, some of whom Lukashenka puts back into positions of authority.

C3 0-4 pts**Does the government operate with openness and transparency?****1** / 4

The government largely fails to adhere to legal requirements providing for access to information. In recent years, authorities have moved to make some basic information about government operations available online.

Civil Liberties

D. Freedom of Expression and Belief

D1 0-4 pts**Are there free and independent media?****0** / 4

The government exercises unrestricted control over mainstream media. The 2008 media law secures a state monopoly over information about political, social, and economic affairs. Libel is both a civil and criminal offense, and the criminal code contains provisions protecting the “honor and dignity” of high-ranking officials. The government owns the only internet service provider and controls the internet through legal and technical means. The official definition of mass media includes

websites and blogs, placing them under the Information Ministry's supervision. Most independent journalists operate under the assumption that they are under surveillance by the Committee for State Security (KGB). Journalists are also subject to fines, detention and criminal prosecution for their work; the Belarusian Association of Journalists (BAJ) counted 44 fines levied against freelance journalists throughout 2019.

In March 2019, Marina Zolotoya, editor in chief of independent news site TUT.by, was ordered to pay a 7,650-ruble (\$3,600) fine and over 6,000 rubles (\$2,800) in legal costs over an allegation that TUT.by and news agency BelaPAN illegally accessed the materials of state-run wire agency BelTA. Authorities raided TUT.by and BelaPAN offices over the allegation in 2018, detaining 11 journalists from the outlets; Zolotoya was the only individual to be subsequently tried.

In April 2019, police raided the offices of independent online television station Belsat; they were investigating a public official's libel complaint over the station's coverage of a 2018 corruption case. Police interrogated four staff members and seized equipment, which was returned several days later. That same month, blogger Siarhej Piatrukhin was convicted of libel and slander for publishing online videos that detailed allegations of police abuse in 2018, and was fined 9,180 rubles (\$4,400).

Journalists also face the risk of assault; in January 2019, freelancer Kastus Zhukouski and a passenger attacked by masked assailants after his car broke down. Zhukouski, who has been assaulted several times in the past, fled Belarus with his wife and daughter later that month to seek asylum in an undisclosed country.

The government is additionally known to curtail media activity through the use of antiextremism legislation. In March 2019, two Russian journalists were arrested in Minsk on charges of "distributing extremist content." A May 2019 report from the UN's special rapporteur on human rights in Belarus noted that the journalists were members of a research group on violence.

D2 0-4 pts

Are individuals free to practice and express their religious faith or nonbelief in public and private?	1 / 4
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Despite constitutional guarantees of religious equality, government decrees and registration requirements maintained some restrictions on 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 active in Belarus for less than 20 years. In 2003, the government signed a concordat with the Belarusian Orthodox Church, which is controlled by the Russian Orthodox Church, giving it a privileged position.

D3 0-4 pts

Is there academic freedom, and is the educational system free from extensive political indoctrination?	0/4
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Academic freedom remains subject to intense state ideological pressures. Academic personnel face harassment and dismissal if they use a liberal curriculum or are suspected of disloyalty. Students and professors who join opposition protests face threat of dismissal and revocation of degrees.

D4 0-4 pts

Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution?	1/4
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The use of wiretapping and other surveillance by state security agencies limits the right to free private discussion. Private citizens often avoid discussing sensitive issues over the phone or via internet communication platforms, for fear that state security agents are monitoring conversations.

In May 2019, the Minsk City Court sentenced a Belarusian to three years in a penal colony over a 2017 social media post that was ruled to incite ethnic hatred. This was the first conviction handed down under a criminal code article banning hate speech.

E. Associational and Organizational Rights

E1 0-4 pts

Is there freedom of assembly?	1/4
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The government restricts freedom of assembly. Protests require permission from local authorities, who often arbitrarily deny it. The law on mass events was amended in January 2019, but recommendations from human rights advocates were ignored, and the legislation did not strengthen the right to assemble.

Protesters have been subjected to fines, harassment, and detention for their efforts in 2019. An unauthorized opposition rally held on March 25, which is unofficially celebrated as an independence day, was dispersed by the authorities in Minsk; 15 people were immediately detained, and 2 were held overnight. In December 2019, protesters who demonstrated against deepening ties with Russia in an unauthorized rally were allowed to assemble, but subsequently received heavy fines.

In 2019, activists continued their protests against the opening of a restaurant near Kurapaty, the site of mass executions during the Stalinist repressions of the 1930s; plainclothes police officers sought to intimidate protesters by filming their activities. In April, police dismantled 70 memorial crosses constructed by activists and detained at least 12 participants.

A long-running protest against a new battery factory in the city of Brest continued in 2019, with participants facing continued harassment by authorities. Battery production was delayed in June over environmental concerns, but the government did not revoke previous fines or charges against protesters.

The government also used its control of the internet to inhibit protests in 2019; in May, President Lukashenka signed a decree banning websites calling for “unauthorized protests” ahead of the European Games, which Belarus hosted in June.

