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Belarus

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Capital: Minsk
Population: 9.7 million
GNI/capita, PPP: US\$12,740

Source: The data above was provided by The World Bank, *World Development Indicators 2011*.

Nations in Transit Ratings and Averaged Scores

	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Electoral Process	6.75	6.75	6.75	7.00	7.00	7.00	7.00	6.75	6.75	7.00
Civil Society	6.25	6.50	6.75	6.75	6.75	6.50	6.50	6.25	6.00	6.00
Independent Media	6.75	6.75	6.75	6.75	6.75	6.75	6.75	6.75	6.50	6.75
Governance*	6.50	6.50	6.50	n/a	n/a	n/a	n/a	n/a	n/a	n/a
National Democratic Governance	n/a	n/a	n/a	6.75	7.00	7.00	7.00	6.75	6.75	6.75
Local Democratic Governance	n/a	n/a	n/a	6.50	6.50	6.50	6.75	6.75	6.75	6.75
Judicial Framework and Independence	6.75	6.75	6.75	6.75	6.75	6.75	6.75	6.75	6.75	6.75
Corruption	5.25	5.50	5.75	6.00	6.25	6.25	6.25	6.00	6.00	6.00
Democracy Score	6.38	6.46	6.54	6.64	6.71	6.68	6.71	6.57	6.50	6.57

* Starting with the 2005 edition, Freedom House introduced separate analysis and ratings for national democratic governance and local democratic governance to provide readers with more detailed and nuanced analysis of these two important subjects.

NOTE: The ratings reflect the consensus of Freedom House, its academic advisers, and the author(s) of this report. The opinions expressed in this report are those of the author(s). The ratings are based on a scale of 1 to 7, with 1 representing the highest level of democratic progress and 7 the lowest. The Democracy Score is an average of ratings for the categories tracked in a given year.

EXECUTIVE SUMMARY

Belarus has long been called “Europe’s last dictatorship” because of the lack of democracy and respect for human rights evident under the rule of Alyaksandr Lukashenka, who assumed the presidency in 1994. In January 2007, Russia, a longtime sponsor of the Lukashenka regime, began to withdraw the massive energy subsidies upon which Lukashenka’s personalistic rule and Belarus’s “socially oriented” model of unreformed, command-style economy were largely built. The removal of this stabilizing factor forced the state to embark on a partial transformation of its socioeconomic model. Initially, Lukashenka envisaged a mere shift of geopolitical loyalty to the West in exchange for financial support. However, the pressure of the worldwide financial crisis, Western sanctions, Russia’s war with Georgia, and energy conflicts with Moscow forced the government to free political prisoners, relax repression on democratic activists, and initiate liberalization of the business climate, along with some unpopular reforms in the social sphere. Minor progress in market reforms and human rights was enough to renew hopes of a thaw in Belarus’s relations with the West, bring Belarus to the European Union’s Eastern Partnership Program, and secure stabilization loans from the International Monetary Fund.

Lukashenka’s strategic, “liberalizing” agenda—which had been invisible during the first months of the year—briefly gained momentum in the run-up to the 2010 presidential election. Unable to depend on Moscow’s support, and with a potential €3 billion in European Union (EU) aid money at stake, Lukashenka courted the EU’s recognition of his reelection by marginally increasing the freedom of media, political, and civil society actors in the months preceding the December 19 vote. As in previous years, opposition campaigns suffered from disunity and self-defeating political tactics; nevertheless, an unprecedented nine candidates were allowed to collect signatures, campaign via state-owned media, and appear on the ballot next to the incumbent president.

Any pretense of democratization was dropped abruptly in the aftermath of the polling on December 19. Election observers noted that voting was orderly, but pointed to the lack of transparency and called the vote count “a farce.” Following the Electoral Commission’s announcement of an imminent landslide victory for President Lukashenka (nearly 80 percent of the vote, with 90 percent voter turnout), opposition candidates and 10–15,000 of their supporters marched through the center of the capital in protest, demanding a new election. The peaceful protesters were attacked by secret police. Later that night, when protesters tried to force their way into the parliament, they were beaten back by riot police. Seven out of nine opposition candidates were arrested, and more than 700 peaceful protesters were

jailed. In the week following the election and protests, Belarus's secret police cracked down on all forms of potential opposition activity, particularly in the media.

The year ended contrary to Lukashenka's apparent calculations, with neither the EU nor the United States validating his reelection. Russia did recognize the results of the elections (which it called "an internal affair") but continued to put pressure on Lukashenka. As the pendulum of Lukashenka's rule swings back toward repressive autocracy, Belarus is once again isolated from the West, and trapped in a dependent relationship with Russia.

