

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	160
Land:	Belarus
Kilde:	Freedom House
Titel:	Freedom in the World 2014 – Belarus
Udgivet:	21. januar 2014
Optaget på baggrundsmaterialet:	2. juli 2014



Freedom in the World 2014 - Belarus

President Alyaksandr Lukashenka, in power since 1994, continued to preside over an authoritarian system that crushes political dissent while offering citizens a basic, if increasingly unstable, standard of living. The country faced a precarious economic situation in 2013, with ongoing European Union sanctions against key regime figures, Russian pressure on Belarusian state-owned firms like Belaruskali, and a reduction in Russian oil and gas subsidies late in the year. Belarus depends heavily on Russian economic support; the oil and gas subsidies comprised 15.9 percent of its gross domestic product as of 2012. Russia had already acquired, in 2011, full control of the Belarusian pipelines carrying Russian energy exports to Europe. Chinese investors have also attempted to use Belarus as a foothold for access to European markets, and are building a new industrial complex outside of Minsk. Meanwhile, Belarus has sought to develop a gambling industry, as Russia and other countries in the region have curtailed their own gaming sectors.

Political Rights and Civil Liberties:

Political Rights: 4 / 40 [\[Key\]](#)

A. Electoral Process: 0 / 12

The president is elected for five-year terms, and there are no term limits. 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.

Serious and widespread irregularities have marred all recent elections. In December 2010, Lukashenka won a fourth term in a deeply flawed presidential vote, though some opposition candidates were allowed to run. When approximately 15,000 protesters turned out to question the legitimacy of the balloting, the authorities arrested more than 700 people, including seven of the nine opposition presidential candidates, and many of them remained in jail for long periods. Three of the former candidates were later sentenced to prison terms ranging from five to six years.

During the 2012 parliamentary elections, the authorities blocked key opposition figures from running for office, harassed critics of the regime, denied the opposition access to the media, failed to administer the elections fairly, and prevented observers from independently verifying the vote count. Further, the regime pressured workers at state-owned enterprises to participate in the process. No opposition candidates won seats.

The legal framework for the elections does not meet democratic standards. Most members of the election commissions support Lukashenka.

B. Political Pluralism and Participation: 3 / 16

There is no official progovernment political party. Opposition parties have no representation in the National Assembly, and most lawmakers are unaffiliated with any party. Lukashenka systematically destroys any potential alternative to his rule—a poll in September 2013 found that 81.5 percent of respondents could not name a candidate who could compete successfully with him in presidential elections. Most people have no idea who actually sits in the parliament.

At the end of 2013, the authorities continued to hold 10 political prisoners, including Ales Byalyatski, leader of the Viasna human rights group; former opposition presidential candidate Mikalay Statkevich; Eduard Lobau, of the unregistered Young Front political movement; and entrepreneur Mikalay Autukhovich. During the year, three political prisoners completed their terms: Tell the Truth campaign activist Vasil Parfyankou, Young Front leader Zmitser Dashkevich, and Belarus Christian Democracy Party cochair Pavel Sevyarynets. However, even after their release they faced multiple legal restrictions on their personal freedoms. In July, a Minsk court rescinded the two-year suspended sentence of Iryna Khalip, a prominent journalist and the wife of former Belarusian presidential candidate Andrey Sannikau, for her alleged participation in protests following the December 2010 election.

The authorities harass dissidents on a daily basis, forcing some, such as physician Ihar Pasnou, into psychiatric hospitals. Under this intense pressure, the opposition remains deeply divided on the best tactics for opposing the regime and currently has little support among the public.

C. Functioning of Government: 1 / 12

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 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. Under presidential decrees, information on the work of about 60 government ministries and state-controlled companies, including the Ministry of Information, the Minsk city executive committee, and the state broadcaster, is classified. Belarus was ranked 123 out of 177 countries surveyed in Transparency International's 2013 Corruption Perceptions Index.

