Belarus

by Vitali Silitski

Capital: Minsk
Population: 9.7 million
GNI/capita: US$9,700

The social data above was taken from the European Bank for Reconstruction and Development's *Transition Report 2007: People in Transition*, and the economic data from the World Bank's *World Development Indicators 2008*.

Nations in Transit Ratings and Averaged Scores

	1999	2001	2002	2003	2004	2005	2006	2007	2008
Electoral Process	6.75	6.75	6.75	6.75	6.75	7.00	7.00	7.00	**7.00**
Civil Society	6.00	6.50	6.25	6.50	6.75	6.75	6.75	6.50	**6.50**
Independent Media	6.75	6.75	6.75	6.75	6.75	6.75	6.75	6.75	**6.75**
Governance*	6.25	6.25	6.50	6.50	6.50	n/a	n/a	n/a	**n/a**
National Democratic Governance	n/a	n/a	n/a	n/a	n/a	6.75	7.00	7.00	**7.00**
Local Democratic Governance	n/a	n/a	n/a	n/a	n/a	6.50	6.50	6.50	**6.75**
Judicial Framework and Independence	6.50	6.757	6.75	6.75	6.75	6.75	6.75	6.75	**6.75**
Corruption	5.25	5.25	5.25	5.50	5.75	6.00	6.25	6.25	**6.25**
Democracy Score	**6.25**	**6.38**	**6.38**	**6.46**	**6.54**	**6.64**	**6.71**	**6.68**	**6.71**

** 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 earned the dubious reputation of "the last dictatorship of Europe," although the country's first democratically elected president, Alexander Lukashenka, won Belarus' first presidential elections in 1994 on promises to halt market reforms, fight corruption, and reestablish Soviet-era social guarantees. He has remained president since then and has instituted direct presidential power over all institutions, controlled the electoral process, marginalized the opposition, reduced the independent press to a bare minimum, and created pervasive mechanisms for controlling the economy and society. The country's unreformed and extensively bureaucratized economy performed strongly for most of the last decade owing to an economic upturn in countries traditionally importing Belarusian goods, and generous discounts on energy prices provided by Russia. In 2007, Russia's decision to raise energy prices and develop market-based relations with Belarus shook the prospect of long-term stability for Lukashenka's political and economic system. The price hikes reflected the Kremlin's irritation with Lukashenka's persistent failure to honor his commitments to federate Belarus with Russia and led to an "energy war" between the two countries throughout the winter of 2006–2007. The adjustment to new economic realities underscored the domestic political dynamics in Belarus in 2007.

In the economic sphere, the government reversed its long-standing policy and began a period of reform by revamping the social benefits system and privatizing some state-owned assets. Even more radically, in an attempt to secure alternative sources of investment beyond Russia, the government eased political repression in the first half of 2007 and expressed interest in cooperation with the European Union (EU) on such issues as energy security. Lukashenka himself, however, declared that these overtures to the West did not presage impending changes to domestic policy. As a result, the attempt to normalize relations with the EU quickly dissolved, and political repression was in full swing by the end of summer 2007. Overall, the "energy war" ended with a deal allowing Russian gas monopoly Gazprom to purchase a 50 percent stake in the key Belarusian gas distribution and transportation network, Beltransgaz, in exchange for a five-year-long transition to European-level energy prices for Belarus.

National Democratic Governance. The institutions securing the absolute presidential control over state, society, and the electoral process remain fully in place, although conflicts among security agencies in the summer of 2007 demonstrated signs of internal power struggles. A more lenient treatment of the opposition in 2007 offered a temporary break in the regime's widespread practice of repressing political

opponents and civil society. *Belarus' rating for national democratic governance stands unchanged at 7.00.*

Electoral Process. Local elections carried out on January 14, 2007 reduced opposition representation in local councils to a minimum, thus eliminating the last islands of institutionalized political pluralism in Belarus. Infighting for leadership widened the gap between the opposition and society and further promoted public apathy and disinterest in politics. *Owing to the continued absence of meaningful electoral competition and the inability of democratic forces to deliver a credible political alternative, Belarus' rating for electoral process remains unchanged at 7.00.*

Civil Society. Several long-term prisoners remained incarcerated during 2007 for creating unregistered nongovernmental organizations (NGOs), while civil society activists put on trial under anti-NGO laws avoided long prison sentences. At the same time, despite official attempts, a few key NGOs avoided liquidation. Disillusionment and overall lack of direction within civil society led to a sharp decline in the activities of informal groups that arose during the 2006 presidential election. *The balance of negative and positive tendencies in the independent civic sector keeps Belarus' rating for civil society unchanged at 6.50.*

