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Freedom in the World - Belarus (2007)

Population:
9,700,000

Capital:
Minsk

Political Rights Score: 7
Civil Liberties Score: 6
Status: Not Free

Overview

Belarus's 2006 presidential elections handed President Alyaksandr Lukashenka his third term in the country's most controversial elections yet, which outside observers declared neither free nor fair. The authorities' attacks against the opposition and suspected voting fraud provoked the largest public protests to occur on the streets of Minsk since Lukashenka came to power more than a decade ago. Belarus's president responded by intensifying repression of all forms of opposition, and several key opposition leaders received prison sentences. Since then, the opposition has dwindled, with the government exerting growing pressure on opposition parties, nongovernmental organizations (NGOs), independent media outlets, and educational establishments.

Belarus declared independence in 1991, ending centuries of foreign control by Poland, Russia, and, ultimately, 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. Lukashenka 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 controversial 1996 referendum, highly criticized by domestic monitors and the international community, adopted 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 House of Representatives, 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 a controversial reelection in September 2001 amid accusations from former security service officials that the president was directing a government-sponsored death squad aimed at silencing his opponents. Four politicians and journalists 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 over opposition candidate Uladzimir Hancharyk (15 percent). However, independent nongovernmental 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, and some 79 percent of them voted in favor of the government's proposal that would allow Lukashenka to run for a third term in 2006. According to the official election results, not a single candidate fielded by opposition parties entered the National Assembly. A monitoring effort by the Organization for Security and Cooperation in Europe (OSCE) declared on October 17, 2004, that the parliamentary elections fell "significantly short" of Belarus's OSCE commitments. An exit poll conducted by The Gallup Organization/Baltic Surveys, which collected data during the weeklong voting process, found that just 48.4 percent of all eligible voters in the country said yes to the referendum, far short of the official 79 percent. Thus, according to independent poll data, the referendum actually failed to amend the Belarusian constitution or to give Lukashenka the right to run for reelection, as claimed by Belarus authorities.

Ukraine's Orange Revolution, unfolding only five weeks after the constitutional referendum in Belarus, frightened the regime into thinking that a similar series of protests could take place in Belarus. Lukashenka boosted the law enforcement agencies in 2005 and purged their ranks of potential dissenters. The 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, suggesting that the police were preparing for street protests.

More opposition figures were effectively barred from politics throughout the year. Mikhail Marynich, a former government minister and a potential contender for the presidency, was sentenced to five years in jail in December 2004 on charges of stealing computers from his own nongovernmental organization (NGO). Siarhiey Skrabets, leader of the opposition in the previous Parliament, was arrested in May 2005 on corruption charges.

The March 19, 2006, presidential elections, in which Lukashenka won a third term, were 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. On March 2, just a few weeks before the election, police detained and beat Alexander Kozulin, one of the opposition candidates.

Lukashenka's government took harsh, repressive measures against the opposition, harassing and arresting opposition campaign workers. In the weeks before the election, the state security agency KGB created a climate of intimidation by accusing the opposition of preparing a violent overthrow of the government and warning that peaceful protesters could face charges of terrorism, with sentences ranging from eight years to the death penalty. None of the major polling companies could conduct exit polls during the election, which made it difficult to detect voting fraud. The opposition asserted that Lukashenka could not have won the 83 percent of the vote that he claimed.

The elections provoked the largest public protest of Lukashenka's tenure; protestors who erected a five-day tent camp on October Square in Minsk were ultimately dispersed by the authorities. Initially, 10,000 to 15,000 activists gathered on March 19, but their numbers quickly dwindled to 2,000 to 5,000, with only a few hundred spending the night. Between 500 and 1,000 individuals were

arrested on March 25, including former candidate Kozulin. In July, a Minsk court sentenced him to five and one-half years in prison for his role in the protest; his sentence was much longer than those for other protesters, who typically received 10 to 15 days. In prison, Kozulin staged a 53-day hunger strike, ending on December 11, that brought attention to the plight of the opposition. As many as 26 journalists from Canada, Czech Republic, France, Georgia, Russia, Poland, Ukraine, and the United States were assaulted and detained during the protests, and some had to serve 15-day prison terms.

Political Rights and Civil Liberties

Despite a constitutional guarantee of universal, equal, and direct suffrage, 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 House of Representatives are popularly elected for four years on the basis of single-mandate constituencies. The Council of the Republic consists of 64 members, of whom 56 are elected by regional councils and 8 are appointed by the president. The constitution vests most power with 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.

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 propresidential parties serve only formal functions. In late September 2006, the Ministry of Justice filed suit with the Supreme Court to suspend the activities of the opposition Belarusian Party of Communists, claiming that it had violated the law on parties because membership had dropped below 1,000.

