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Freedom in the World 2009 - Belarus

Capital: Minsk

Population: 9,700,000

Political Rights Score: 7

Civil Liberties Score: 6

Status: Not Free

Overview

Hopes that President Alyaksandr Lukashenka might loosen his grip on Belarus in 2008 proved illusory. After brutal crackdowns and additional arrests, Belarus released all of its political prisoners in August. The regime also agreed to allow international observers to monitor its September parliamentary elections. However, the monitors determined that the elections did not meet democratic standards, and no opposition members won representation, leaving them without a platform to influence political processes. Separately, the regime passed new legislation that tightened control over the media and extended it to the internet. Relations with Russia grew increasingly tense during the year, as Moscow continued to exert pressure to obtain higher prices for its energy exports and to acquire Belarusian companies through privatization. Despite strong European Union interest in improved relations, the absence of democratic reforms in Belarus made any progress extremely difficult.

Belarus declared independence in 1991, ending centuries of foreign control by Poland, Russia, and the Soviet Union. Stanislau Shushkevich, a reform-minded leader, served as head of state from 1991 to 1994. That year, voters made Alyaksandr Lukashenka, a member of parliament with close links to the country's security services, Belarus's first post-Soviet president. He pursued efforts at reunification with Russia and subordinated the government, legislature, and courts to his political whims while denying citizens basic rights and liberties. A 1996 referendum, highly criticized by domestic monitors and the international community, approved constitutional amendments that extended Lukashenka's term through 2001, broadened presidential powers, and created a new bicameral parliament (the National Assembly).

In October 2000, Belarus held deeply flawed elections to the Chamber of Representatives, the parliament's lower house. State media coverage of the campaign was limited and biased, and approximately half of all opposition candidates were denied registration. Following a boycott by seven opposition parties, only three opposition candidates were elected.

Lukashenka won reelection in September 2001 amid accusations by former security-service 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. Western observers judged the election to be neither free nor fair. On election day, Lukashenka declared himself the victor with 75 percent of the vote, while opposition candidate Uladzimir Hancharyk was credited with 15 percent. However, independent exit polls showed that Lukashenka had received 47 percent of the vote and Hancharyk 41 percent, an outcome that by law should have forced a second round. By 2002, Lukashenka had launched a campaign of political retribution against those who had opposed him during the presidential campaign.

Legislative elections and a parallel referendum on the presidency were held in October 2004. The Central Election Commission claimed that 90 percent of voters took part in the plebiscite, with some 79 percent of them endorsing the government's proposal to allow Lukashenka to run for a third term in 2006. According to official results, not a single opposition candidate entered the National Assembly. A monitoring mission by the Organization for Security and Cooperation in Europe (OSCE) declared that the parliamentary elections fell "significantly short" of Belarus's OSCE commitments. An independent exit poll found that just 48.4 percent of eligible voters backed the referendum.

Ukraine's Orange Revolution, unfolding only five weeks after the Belarusian constitutional referendum, raised the regime's concerns that a similar protest movement could occur in Minsk. Lukashenka bolstered the law enforcement agencies in 2005 and purged their ranks of potential dissenters. Amendments to the Law on Interior Troops introduced in February 2005 allowed for the discretionary use of firearms against protesters on orders from the president.

The March 19, 2006 presidential election, in which Lukashenka won a third term, was neither free nor fair, and the OSCE declared that the voting did not meet democratic standards. Although four candidates competed, Lukashenka's victory was clear from the start. The government took harsh repressive measures against the opposition, detaining and beating many campaign workers, including Alyaksandr Kazulin, one of the opposition candidates. Though there were no reliable exit polls, the opposition asserted that Lukashenka could not have won the 83 percent of the vote that he claimed.

The election provoked the largest public protest of Lukashenka's tenure, bringing 10,000 to 15,000 activists onto Minsk's October Square on election day. Between 500 and 1,000 individuals were arrested on March 25, including Kazulin, who was sentenced to five and a half years in jail for protesting the flawed election and the subsequent crackdown. Most other protesters received sentences of 15 days or less. Opposition activity dwindled after the protests.

Through the middle of 2008, the government typically jailed opposition leaders and intimidated rank-and-file members with fees and warnings. In April the regime imprisoned businessman Sergei Parsyukevich for protesting new business rules introduced by Lukashenka. Another businessman, Andrei Kim, was jailed for allegedly attacking a policeman. On August 16, the regime violently cracked down on a demonstration held in memory of the politicians who had disappeared in 1999 and 2000.

However, as the September 28 parliamentary elections approached, the regime changed course. By August 19, following the release of several prisoners in the spring, the regime had released all of its political prisoners, including Parsyukevich, Kim, and Kazulin.

Many hoped that the parliamentary elections would mark a break from the government's hostility to democracy, but not a single opposition candidate won a seat. The OSCE's final report concluded that the elections "fell short of OSCE commitments for democratic elections," citing serious concerns about freedom of assembly and expression, a lack of transparency in the vote count, tightly controlled electoral commissions for which the regime appointed more than 99 percent of the vote counters (only 43 of the 69,845 precinct electoral commission members represented opposition

parties), and a campaign atmosphere that did not provide sufficient information or alternate points of view which would have allowed voters to make an informed choice. However, some opposition candidates reported they were better able to meet with constituents without interference and had better access to district election commissions.