National Democratic Governance. Intense political repression in the first half of 2010 was followed by a softening of the political climate in the run-up to the presidential election, and then a jarring return to repression in the last two weeks of December. Throughout these modulations, the defining features of President Lukashenka's consolidated autocratic regime remained constant, and no breakthrough in political democratization occurred during either the local or the presidential election campaigns. *Belarus's rating for national democratic governance remains unchanged at 6.75.*

Electoral Process. EU-supported amendments to the electoral code somewhat improved opportunities for the opposition to register for elections and campaign, yet meaningful electoral competition remains absent in Belarus. Realignments within the democratic opposition and the emergence of new players and donors on the opposition field energized campaigning in the run-up to the presidential election, but they also contributed to disunity and incoherence among President Lukashenka's opponents. Singularly brutal crackdowns on the opposition in the last weeks of 2010 demonstrated that all of Lukashenka's electoral reforms were cosmetic and calculated to pacify Western powers. *Belarus's electoral process rating worsens from 6.75 to 7.00.*

Civil Society. Promises to rescind Article 193-1 of the criminal code, which penalizes the activities of unregistered nongovernmental organizations, did not materialize in 2010. Attacks on the Union of Poles and the violent dispersal of demonstrations staged by youth groups in February 2010 recalled the worst periods of dictatorial rule in Belarus. At the same time, the resumption of the work of the Public Advisory Council of the Presidential Administration, and the active engagement of private entrepreneurs in drafting the economic liberalization agenda, represented a modest advancement in the dialogue between state and society. *Belarus's civil society rating remains unchanged at 6.00.*

Independent Media. A number of troubling media developments took place in Belarus in 2010. In July, a presidential decree mandated a number of far-reaching internet censorship measures. Aleh Biabenin, one of the founders and leaders of the civil campaign Charter'97, was found dead, and while authorities pointed to a suicide, journalists who sought to investigate his death received death

threats themselves. On the day of the presidential election and in its aftermath, the government brutally cracked down on opposition media by blocking access to websites, arresting and beating journalists, and raiding the offices of a number of independent publications. *Consequently, Belarus's independent media rating worsens from 6.50 to 6.75.*

Local Democratic Governance. Local elections held on April 25, 2010, did not result in an increased voice for the opposition or civil society in local affairs. Local officials have extensive responsibilities in carrying out government programs, especially in the areas of health, administration, and infrastructure. However, they were often underfunded due to the lack of local revenue sources. Local democratic activists often faced discrimination and harassment at their places of employment, as this brings less public attention than high-profile arrests and political trials in the capital city. *Belarus's local democratic governance rating remains unchanged at 6.75.*

Judicial Framework and Independence. The legal system in Belarus continues to be subordinated to the president, with courts acting as punitive bodies and executing the president's will against political opponents. A decline in occurrences of political repression was notable before the December 19 election day, but such incidents increased dramatically in the last weeks of the year. Attorneys were at least partially able to prove the innocence of regime opponents in some high-profile cases. *Belarus's judicial framework and independence rating remains 6.75.*

Corruption. The country's continuous push for liberalization of the business climate was offset by the strengthening position of the Belarusian KGB. The latter has emerged as a top patronage network in the system of power, capable of eliminating bureaucratic competitors for the distribution of rents, as well as obstructing the prosecution of those suspected of graft. *Belarus's corruption rating remains unchanged at 6.00.*

Outlook for 2011. Belarus largely survived the economic and financial crisis of 2008–09, but it paid for its stability by accumulating foreign debt that reached 50 percent of gross domestic product by the end of 2010 (four years ago, it was close to zero). Increased Russian oil prices reduced Belarusian revenue from oil processing and the sale of oil products to the West, which broadened the gap in the balance of payments and made devaluation of the national currency a prospect for the coming year. The regime's decision to significantly increase wages ahead of the December 2010 elections will also have serious repercussions for Belarus's economy in 2011.

The Lukashenka regime's survival will depend upon its ability to generate a new, economically viable sociopolitical model—different from both Western-style democracy and the unreformed market socialism of Lukashenka's early rule. In the short term, the Lukashenka government's survival strategy is to find an alternative partner to both the EU and Russia to support its modernization projects. Options

include China, whose investment has been actively wooed, and Venezuela, whose oil supplies in 2010 broke Russia's monopoly on the supply of raw materials.

As Lukashenka's electoral support declines, the regime will transition from popular autocracy to an elitist regime, with presidential power relying increasingly on the support of political cronies acquired through selective distribution of property rights. The partial reform agenda that Lukashenka is likely to pursue in the coming year will undoubtedly contribute to the internal incoherence of Europe's last dictatorship. However, even in the context of Lukashenka's potential downfall, democratic transition in Belarus remains a very remote possibility.

MAIN REPORT

National Democratic Governance

2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
n/a	n/a	n/a	6.75	7.00	7.00	7.00	6.75	6.75	6.75

The Constitution of the Republic of Belarus, amended in a controversial referendum in 1996, established a system of unlimited presidential authority over the executive branch, local administrations, and the security apparatus. Presidential decrees overrule laws adopted by the parliament and regulate the activities of the Constitutional Court. The president appoints and removes regional and local governors, all judges (except for the chairman of the Supreme Court), half of the Constitutional Court, half of the Central Election Commission (CEC), and 8 out of 64 members of the Council of the Republic (the parliamentary upper house). A constitutional referendum in 2004 removed the last check on presidential powers by waiving presidential term limits.

The most recent elections to the parliament took place on September 29, 2008. International observers from the Organization for Security and Cooperation in Europe (OSCE) Office for Democratic Institutions and Human Rights (ODIHR) noted that voting failed to comply either with OSCE criteria for free and democratic elections or with Belarus’s international commitments. In all 110 constituencies, elections ended after one round, and all the resulting members of parliament (MPs) were government supporters. Most international observers, however, noticed some improvements in the electoral process, including decreased repression of opposition activists and better campaign opportunities for the opposition.