Civil Liberties: 10 / 60

D. Freedom of Expression and Belief: 3 / 16

The government 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. Freelancing and working for a foreign, unaccredited news outlet can be punished as criminal offenses. The authorities do allow the publication of two independent newspapers: *Nasha Niva* and *Narodnaya Volya*. During a June 2013 visit to Belarus, Dunja Mijatović, the media freedom representative of the Organization for Security and Cooperation in Europe, called on the authorities to cease detaining journalists and social media activists. She noted the chilling effect these detentions have on other journalists.

More than half of the population uses the internet daily or several times a week. Every day, more than 400,000 Belarusians—equivalent to the audience size for state television—visit news websites. The government has sought greater control over the internet through both 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 2010 presidential decree requires internet café owners to identify users and track their activities, and a 2012 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 state security service harasses online opposition activists. In April 2013, the independent news platforms Belarusian Partisan and Charter97.org, and the websites of Viasna and the Belarusian Association of Journalists, experienced the largest in a series of denial-of-service attacks. Following threats and arrests, many online editors now work from Poland and Lithuania.

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. Mandatory assignment of university graduates to state-sanctioned, low-paid jobs for two years after graduation is another factor that forces many young people to pursue higher education in European universities.

Wiretapping by state security agencies limits the right to free private discussion.

E. Associational and Organizational Rights: 1 / 12

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. In the eight years since 2005, at least 18 individuals were convicted, including five who were sentenced to prison terms. 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 engaging in peaceful protests. No independent trade unions have been registered since 1999. Over 90 percent of workers have fixed-term contracts; these workers can be dismissed when their contracts expire. Mandatory unpaid national work days, postgraduate employment allocation, the use of compulsory labor by addicts confined to state rehabilitation facilities, and restrictions on leaving employment in specific industries have led labor activists to conclude that all Belarusian citizens experience forced labor at some stage of their life.

F. Rule of Law: 1 / 16

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 psychological pressure during detention in cases involving leaders of the democratic opposition. Ihar Ptsichkin, a man who had been serving a three-month jail sentence for driving without a license, died in prison in August 2013; his body reportedly showed signs of having been beaten. 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.

Belarusian authorities arrested Russian businessman Vladislav Baumgertner, chief executive of the Uralkali potash company, for alleged “abuse of office” as he was returning to Russia after meeting with the prime minister in August 2013. He was imprisoned and then placed under house arrest in late September in an apartment rented for him in Minsk. Baumgertner had withdrawn Uralkali from a joint venture with Belarus’s state-run potash company Belaruskali, depriving Belarus of considerable revenue. Belaruskali, the country’s most profitable enterprise, had been accused of making side deals in violation of the two firms’ export pricing agreement. Baumgertner was eventually allowed to return to Russia in November, after Uralkali agreed to sell a minority stake to a Belarusian businessman.

Ethnic Poles and Roma often face discrimination. Belarusian identity is under threat as well, as Russian language is taking over, especially in urban areas. In August 2013, police destroyed seven Romany homes, apparently built without permits, in the city of Zhlobin before a visit by Lukashenka. No compensation was provided. LGBT (lesbian, gay, bisexual, and transgender) people also face discrimination and regular police harassment. In February 2013, the Justice Ministry refused to register a gay rights NGO, meaning it cannot operate legally in the country.

G. Personal Autonomy and Individual Rights: 5 / 16

An internal passport system limits freedom of movement and choice of residence. In September 2013, Lukashenka proposed a \$100 exit fee for shoppers who cross the border to buy better-made foreign goods, but he renounced the idea by the end of the month due to its unpopularity. Some opposition activists have been turned back at the border or detained for lengthy searches. Belarus's command economy severely limits economic freedom.

There are significant discrepancies in income between men and women, and women are poorly represented in leading government positions. Domestic and sexual violence against women were considered to be persistent and underreported, and there are no specific clauses addressing domestic violence or sexual harassment in the criminal code. As a result of extreme poverty, many women have become victims of the international sex trade.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

Full Methodology

2014 Scores

Status

Not Free

Freedom Rating

(1 = best, 7 = worst)

6.5

Civil Liberties

(1 = best, 7 = worst)

6

Political Rights

(1 = best, 7 = worst)

7