Russia continued to ratchet up pressure on Belarus during the year, demanding that it pay higher prices for natural gas imports and sell key industrial assets to Russian business interests. The increased strain on the Belarusian economy threatened to weaken Lukashenka's hold on power, but there were no signs that the regime was faltering in 2008. While the European Union showed interest in improving ties with Belarus and lifting some sanctions to reduce Russian influence, the undemocratic elections made such initiatives difficult to pursue. Belarus did signal that it wanted to move out of Russia's grip by opting not to recognize the independence of the breakaway Georgian regions of Abkhazia and South Ossetia, as Russia did in August, but Lukashenka took no concrete steps to foster democratic change.

Political Rights and Civil Liberties

Belarus is not an electoral democracy. Serious and widespread irregularities have marred all recent elections.

The National Assembly of the Republic of Belarus is composed of two houses. The 110 members of the Chamber of Representatives are popularly elected for four years on the basis of 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 the laws. The National Assembly serves largely as a rubber-stamp body. The president is elected for five-year terms, and there are no term limits.

As a result of the concentration of power in the hands of the president, political parties play a negligible role in the political process. Opposition parties have no representation in the National Assembly, while pro-presidential parties serve only superficial functions. Local elections held in January 2007 also failed to give voters a choice, and the opposition declared that the outcome was falsified. There was minimal public participation.

Corruption is fed by the state's dominance of the economy and the overall lack of transparency and accountability in government. Belarus was ranked 151 out of 180 countries surveyed in Transparency International's 2008 Corruption Perceptions Index.

The regime of President Alyaksandr Lukashenka systematically curtails press freedom. Libel is both a civil and a criminal offense. State media are subordinated to the president, and harassment and censorship of independent media are routine. Belarusian national television is completely under the control of the state and does not provide coverage of alternative and opposition views. The State Press Committee issues warnings to publishers for unauthorized activities such as distributing copies abroad and reporting on unregistered organizations; it can also arbitrarily shut down publications without a court order. The news bulletins and daily playlists of all FM radio stations are censored. The state-run press distribution monopoly refused in 2005 to continue distribution of most of the country's independent newspapers, though it resumed distribution of limited copies of two popular publications, *Narodnaya Volya* and *Nasha Niva*, in November. In late March 2008, the KGB searched the homes of more than a dozen independent journalists and confiscated the hard drives of some of them. In August, Lukashenka signed a media law that put internet sites under the same restrictions as regular media and allowed local authorities to close down independent publications for minor violations. According to the law, the Council of Ministers will exercise control over internet media. On November 10 Lukashenka signed an additional law that gives the state monopoly rights over information about political, social, and economic affairs.

Despite constitutional guarantees that "all religions and faiths shall be equal before the law," government decrees and registration requirements have increasingly restricted religious activity. Amendments in 2002 to the Law on Religions provided for government censorship of religious publications and prevented foreign citizens from leading religious groups. The amendments also place strict limitations on religious groups that have been active in Belarus for fewer than 20 years. The government signed a concordat with the Belarusian Orthodox Church in 2003, and the church enjoys a privileged position. The authorities have discriminated against Protestant clergy and ignored anti-Semitic attacks, according to a U.S. State Department report.

Academic freedom is subject to intense state ideological pressures, and institutions that use a Western-style curriculum, promote national consciousness, or are suspected of disloyalty face harassment and liquidation. Official regulations stipulate the 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 Lukashenka government limits freedom of assembly for critical independent groups. Protests and rallies require authorization from local authorities, who can arbitrarily withhold or revoke permission. When public demonstrations do occur, police typically break them up and arrest participants, as happened throughout the year in 2008.

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. In December 2005, Lukashenka signed amendments to the criminal code that criminalized participation in an unregistered or liquidated political party or organization, allowing further punitive measures against groups that refused to shut down. 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 who promote "meddling in the internal affairs" of Belarus from abroad. The government signaled a slight thaw in December 2008, however, when it registered the Movement for Freedom NGO, led by former presidential candidate Alyaksandr Milinkevich. Independent trade unions face harassment, and their leaders are frequently arrested and prosecuted for peaceful protests and dismissed from employment. Over 90 percent of workers have fixed term contracts, meaning that the government can end their jobs for any reason when the contract expires.

Although the country's constitution calls for judicial independence, courts are subject to significant government influence. The right to a fair trial is often not respected in cases with political overtones. The police in Belarus use excessive force, according to UN Special Rapporteur Adrian Severin. Human rights groups continue to document instances of beatings, torture, and inadequate protection during detention in cases involving leaders of the democratic opposition.

An internal passport system, in which a passport is required for domestic travel and to secure permanent housing, limits freedom of movement and choice of residence. As of January 2008, citizens no longer need a travel permit before going abroad. At the same time, the government created a database that will include nearly 100,000 people who cannot leave the country. The country's command economy severely limits economic freedom.

Ethnic Poles and Roma often face discrimination. 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.