The stability of President Alyaksandr Lukashenka’s authority has been eroded in recent years by his deteriorating relations with Russia and the consequent reduction of Russian energy subsidies. Beginning in 2008, Lukashenka attempted to secure political and economic support in the West and balance relations with a hostile Kremlin through the introduction of half-hearted liberalization measures. However, the political thaw came to a halt in the first half of 2010 and was reversed with a new wave of repression against political opponents, civil society, and the independent press. In the space of just a few months, the government renewed harassment of the independent Union of Poles in Belarus and initiated criminal proceedings against its activists; it attacked opposition websites and leading independent newspapers that investigated corruption inside the government; it violently dispersed several peaceful demonstrations; it adopted regulations to control the internet; it shut down the headquarters of the Speak the Truth political campaign and briefly arrested three of its leaders; and it reestablished the death penalty. Such decisions on the part of the administration represent a pointed defiance of priorities emphasized by the European Union (EU), the United States, and the OSCE. In particular, they

suggest a loss of interest in engaging with the EU, which has, in Lukashenka's view, inadequately rewarded his previous shows of disloyalty to Russia.

Lukashenka's relations with Moscow deteriorated throughout 2010, increasing fears that the Kremlin might take measures similar to those that contributed to violent regime change in Kyrgyzstan. The friction escalated in June, when Russia briefly interrupted the supply of natural gas to Belarus, citing claims of unpaid debt arrears that later proved to be unfounded. In reality, the growing hostility between Moscow and Minsk is rooted in Lukashenka's reluctance to join the customs union with Russia and Kazakhstan on the Kremlin's terms, his public attacks against Russia's top leadership, and his ongoing failure to recognize Abkhazia and South Ossetia as independent states. These acts of rebellion have brought Moscow to the conclusion that it may no longer be able to deal with the Belarusian leader.

The information attack against Lukashenka unleashed by the Russian media in the latter half of 2010 was reminiscent of the character assassination of Kyrgyz president Kurmanbek Bakiyev ahead of his April 2010 ouster, or of Russian regional leaders who defied the Kremlin. On October 3, Russian president Dmitry Medvedev posted a video in which he called President Lukashenka's campaign against Russia "dishonest" and urged the Belarusian leader to focus less on the internal affairs of Russia and more on "multiple disappearances by Belarusian citizens."¹ Although Medvedev ended by reminding viewers that "our nations will always see each other as brothers, no matter who is in office," the address led many to wonder whether the Kremlin would interfere in the December 2010 presidential election—either by supporting an opposition candidate or by refusing to recognize Lukashenka's victory.

Faced with this possibility, Belarus's leader made some efforts in the second half of 2010 to keep his options open in the West; for example, opposition members collecting signatures for the nomination of presidential candidates met with very little harassment from the authorities. In other respects, Minsk continued to resist calls for democratization from Brussels as a matter of principle. Throughout November, the EU tried to nudge Lukashenka toward some political liberalization with several visits from high-ranking officials of member states. In response, the National Security Concept approved by the president on November 11 cited "external interference" of actors seeking to "impos[e] a political course that does not meet Belarus's national interests" as one of the principle threats to national security that all state bodies are obliged to confront.²

The façade of liberalization during the presidential campaign was abruptly dropped on election day, December 19, when secret services attacked a peaceful public gathering in Minsk headed by presidential candidate Uladzimir Niakliaev, the leader of the Speak the Truth campaign. Niakliaev, a well-known poet and former dissident in exile, was seriously injured and forcibly taken to a hospital, from which he was then kidnapped during the night. The demonstration continued, moving from Oktyabrskaya Square to Nezavisimosti Square. Andrei Sannikau, another presidential contender, and his journalist wife, Iryna Khalip, were also beaten and arrested that evening. Later that night, a group of men stormed the

government building, which was filled with military personnel. It was unclear who broke the first window (independent accounts suggest that the initial violence was staged by security forces), but the event provided a pretext for a harsh crackdown by the police. Protesters were dispersed and beaten, with more than 600 people incarcerated for 15 days. Of these, 32 representatives of the opposition, including 7 presidential candidates, were charged with organizing mass protests and public disorder, which according to Belarusian law may carry sentences of 5 to 15 years in prison.

Electoral Process

2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
6.75	6.75	6.75	7.00	7.00	7.00	7.00	6.75	6.75	7.00

Although the political opposition has typically been given some room to organize, elections in Belarus are largely an administrative formality, conducted to validate the selection of progovernment candidates. Legislation fails to protect such basic tenets of free and fair elections as equal campaigning opportunities, representation of all political parties in the country’s electoral commission, and transparent vote counting. The threat of losing jobs is often used to force public employees to take membership in progovernment organizations that may later turn into pro-Lukashenka political parties, such as the Belaya Rus movement. In January 2010, six teachers in the Minsk region were forced to suspend their membership in opposition parties or face dismissal.³

EU-supported amendments to the electoral code in December 2009 introduced guarantees for participation of political parties in territorial electoral commissions, simplified procedures for registration of candidates, and allowed private campaign funding. However, the local elections held on April 25, 2010, offered voters no meaningful choice between representatives, as just 25,305 candidates were registered to contest 21,303 seats in regional, district, town, and rural councils, for an average of 1.18 candidates per constituency. The only elections featuring significant competition were those for the Minsk city council, with 3.8 candidates per constituency.

Independent observers of the April elections noted improvement in certain practices, including increased diversity of election commissions and the registration of more candidates. The Viasna Human Rights Centre reported fewer rejections of opposition party nominations to the regional and constituency-level election commissions than in previous years, although their final representation did not exceed 25 percent.⁴ Nevertheless, candidates experienced occasional harassment and violence that forced some to withdraw from campaigning and cost others their state jobs.

