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Belarus

Country:

Belarus

Year:

2018

Freedom Status:

Not Free

Political Rights:

6

Civil Liberties:

6

Aggregate Score:

21

Freedom Rating:

6.0

Overview:

Belarus is an authoritarian state in which elections are carefully managed and civil liberties are minimal. Limited displays of dissent have been permitted in recent years, as the war in neighboring Ukraine, growing regional tensions, and a struggling economy motivate the government to seek better relations with the European Union (EU) and the United States.

Ratings Change:

Belarus's political rights rating improved from 7 to 6 due to efforts by government agencies to make official information available online.

Political Rights and Civil Liberties:

POLITICAL RIGHTS: 6 / 40 (+1)

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

The president is elected for five-year terms without limits. In 2015, Alyaksandr Lukashenka secured his fifth term in a noncompetitive presidential race. Organization for Security and Co-operation in Europe (OSCE) observers concluded that the poll fell

considerably short of democratic standards. The observers did take note of several positive developments, including the participation of the first-ever female presidential candidate and the peaceful pre- and postelection environment; the latter was welcomed as an improvement given the brutal crackdown on protests surrounding the 2010 election.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

The 110 members of the Chamber of Representatives, the lower house of the rubber-stamp National Assembly, are popularly elected to four-year terms from single-mandate constituencies. The upper chamber, 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.

An OSCE observation mission assessing the 2016 parliamentary elections concluded that the polls took place in a restrictive environment, and that electoral procedures lacked transparency. However, there was less pressure on independent candidates, the general atmosphere was calm, and two candidates not associated with Lukashenka gained seats in the lower chamber.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

The legal framework for elections fails to meet democratic standards. Among other problems, electoral commission members of all levels are politically aligned with and dependent on the government, and independent observers have no access to the ballot-counting process. The access of the opposition to state-run media has improved somewhat, but it remains under tight control while heavily favoring Lukashenka.

In 2017, authorities indicated that electoral reforms recommended by the OSCE would not be implemented before municipal elections in February 2018, citing a lack of time to pursue them.

B. POLITICAL PLURALISM AND PARTICIPATION: 4 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

There is no official progovernment political party, and very few lawmakers are affiliated with any party. Individuals associated with the opposition tend to avoid political discussions on the phone or online due to fears of government monitoring.

Political parties face near-insurmountable challenges when seeking official registration. In May 2017, after six failed applications, the Tell the Truth movement was registered. However, government has continued to block the registration of the Belarusian Christian Democracy party.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 1 / 4

Two parliamentarians not aligned with Lukashenka entered the parliament in 2016, ending a long period in which there was no parliamentary opposition. Some analysts dismissed their election as immaterial and designed to placate the opposition, though others have argued that their activity in the parliament may create stronger incentives for people to exercise independent political activity aimed at gaining power through elections.

B3. Are the people's political choices free from domination by the military, foreign powers, religious hierarchies, economic oligarchies, or any other powerful group that is not democratically accountable? 1 / 4

While private citizens and political candidates have some limited opportunities to express their views and make political choices, Lukashenka's regime is unaccountable to voters, and meaningful participation in politics is generally not possible. Involvement in politics and activism is considered risky in Belarus and can result in lost jobs, expulsion from educational institutions, smear campaigns in the media, fines, and the confiscation of property.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

No registered party represents the specific interests of ethnic or religious minority groups. Women formally enjoy equal political rights, but are underrepresented in political leadership positions. Women's advocacy groups have diverging positions on promoting the political rights of women, with some such groups taking the position that there is no need for gender equality initiatives in Belarus. There has been some visible activism by women's groups seeking to raise awareness of violence against women.

The Roma minority is politically marginalized.

C. FUNCTIONING OF GOVERNMENT: 2 / 12 (+1)

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

The Constitution vests most power in the president, giving him control over government, judiciary, and legislative processes by stating that presidential decrees have higher legal force than legislation. Lukashenka, who was not freely elected, considers himself head of all branches of government.

C2. Are safeguards against official corruption strong and effective? 1 / 4

The state controls 70 percent of the economy, feeding widespread corruption. Graft is encouraged by the lack of transparency and accountability in government. There are no independent bodies to investigate corruption cases, and graft trials are typically closed. Lukashenka often uses his powers to free convicted officials, and has the power to place them back into positions of authority.

C3. Does the government operate with openness and transparency? 1 / 4 (+1)

Governmental institutions for the most part fail to adhere to legal requirements providing for access to information. However, in recent years, the authorities have moved to make some basic information about government operations available online.

Additionally, in 2017, authorities announced that all websites will publish information in both Belarusian and Russian, and other languages as necessary, beginning in 2019.

Score Change: The score improved from 0 to 1 due to recent efforts by government agencies to make official information available online.

CIVIL LIBERTIES: 15 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 3 / 16

D1. Are there free and independent media? 1 / 4

The government exercises almost total control over mainstream media. The 2008 media law secures a state monopoly over information about political, social, and economic affairs. Libel is both a civil and criminal offense, and the criminal code contains provisions protecting the “honor and dignity” of high-ranking officials, including greater penalties in cases of defamation or insult.

The government owns the only internet service provider, and controls the internet through legal and technical means. The government’s definition of mass media includes websites and blogs, placing them under Ministry of Information’s supervision.