E2 0-4 pts

Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work?	1/4
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Freedom of association is severely restricted. Registration of groups remains selective, and regulations ban foreign assistance to entities and individuals deemed to promote foreign meddling in internal affairs. A few human rights groups continue to operate, but staff and supporters risk prosecution and fines for their activism.

Participation in unregistered or liquidated organizations, which had been criminalized in 2005, was decriminalized in 2018. Instead, the Criminal Code introduced the prospect of large fines which, like recent efforts to fine rather than detain protesters, make civil liberties infringement less visible to rights watchdogs and democratic governments.

E3 0-4 pts

Is there freedom for trade unions and similar professional or labor organizations?	1 / 4
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Independent labor unions face harassment, and their leaders are frequently fired and prosecuted for engaging in peaceful protests. No independent unions have been registered since 1999, when President Lukashenka issued a decree setting extremely restrictive registration requirements.

In July 2019, Lukashenka signed an amendment to the Labor Code that empowers employers to sign short-term contracts with workers without their consent, while restricting workers' abilities to leave jobs at will.

F. Rule of Law

F1 0-4 pts

Is there an independent judiciary?	0 / 4
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Courts are subservient to the president, who appoints Supreme Court justices with the approval of the rubber-stamp parliament.

F2 0-4 pts

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Does due process prevail in civil and criminal matters?**1/4**

The right to a fair trial is not respected in cases with political overtones. In a departure from international norms, the power to extend pretrial detention lies with a prosecutor rather than a judge. The absence of independent oversight allows police to routinely and massively violate legal procedures. The government regularly attacks attorneys, who often remain the only connection between imprisoned activists and their families and society.

F3 0-4 pts**Is there protection from the illegitimate use of physical force and freedom from war and insurgencies?****0/4**

Law enforcement agencies have broad powers to employ physical force against suspects, who have little opportunity for recourse if they are abused. Human rights groups continue to document instances of beatings, torture, and pressure during detention.

F4 0-4 pts**Do laws, policies, and practices guarantee equal treatment of various segments of the population?****1/4**

Authorities have sought to increase the dominance of the Russian language. Official usage of Belarusian remains rare. The UN Educational, Scientific, and Cultural Organization (UNESCO) recognizes Belarusian as “vulnerable.” The share of first-grade students who study in Belarusian fell to 9.7 percent in 2019 from 16.7 percent in 2009.

Ethnic Poles and Roma often face undue pressure from authorities. In May 2019, authorities detained 100 Roma in Mahiliou after a police officer was found dead in the city. They were released several days later, and the police officer’s death was ruled a suicide; the head of President Lukashenka’s office apologized to the community, but the interior minister did not, and denied accusations of xenophobia.

Widely accepted societal values hold that women should be mothers. Women receive social benefits including generous maternity leave, but are also prohibited from entering 181 occupations in Belarus.

LGBT+ people face widespread societal discrimination, and law enforcement authorities are reluctant to investigate and prosecute attacks against them. In August 2019, a filmmaker and two friends were assaulted over the filmmaker's perceived sexual orientation on a street in Minsk. A Minsk court sentenced the assailant to one-and-one-half years of house arrest in December.

G. Personal Autonomy and Individual Rights

G1 0-4 pts

Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education?

2/4

Opposition activists are occasionally detained at the border for lengthy searches. Passports are used as a primary identity document in Belarus, and authorities are known to harass people living in a different location than indicated by domestic stamps in their passport.

G2 0-4 pts

Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors?

2/4

Limits on economic freedom have eased in recent years, allowing for greater property ownership and small business operations. However, state interference in the economy still affects larger businesses, and large business owners are never secure from arbitrary government pressure and harassment.

G3 0-4 pts

Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance?

2/4

Domestic violence is a pervasive problem in Belarus. In 2018, President Lukashenka blocked a draft domestic violence prevention law jointly developed by law enforcement agencies and civil society representatives. He called attitudes against the corporal punishment of children “nonsense from the West” and insisted that “good” punishment of children could be useful to them.

The constitution explicitly bans same-sex marriage. Belarus led a 2016 effort to block LGBT+ rights from being part of a UN international initiative focused on urban areas.

G4 0-4 pts

Do individuals enjoy equality of opportunity and freedom from economic exploitation?

1/4

Mandatory unpaid national work days, postgraduate employment allocation, compulsory labor for inmates in state rehabilitation facilities, and restrictions on leaving employment have led labor activists to conclude that all Belarusians experience forced labor at some stage of their life. The lack of economic opportunities led many women to become victims of the international sex trade.

In 2018, the government revived a plan to tax the unemployed by mandating full payment for housing and utility services starting in 2019. An attempt to impose the tax in 2017 was met with mass protests that were brutally suppressed.



On Belarus

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Country Facts

Global Freedom Score

19/100 **Not Free**

Internet Freedom Score

35/100 **Not Free**

Other Years

2019

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