The electoral practices most frequently criticized by domestic and international observers remained in evidence throughout 2010. Early voting was once again

imposed by the authorities through a series of administrative measures that forced state employees to cast their ballots ahead of voting days. In April, a record-breaking 29.3 percent of those who cast their votes did so ahead of time.⁵ Observers assert that early voting—a procedure technically reserved for those who will be traveling on voting day—provides ample opportunities for fraud, as independent observers are unable to supervise ballot boxes between voting hours. Observers were effectively denied access to the vote count on the voting day as well, with most being forced to stay 3 to 10 meters away from tabulation areas. Only six opposition candidates, including three members of the unregistered Belarusian Christian Democracy party, one member of the Belarusian Social Democratic Party, and two members of the Belarusian Left Party (the successor to the Communist Party), won seats in local assemblies.

The opposition went through a major realignment in 2010, prompted by the demise of “traditional” opposition structures such as the United Democratic Forces and the For Freedom movement of former presidential candidate Alyaksandr Milinkevich. Older political parties and coalitions began to disintegrate after traditional donors withdrew their support. In their place, more informal configurations of activists gained momentum through effective public-relations campaigns and donor commitments. The most notable political projects of 2010 were the Speak the Truth campaign led by presidential candidate and poet Uladzimir Niakliaev, and the campaign led by Andrei Sannikau, another presidential contender and a long-term leader of the human rights group Charter’97. Both campaigns were promoted by independent online media and effectively lured grassroots support away from traditional opposition parties such as the United Civic Party and the Belarusian Popular Front.

An apparent resurgence in the authorities’ desire to convince the West that democratization is underway in Belarus brought some short-term gains for the political opposition in the run-up to the presidential election. Eleven candidates were able to collect the number of signatures required for nomination, up from four in both 2001 and 2006. The composition of election commissions improved only slightly, with the authorities rejecting 83 percent of candidates nominated by the opposition. During campaigning, authorities ignored minor violations of certain formalities, and allowed opposition politicians to make public speeches. Niakliaev and Sannikau were considered the most appealing opposition candidates, followed by Vitaly Rymashevski. In the last weeks before the election, Niakliaev and Sannikau coordinated their activities, organizing a series of political demonstrations.

Increased space for campaigning bolstered confidence among the opposition, and lessened the general public’s fear of speaking out, as evidenced by the large crowds that gathered to protest the election results on December 19. However, both the results of the election and the subsequent crackdown on protests sent a clear signal to the country, and to those observing from abroad, that reforms in the electoral campaign process had been superficial and temporary. According to the Central Electoral Commission, Lukashenka received 79.65 percent of the vote, while all opposition candidates combined took 12.89 percent. Official figures also

put voter turnout at 90.65 percent, with 23 percent of the ballots cast before election day.⁶ When opposition protesters gathered in Oktyabrskaya Square to “defend their vote” on the night after the election, they were met with “indiscriminate use of disproportionate force,” according to the OSCE observation mission.⁷ Many protesters were severely beaten by Belarus’s Special Purpose Police Unit (OMON), and some 700 people in total were arrested, including journalists and presidential candidates from the opposition. At year’s end, more than 30 opposition members remained in detention under interrogation by the KGB.⁸

Civil Society

2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
6.25	6.50	6.75	6.75	6.75	6.50	6.50	6.25	6.00	6.00

Repression of the independent civic sector became less acute as a result of the 2008 “liberalization,” but freedom of expression and assembly remained tightly monitored and subject to regular crackdowns by the government. The state treats civil society as a subset of the political opposition; accordingly, it bans unauthorized civic activities, refuses to offer nongovernmental organizations (NGOs) tax exemptions for charitable projects, and encourages legal harassment of NGOs. In the weeks following the December 19 election and protests, Belarus’s secret police cracked down on all forms of potential or perceived opposition activity by civil society.

In the first half of 2010, the central and local authorities registered 68 new public associations and 10 new foundations.⁹ Meanwhile, a number of organizations encountered routine denial of their registration, including the Association of Public Education, the Assembly for Pro-Democratic NGOs, the Young Front organization, the Bierascejskaja Viasna human rights group, and the independent trade union Razam (Together). Opposition political parties created during the period of political “freeze” in the mid-2000s, including the Belarusian Christian Democracy party, were also denied registration in 2010.

Independent monitors noted an increase in low-intensity harassment practices against NGOs, often involving financial and tax inspections.¹⁰ The government also rolled back some of its “liberalizing” practices of the previous year, barring organizations from registering as “establishments” under simplified commercial rules, as many NGOs had done in 2009. Registration was revoked for three “establishments” involved—or believed to be involved—in political activities: Movement Forward, the legal entity behind the Speak the Truth campaign; the Belarusian Association of Agencies for Regional Development (Belarda); and Right Alliance. Members of the Speak the Truth campaign also faced expulsion from universities for their activism.

As in 2009, no individuals were prosecuted under Article 193-1 of the criminal code, which punishes participants in unregistered NGOs with up to two years in jail. In September, the Ministry of Justice proposed excluding this controversial

article from the criminal code, leading many to speculate that the government planned to offer the removal of Article 193-1 as a concession to the EU, if officials' conduct during the presidential election failed to impress international observers.