In 2017, the state renewed its attacks on independent media, especially during large protests against the so-called social parasite tax. Dozens of journalists attempting to cover the events were detained for days, or punished with heavy fines. Journalists working for foreign, unaccredited news outlets also face harassment and persecution.

However, independent journalists are occasionally able to place pressure on authorities. In October 2017, the death of army conscript Alyaksandr Korzhych—which was widely believed to be the result of brutal hazing—was formally deemed a suicide. His death saw wide media coverage, which likely contributed to authorities’ later decision to open an investigation into the matter.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

Despite the constitutional guarantees of religious equality, government decrees and registration requirements maintained some restrictions on religious activity. Legal amendments in 2002 provided for government censorship of religious publications and barred foreigners from leading religious groups. The amendments also placed strict limitations on religious groups active in Belarus for less than 20 years. In 2003, the government signed a concordat with the Belarusian Orthodox Church, which is controlled by the Russian Orthodox Church, giving it a privileged position.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 0 / 4

Academic freedom remains subject to intense state ideological pressures, and academic personnel face harassment and dismissal if they use liberal curriculum or are suspected of disloyalty. Students and professors who join opposition protests face immediate dismissal and revocation of degrees.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

The use of wiretapping and other surveillance by state security agencies limits the right to free private discussion. Private citizens often avoid discussing sensitive issues over the phone or via internet communication platforms, for fears that state security agents are monitoring conversations.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 3 / 12

E1. Is there freedom of assembly? 1 / 4

The government restricts freedom of assembly. Protests require authorization from local authorities, who can arbitrarily deny permission. In the past, police would routinely break up public demonstrations and arrest participants. However, moves toward a rapprochement with the EU and United States have prompted authorities to rely somewhat more on fines as a means of punishing demonstrators.

In February and March 2017, thousands of Belarusians took to streets in a series of peaceful protests against the so-called social parasite tax, which introduced taxation on people who work fewer than 183 days per year, and had been implemented by presidential decree in 2015. Initially, authorities tolerated the protests. But as they gained momentum, authorities turned to preventive detentions and mass arrests; more than 100 arrests were reported by late March. According to Amnesty International, at least 177 people arrested in connection with the protest movement were convicted of administrative crimes and received jail terms of up to 25 days. Nevertheless, the protest movement prompted Lukashenka in March to suspend the parasite tax.

In a related case, in March, police arrested 35 people and opened a criminal case against them alleging preparing mass disturbances. Authorities the following month charged 20 of them—some of whom were former members of the long-disbanded nationalist group White Legion—with forming an illegal armed group. All arrested were released after several months of incarceration, and in November the investigation was closed.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 1 / 4

Freedom of association is severely restricted. Participation in unregistered or liquidated parties or organizations was criminalized in 2005. Registration of groups remains selective. Regulations ban foreign assistance to entities and individuals deemed to promote foreign meddling in internal affairs.

A few groups focused on rights work continue to operate, but staff and supporters risk prosecution and jail time for their activism.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

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, when Lukashenka issued a decree setting extremely restrictive registration requirements.

F. RULE OF LAW: 2 / 16

F1. Is there an independent judiciary? 0 / 4

Courts are subservient to the president, who appoints Supreme Court justices with the approval of the rubber-stamp parliament.

F2. Does due process prevail in civil and criminal matters? 1 / 4

The right to a fair trial is often not respected in cases with political overtones. The power to extend pretrial detention lies with a prosecutor rather than a judge, in violation of international norms. The absence of independent oversight allows police to routinely and massively violate legal procedures. The vast majority of people convicted of administrative offenses in connection with their participation in the early 2017 protests were convicted in summary trials.

The government attacked attorneys during legal proceedings against the “White Legion” defendants accused of forming an armed group in connection with their involvement in the early 2017 protests. Hanna Bakhtsina, who worked on the case, was disbarred by the Ministry of Justice, which cited her “lack of qualifications;” Bakhtsina had been a lawyer for 35 years, and had represented a number of political activists in her career. The Justice Ministry also delayed the accreditation of several other lawyers who had been involved in the case, saying it would be granted after six months on condition that they followed the ministry’s recommendations.

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

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

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Authorities create advantageous conditions to increase dominance of the Russian language, and UNESCO recognizes Belarusian as “vulnerable.” The regime in recent years has been less wary of issues involving Belarusian national identity, though official usage of Belarusian remains rare. Ethnic Poles and Roma often face undue pressure from authorities.

Widely held societal values emphasize that women should be mothers, and while this has helped maintain social benefits including generous maternity leave, these views in practice restrict the opportunities of women. Men and women face significant discrepancies in income.

LGBT (lesbian, gay, bisexual, and transgender) people face widespread societal discrimination, and law enforcement authorities are reluctant to investigate prosecute attacks and other abuses against them. In May 2017, police raided an LGBT event at a nightclub and recorded the attendees’ identities.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 7 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

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

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Limits on economic freedom eased in recent years, allowing for greater property ownership and small business operations. However, state interference in the economy still affects larger businesses, and large business owners are subject to government pressure and harassment.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

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

Domestic violence is a pervasive problem in Belarus. Some ostensibly protective mechanisms can make finding help more difficult for victims, who are usually women. For example, families with minor children can be deemed to be in a “socially precarious” situation if a parent reports domestic violence, a designation that can allow social services to take any children into custody.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

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

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