The authorities constantly harass opposition leaders: former presidential candidate Alyaksandr Milinkevich was sentenced to 15 days in prison for organizing an unsanctioned antigovernment protest on the 20th anniversary of the Chernobyl nuclear accident (April 26, 2006), and United Civic Party leader Anatol Lyabedzka was imprisoned on July 17 for 10 days on charges of swearing in a public place; Lyabedzka had also served 10 days in March. On November 1, the regime sentenced opposition Youth Front leader Zmitser Dashkevich to 18 months in prison, provoking protest from the European Union (EU). Such harassment continued throughout the year. In September, UN special rapporteur Adrian Severin called for an investigation into the role of high government officials in the disappearance of four politicians and journalists critical of the Belarusian government in 1999 and 2000.

Belarus was ranked 151 out of 161 countries surveyed in Transparency International's 2006 Corruption Perceptions Index because of the increasing bureaucratization of the economy and the overall lack of transparency in the government.

The Lukashenka regime systematically curtails press freedom. The Committee to Protect Journalists listed Belarus as one of the 10 most censored countries in the world in May 2006. 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 and influence 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 or reporting on unregistered organizations; it also can 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 November 2005 to continue distribution of most of the country's independent newspapers.

Harassment and legal attacks against independent newspapers and broadcast media were widespread in 2006. The newspaper *Komsomolskaya Pravda v Belorussii* faces criminal and potential libel charges of 1 billion rubles (\$467,000) for a July 11 article about the personal finances of Hryhory Kisel, the head of the government's ONT television station.

Internet sites within the country are under the control of the government's State Center on Information Security, which is part of the Security Council of Belarus, and their impact is limited. An OpenNet Initiative analysis of the internet during the 2006 presidential campaign found that generally opposition websites were available during the campaign period. However, many of the key opposition sites were not accessible on election day or on some days following the elections, when major demonstrations took place.

Despite constitutional guarantees that "all religions and faiths shall be equal before the law," government decrees and registration requirements have increasingly restricted the life and work of religious groups. Amendments in 2002 to the Law on Religions provide for government censorship of religious publications and prevent 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 concordant with the Belarusian Orthodox Church in 2003, and the Church enjoys a privileged position. The authorities forced a Pentecostal pastor to resign from her teaching job when she complained about an Orthodox priest's lecture to students denouncing "sects" such as Baptists and Pentecostals. In December 2005, the authorities refused to renew the visas of two Polish Catholic priests, including one who had worked in the country for 10 years. For the first time, the authorities imprisoned someone for holding an illegal religious service: on March 3, 2006, a Minsk judge sentenced the pastor of Christ's Covenant Reformed Baptist Church, Gregory Vyazorsky, to 10 days in jail for holding unsanctioned services on February 5. In a positive development, on December 1, 2005, Lukashenka freed all registered religious organizations from paying land taxes.

Academic freedom is subject to intense state ideological pressures, with institutions that use a Western-style curriculum, promote national consciousness, or are suspected of disloyalty being subject to harassment and liquidation. The most highly regarded secondary school, the National State Humanities Lyceum, was shut down in 2003. In 2004, the leading private institution of higher learning, the European Humanities University, was closed; it subsequently relocated to Lithuania. Official regulations stipulate the immediate dismissal and revocation of degrees to students and professors who join opposition protests. Lukashenka has detained several scientists who disagree with his conclusion that the consequences of the Chernobyl nuclear accident have largely been overcome in the country. In September, middle school staff and students protested a government ban on

teachers from Poland; the government accuses them of working in Warsaw's interests to undermine the Belarus government.

The Lukashenka government limits freedom of assembly by groups independent of and critical of the president's regime. 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.

Freedom of association is severely restricted. More than a hundred of the most active NGOs critical of the authorities were liquidated or forced to close down from 2003 through 2005. Housing rules, which make it impossible for opposition parties and NGOs to rent inexpensive office space, became a pretext for liquidating hundreds of local chapters of opposition parties in June 2005. As a follow-up move, in December 2005, Lukashenka signed into law amendments to the Criminal Code that criminalize participation in an unregistered or liquidated political party or organization, allowing for further punitive measures against groups that refused to shut down. The amendment provided for jail terms ranging from six months to two years for serious cases.

New regulations introduced in August 2005 ban foreign assistance to NGOs, parties, and individuals who promote "meddling into the internal affairs" of Belarus from abroad. In the 2006 election year, the government arrested four activists from the U.S.-funded unregistered civic initiative Partnerstva, which tried to monitor elections and conduct an exit poll, several weeks before the elections in February; they remained in jail until their trial began in July. Two were sentenced to six months and shortly released, while the others must serve terms of one and two years. Independent trade unions are subject to harassment, and their leaders are frequently arrested and prosecuted for peaceful protests and dismissed from employment.

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. Human rights groups continue to document instances of beatings, torture, and inadequate protection during detention in cases involving leaders of the democratic opposition. In 2006, numerous independent civic leaders, opposition political activists, independent journalists, and others who oppose government policies experienced arbitrary persecution, arrest, and imprisonment.

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. Citizens traveling abroad have to reapply for a permission stamp in their passport every five years. In September 2005, the Constitutional Court bowed to government pressure and renounced an earlier decision to outlaw the stamp system. Wiretapping by state security agencies limits the right to privacy. The country'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-trafficking trade.