Other repressive practices, such as taxing and fining NGOs out of existence, harassing NGO activists, or attacking protesters on the streets, continued in 2010, although before December 19 this pressure was less severe and systematic than in previous years. The Mahileu human rights center was ordered by a court to pay over US\$4,000 worth of overdue utility fees in a suspected case of politically motivated persecution.¹¹ The New Life Protestant church in Minsk, whose building the government had tried to confiscate since 2005, faced another round of harassment in 2010, including a fine of 250 million Belarusian rubles (about US\$80,000) for alleged "damage to the environment."

The government resumed its attack on the independent Union of Poles in Belarus (UPB) in January 2010, accusing Teresa Sobol, head of the UPB chapter in Iwianiec, of embezzlement. The state also moved to transfer ownership of the UPB-run Polish cultural house to a progovernment group of the same name, which was established by the regime in 2005 to squeeze the original UPB out of existence. Acts of repression against the UPB have been routine for many years. Usually, they have occurred when the authorities wanted to send a signal of displeasure to the EU regarding its human rights rhetoric and democratizing agenda. This time, however, the attack came when the government was looking for ways to restore ties to the EU. The timing led many to assume the involvement of hard-line elements within the Lukashenka regime, who would be glad to irrevocably ruin Belarus's EU relations and leave the pro-Russian course as the only alternative. This theory was partially confirmed by Lukashenka himself, who took an uncharacteristically conciliatory position and agreed on a joint Belarus-Poland commission to solve the issue. The charges against Sobol were dropped in March.

The Public Advisory Council of the Presidential Administration—whose operations were suspended by the head of the presidential administration in November 2009—resumed work in 2010, with the aim of participating in the Eastern Partnership (EaP) Civil Society Forum. Two members of the Public Advisory Council attempted to set up the Platform for Civil Society, a government-organized NGO (GONGO) that would represent the NGO sector in cooperation and negotiations with the authorities. The proposal was met with nervousness by opposition-minded NGOs, who feared the loss of their privileged status in dealing with EU bodies; a brief war of words and some infighting ensued.

On the night of December 19, KGB officers searched the offices of Viasna Human Rights Centre, as well as the private homes of human rights activist Ales Bialiatsky. The searches were conducted under the auspices of an investigation that had not officially begun at the time of the first search. The broad crackdown on civil society activities in the aftermath of the December 19 voting resulted in numerous raids of NGOs, usually accompanied by confiscation of computers and other equipment.

Independent Media

2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
6.75	6.75	6.75	6.75	6.75	6.75	6.75	6.75	6.50	6.75

Belarus's media sector is tightly controlled by the government. According to the Ministry of Information, there were 1,320 print outlets registered on October 1, 2010. Of these 653 newspapers and 623 magazines, only 327 publications are state-owned.¹² However, no more than a dozen independent newspapers present political views that are not tightly tethered to the government line. Those that do so are denied access to the state distribution and retail networks and thus remain inaccessible to the general public. The work of the independent press is also obstructed by discriminatory pricing for print and distribution, draconian libel laws, and repression against journalists and distributors of the independent press.

A presidential decree signed in February 2010 and subsequent regulations provide a legal basis for extensive censorship and monitoring of the internet. Under the supervision of the presidential administration's Operational and Analytical Center (OAC), Presidential Decree No. 60 "On Measures to Improve the Functioning of the National Segment of Internet" imposes government censorship of online publications and provides security agencies with a broad mandate to interfere in private correspondence and online content creation. Specifically, the decree requires internet service providers (ISPs) to trace and store the identity and browsing history of each user for one year. It legalizes the practice of blocking "extremist" or pornographic internet content, and requires ISPs to inform authorities about users seeking out content of this kind. In addition, the decree calls for mandatory identification of users at internet cafes, and requires all websites within the national internet domain (.by) to register with the OAC. In response to recommendations and criticism from the OSCE and other international observers, the final version of the decree did separate the liability of an author from that of the host site with respect to libel and incorrect information, and stipulated a short list of informational items that government websites must provide to the public.¹³

In run-up to the presidential election the government made attempts to appear as though it were allowing a more open media landscape. For example, it did not block access to YouTube or other websites that posted or streamed *Godfather*, a series of anti-Lukashenka documentaries produced by the Russian television channel NTV. As a result, about 20 percent of the population reported viewing the documentaries, even though NTV's broadcast of the series was blocked from Belarus TV.¹⁴ Whereas in the preceding months the internet was primarily a coordination mechanism for the political opposition subculture, during the 2010 election campaign web content was used to communicate with the so-called "kitchen" opposition—the one-quarter to one-third of the population that consistently opposes Lukashenka but does not associate itself with opposition parties. Presidential candidates Sannikau and Niakliaev owed their relative success to effective online campaigns, and the Speak the Truth campaign achieved high

name recognition in a short period of time largely due to online publicity. The total number of internet users in Belarus exceeded one-third of the adult population in 2010.¹⁵

Harassment of opposition journalists increased early in the year, relaxed slightly as the election approached, and shifted into high gear after December 19. Several newspapers were denied registration (for example, *Nash Dom* in Viciebsk and *Silnyje Novosti Gomelya* in Gomel), and no new independent publications with political agendas were allowed in the state distribution and retail networks. A series of violent raids and searches took place in February and March, starting with an attack on the secret office of the independent television channel BELSAT (a broadcaster from Poland that has repeatedly been denied accreditation in Belarus). A subsequent series of forced entries and searches was initiated by the Gomel KGB on the suspicion that journalists were preparing “slandorous” materials that accused former KGB head General Ivan Korzh of corruption in connection with the issuing of illegal hunting licenses. The journalists attacked included Maryna Koktysh, deputy editor of *Narodnaja Volja*, and the newspaper’s editor in chief, Sviatlana Kalinkina, whose computers were confiscated. The series of attacks in Gomel continued with raids on the offices of *Narodnaja Volja*, Charter’97, and the private apartment of Charter’97 journalist Natalya Radzina, who was violently abused by the police during the search. As no formal charges of slander were presented to the journalists involved, the most likely reason for the raids was to disrupt the activities of these leading independent publications by confiscating computers and office equipment.

On May 18, 2010, journalists were detained and searched in a broad attack on the Speak the Truth campaign, a new political formation that recruited many independent journalists and publications under its auspices. These included the editor in chief of the newspaper *Tovarishch*, Siarhej Vazyak, and journalists Alyksandr Ulicenak, Alyksandr Feduta, Larysa Nasanovich, and Jury Alejnik. Police repeatedly confiscated the campaign’s publications and arrested their distributors, though the materials in question required no registration under the law. The government also confiscated the printing press of *Polski na Wschodzie*, a journal of the independent UPB. Mikalaj Ramnev, editor of the newspapers *Viciebski Kurjer* and *Nash Dom*, was detained and fined for illegal distribution without proper provision of printing data, even though all necessary information about the printing was in the newspaper as required by law. *Nash Dom* is produced by an NGO of the same name in Viciebsk whose grassroots mobilization of the public on local issues has been troubling for local authorities.

Throughout the year, the government used official warnings as a means of unnerving news outlets, keeping publications in constant anticipation of closure (two warnings in a year constitute legitimate grounds for shutting a newspaper down). Between May 31 and June 2, such warnings were sent to most leading online independent publications, including *Narodnaja Volja*, *Salidarnasc*, and *Novy Chas*.¹⁶ *Narodnaja Volja* (which also has a print edition) received a total of four government warnings in 2010, while *Nasha Niva*, the leading Belarusian-language

publication, was warned three times during the year. The large number of warnings against these two papers was striking: unlike most independent newspapers with political views, both publications are allowed to be sold in state kiosks. In this way, the government effectively nudged the “approved” independent press toward greater self-censorship, aided by the silence of journalists and outlets that denied being pressured.

Komsomolskaya Pravda v Belorussii, while far from being an opposition publication, is the country’s top-selling nonstate paper and the Belarus edition of the leading Russian tabloid. The paper received its second official warning on March 2, resulting in the dismissal of its editor in chief.¹⁷ The paper did not reveal the official reason for the warning, which was widely interpreted as an attempt to discipline the publication in the run-up to the election campaigns.

Journalists and civic activists were shocked by the mysterious death of journalist Aleh Biabenin, the founder of Charter’97 and editor of its website, who was found hanged in his cottage on September 2. Although Biabenin’s colleagues rejected the official verdict of suicide, they were not inclined to directly accuse President Lukashenka of ordering the murder. There seemed no motive for assassinating a relatively quiet journalist in the election season, with the eyes of the world upon the government and Russia’s references to political murders and disappearances already being used as fodder by the regime’s opponents. Thus the most popular theory in opposition circles was that Biabenin had been murdered by rogue elements in the regime to ensure that Lukashenka’s bridges toward the West were burned. The regime, while failing to act immediately to investigate the death, later adopted a rather uncharacteristic openness, inviting OSCE experts to take part in the investigation. The experts confirmed the suicide ruling, but their examination was apparently limited to documents produced by the Belarusian authorities. Journalists who questioned the official version of Biabenin’s death were threatened; the day after writing about Biabenin’s death, journalist Sviatlana Kalinkina received a death threat in which she was warned to stop publishing articles.¹⁸

In the run-up to the December presidential election, the government made some attempts to showcase liberalized television content. It did so not just to please the EU and the United States, but also as a counteroffensive to the information attacks coming from Russia. Because Russia had attacked Lukashenka’s character and drew attention to politically motivated disappearances, Belarus sought to stress Russia’s press freedom violations and contrast them with its own enlightened television programming. Thus while major television channels continued to produce slanderous documentaries about opposition activists that explored their “deviant” behavior, state television before December 19 was also increasingly open to content that had previously been off-limits—for example, historical accounts of Stalinist repression and anti-Soviet resistance in Belarus. Some independent scholars who were expelled from state jobs for ideological reasons were now invited to appear on television as experts, and Polish director Andrzej Wajda’s film *Katyn*, about the 1940 massacre of Polish officers by Soviet forces, was broadcast in Belarusian on Lech Kaczyński Day.

The government also announced that it would air televised debates between candidates and allowed some opposition newspapers to be distributed ahead of the elections. However, the OSCE election report predictably found that all television stations showed a “clear bias” in favor of Lukashenka, who received 89 percent of news coverage, all of which was positive or neutral, while coverage of opposition candidates was mostly negative and only occasionally neutral.¹⁹

The most troubling developments in the media unfolded in the last days of 2010, in what the Council of Europe Parliamentary Assembly called an “unprecedented wave of violence, intimidation, mass arrests, and prosecution” following the December 19 presidential election.²⁰ The Foreign Ministry had already denied foreign press accreditation to a number of journalists who had been critical of Lukashenka in the past, and it was reported that access to major opposition websites, including Charter’97, was blocked on election day. Also blocked were news websites like Radio Free Europe/Radio Liberty, social-networking sites such as Facebook and Twitter, and the e-mail platform Gmail.²¹ Reports emerged that the government had also set up websites that mirrored opposition sites and provided visitors with disinformation.

During a postelection protest attended by 10–15,000 people, at least 21 journalists were beaten by security forces, and another 24 journalists were arrested.²² While journalists were typically released after 10 to 15 days, both Iryna Khalip of the independent Russian weekly *Novaya Gazeta* and editor Natalya Radzina of Charter’97 were still in custody at year’s end, facing between 5 and 15 years in prison for organizing “mass disturbances.”²³ Security services raided a number of independent media organizations, including Belarusian PEN, *Nasha Niva*, and BELSAT, in the last days of December, seizing computers and flash drives.²⁴ The OSCE’s representative on freedom of the media, Dunja Mijatovic, said that this “brutal treatment of media representatives by law-enforcement agencies in the aftermath of the election shattered signs of progress” in the Belarusian media landscape in 2010.²⁵

Local Democratic Governance

2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
n/a	n/a	n/a	6.50	6.50	6.50	6.75	6.75	6.75	6.75

Belarus lacks a system of local self-government. Heads of regional and district administrations are directly appointed by the president. Elections to local councils held on April 25, 2010, saw only six opposition personalities elected among the 21,288 council members nationwide. Local officials have extensive responsibilities in carrying out government programs, especially in the areas of health, administration, and infrastructure. However, they are often underfunded due to the lack of local revenue sources. Moreover, their budgets may be depleted by obligations to carry out unfunded mandates identified by the central administration. For example,

under orders from President Lukashenka, many localities must at their own expense maintain sports infrastructure in their territories.

Local democratic activists often face discrimination and harassment at their places of employment, as this brings less public attention than high-profile arrests and political trials in the capital city. Several local political and community activists were punished for their political work with dismissal from state jobs in 2010. These included Uladzimir Shyla from Salihorsk, whose son was also expelled from high school for activities in the Young Front movement and then illegally drafted into the army; a teacher of the Belarusian language from near Viciebsk who published an independent news bulletin for fellow villagers; and human rights defender Uladzimir Celiapun from Babruisk, who ran in the local elections without the approval of his superiors at the Babruiskmeblia furniture plant.

It is often difficult to distinguish between civil society and the political opposition at the local level. The authorities generally view community organizing on local issues as a form of political activity. Moreover, local organizers, many of whom are very young, tend to develop political profiles and become active in NGOs and political parties at the same time; some are capable of initiating and maintaining scores of local initiatives and projects. While forced to respond to local campaigns in some manner, the authorities simply obstruct and prosecute these activities whenever possible. For example, Ales Zarembuk, an activist and former council member from the town of Masty, faced criminal proceedings on charges of illegal solicitation of a bank loan as he ran for the local council in April 2010. In another case, Nash Dom (Our House), a grassroots organization headed by former Viciebsk council member Volha Karach, was repeatedly raided, and the newspaper printed by the NGO was confiscated throughout the year.

In 2010, many local NGOs chose to pursue a conspicuously apolitical agenda in order to improve their chances of engaging with local authorities. This brought mixed results, as in the case of the Belarusian Association of Regional Development Agencies (Belarda), whose registration was revoked in 2010.

Judicial Framework and Independence

2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
6.75	6.75	6.75	6.75	6.75	6.75	6.75	6.75	6.75	6.75

The judicial branch in Belarus lacks independence, as it is regulated by the president, who controls the appointment of judges. The president also has the power to relieve citizens of criminal liability, and no high-ranking public official may be prosecuted without Lukashenka’s consent. Persecution of political opponents is often conducted with blatant violations of the law.

Beginning in 2008, there was a consistent decline in occurrences of political repression in Belarus, as measured by the number of politically motivated arrests, trials, fines, and sentences. Election years in Belarus usually mean a spike in political repression, but in 2010 the number of arrests remained comparatively low

until December 19. In particular, the number of administrative arrests decreased by almost 15 times since 2007. Most legal harassment against the opposition took place in the first half of 2010, with a relatively calm period between May and late December. One notable exception was the trial of Mikhas Bashura, an activist for the Speak the Truth campaign, who was arrested and tried for illegal appropriation of a bank loan.²⁶

Though fewer new cases were initiated in the period before December 19, the trials of several government opponents who had been framed for various crimes were completed in 2010. The most resonant politically motivated trial in recent years, involving Vaukavysk entrepreneurs Mikalaj Autukhovich and Uladzimir Asipenka, ended on March 5, 2010. Autukhovich, the organizer of several protests by private businessmen against poor working conditions and arbitrariness by the authorities, was accused of planning terrorist attacks and charged with illegal arms possession. The court cleared him of the terrorism charges but found him guilty of illegally possessing five rounds of ammunition for a hunting rifle and sentenced him to five years and two months in a high-security prison. Asipenka received three years in jail on similar charges.²⁷ The court based its verdict on the confession of Autukhovich's former colleague, which observers said was quite possibly forced.

A revision of the sentence against Andrei Bandarenka, an entrepreneur and activist of the United Civic Party from Babruisk, also concluded in 2010. In 2009 he had been sentenced to seven years in prison for accounting fraud. Responding to claims that the ruling was motivated by Bandarenka's activism and participation in the 2008 parliamentary elections, the Supreme Court overruled the sentence and ordered a review of the evidence. A new sentence issued in February 2010 reduced Bandarenka's prison term to six years.²⁸

Violence against opposition protesters and youth activists continued in 2010. Actions in support of Autukhovich and Asipenka on February 8 and the traditional St. Valentine's Day demonstration on February 14 in Minsk were dispersed by the police with a level of brutality that participants said they had not seen in three to four years. Police also dispersed an innocent performance by youth activists—a so-called pillow fight on July 15, to commemorate the 600th anniversary of the battle of Grunwald—even though the date was widely celebrated at the official level. Siarhej Kavalenka, an activist from Viciebsk, was sentenced for public obscenity in April after a months-long trial and brief imprisonment. His initial offense was a public display of the outlawed former national flag on a Christmas tree erected in Viciebsk city center.

Throughout the year, student activists found themselves arbitrarily expelled from universities, resulting in the loss of their waiver from otherwise compulsory military service. Stanislau Ramanovich, a member the Young Front movement from Mahileu, lost his scholarship and was forced to serve in the army in July 2010.²⁹ An activist of the Belarusian Christian Democracy party, Jakau Jakavenka, was sentenced to one year of forced labor for draft evasion. Jakavenka had refused to respond to draft calls, demanding that they be issued to him in the Belarusian language, which the authorities refused to do.³⁰ On a positive note, two other young people accused

of draft evasion were acquitted in 2010. Opposition members continued to be threatened with loss of employment for political activism. Uladzimir Celiapun, a human rights defender from Mazyr, was fired after he announced his run for the April local council elections, thus ending an impeccable, 34-year record of service to his state-owned company.

The practice of punitive tax and financial inspections, less frequent since 2009 due to the authorities’ attempts to liberalize the economy, nevertheless continued to be applied to business entities whose employees or managers engaged in political activities. In November 2010, the Committee for Financial Investigations imposed penalties of 73 million Belarusian rubles on the NoVAK sociological laboratory, even after a two-month-long inspection found no financial violations. The real reason for the inspection and penalties was, according to critics, the involvement of NoVAK director Andrei Vardomatski with the Speak the Truth campaign and his intention to carry out exit polls during the presidential vote.

Following the large-scale government crackdown on December 19, the vast majority of arrested protesters received administrative sentences (10-15 days) and were then released. The authorities also initiated serious criminal charges against approximately 50 people, including prominent journalists and civil activists, and five presidential candidates. While in detention, members of the opposition were denied access to lawyers or relatives (in many cases their families had no way of knowing if they were alive). For the rest of the year, the KGB was given an unprecedented mandate to collect information and intimidate civil society actors by means of searches, raids, and confiscation of personal property.

Corruption

2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
5.25	5.50	5.75	6.00	6.25	6.25	6.25	6.00	6.00	6.00

In the past two years, economic liberalization and de-bureaucratization initiatives pursued on a limited scale have allowed some improvement in Belarus’s business climate and the overall transparency of government. The country’s legal framework addresses the issue of corruption and contains laws on conflict of interest. All draft laws are also required to pass a so-called criminology test with the office of the prosecutor general, which must assess whether a given bill may encourage bribery.

Nevertheless, the discretionary power of bureaucrats to regulate economic activities creates ample opportunities for extortion. Trade, industry, and agriculture remain the sectors most prone to corruption.³¹ In February 2010, the office of the prosecutor general pointed to a precipitous increase in the occurrence of “large-scale corruption,” including the proliferation of criminal groupings of officials who coordinate bribery.³² Such groups rely primarily on opportunities presented by nontransparent public procurement procedures, luring in foreign companies with attractive kickback schemes. In June 2010 a ring of 16 construction managers was

accused of taking bribes in excess of US\$1 million for distributing apartments at discounted prices (the difference between market and discounted prices was directly pocketed).³³

Corruption is also widespread in public services that are nominally free, such as health care and education. In these cases, anticorruption initiatives by the government are often replaced by new bribery schemes. For example, following the relatively successful eradication of corruption in university entrance exams, professors began more actively extorting bribes from students for passing grades on their midterm and final exams.³⁴

The government in 2010 continued to showcase its anticorruption agenda with highly publicized prosecutions of top officials. Mikhail Snegir, former prosecutor of the Minsk region, was sentenced in May 2010 to seven years in prison for taking bribes to solve certain criminal cases. However, independent investigators of corruption are regularly attacked and harassed, as was the case with a journalist for *Narodnaja Volja* and Charter'97 who attempted to shed light on corruption schemes in the Gomel police. Svetlana Baikova—an investigator at the prosecutor's office who was responsible for uncovering seven cases of high-profile corruption in 2007–10 and incriminated 112 officials in the process—was arrested by the KGB in February 2010 on unspecified charges and kept out of the public eye through the end of the year.

As Baikova had mostly investigated cases concerning bribery by customs and KGB officials, her detention was widely believed to reflect an internal power struggle between security agencies fighting over patronage positions that enrich top government officials.³⁵ The arrest of Baikova also reflected the growing strength and impunity of the KGB, an agency which was purged of potentially disloyal elements by Lukashenka in 2007. Now under the control of the president's son, Viktor Lukashenka, the KGB is rapidly recovering its position as the country's top security body. It has come to dominate other potential centers of power and serves as the main cover for the shadowy operations of the president's inner circle.

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