Independent Media. Discriminatory practices against the independent press and harassment of independent journalists continued in 2007. The government hindered access to information by restricting state officials from speaking to the press. In 2007, the trial against Andrej Klimau set a new precedent for attacking freedom of speech online. *Belarus' rating for independent media remains unchanged at 6.75.*

Local Democratic Governance. Local democratic government remains nonexistent in Belarus, and the top-down system of appointing local bureaucrats remains fully in place. Local elections in 2007 resulted in the near total disappearance of opposition representation in local councils. *Owing to the removal of political pluralism at the local level, Belarus' rating for local democratic governance deteriorated from 6.50 to 6.75.*

Judicial Framework and Independence. De facto subordination of the judiciary to the executive makes it an instrument of political reprisal. Imprisoned opposition activists report mistreatment, and several faced new criminal charges in an apparent attempt to prevent their release. *Belarus' rating for judicial framework and independence remains unchanged at 6.75 owing to a lack of progress in ensuring fairness and impartiality of the courts.*

Corruption. Modest improvements in the Belarusian business climate were made in 2007 with the activation of previous presidential directives aimed at reducing the bureaucracy. Yet, public perception of corruption continued to grow as government

operations and budgetary policies remained non-transparent. Authorities bypassed legal requirements for open tenders when authorizing key privatization deals in 2007, a source of concern for future privatization of state-owned enterprises. *Belarus' rating for corruption remains unchanged at 6.25.*

Outlook for 2008. Emerging challenges to the stability of Lukashenka's political and economic model will not likely push the government toward conscious reforms or political liberalization. Rather, it is likely to continue the stop-start approach taken in 2007. Parliamentary elections scheduled for September 2008 will not open a space for genuine political competition. Furthermore, Lukashenka will continue to consolidate his grasp on power with an eye on the next presidential elections in 2011.

Main Report

National Democratic Governance

1999	2001	2002	2003	2004	2005	2006	2007	2008
n/a	n/a	n/a	n/a	n/a	6.75	7.00	7.00	7.00

The government in Belarus is based on unlimited presidential authority, without presidential term limits. The Constitution severely restricts the legislative powers of the Parliament, the National Assembly, giving priority to decrees and orders signed by the president.

Parliament is entrusted with nominal control over the cabinet and must gain the consent of the president or government to adopt any law concerning government spending. The president appoints head regional administrators and members of the Council of Ministers. Only the prime minister is subject to parliamentary approval. However, the House of Representatives faces dissolution should it fail twice to approve the president's candidate.

The assembly's bicameral composition enforces its subordination to the president. While 110 members of the House of Representatives are elected on a single-member constituency basis, the upper Council of the Republic is appointed by regional assemblies of local councils, with the president selecting 8 of its 64 members. Most key appointments, including half of the Constitutional Court and the chairman of Supreme Court, are carried by the unelected upper house.

Texts of major legislation are available to the public in printed and free Internet versions. However, an extensive range of data on government activities, including international treaties, military and defense spending, and state-sponsored research and development programs, remains classified. The Parliament is not obliged by law to make public either its records or the voting records of deputies. Members of the government and civil servants are required to gain permission from superior officers before speaking with the press. Civil servants must also pass ideology tests before entering a position in the state administration to ensure their political loyalty to the regime.

The absolute authority of the president over all institutions of power, and marginalization of the opposition by means of repression and an information blockade, promotes a sense of government stability to the extent it provides Lukashenka's regime immunity from internal and external pressures. Yet the energy conflict with Russia that erupted December 2006–January 2007 challenged the government's ability to provide acceptable living standards for the population. In May 2007, the government began to abolish the wide-scale system of social privileges and subsidies, such as free public transport for students and medical subsidies for pensioners. These measures, although not critical to public welfare,

contributed to the steady decline of the president's popularity, according to independent polls throughout the year.

Furthermore, as the government opened the economy to privatization, top-level struggles for assets and influence intensified. The summer of 2007 saw the authorities shaken by a series of high-profile conflicts among security agencies. These conflicts began in May 2007 with the KGB arrest of the management of petrochemical giant Belneftekhim, one of the country's top hard-currency earners whose privatization was debated throughout the year.[1] Later, the KGB and the Ministry of the Interior exchanged attacks and arrested scores of officers on both sides on corruption charges.[2] The "war of *siloviki*" (security-service personnel) reached a peak when Zianon Lomat, head of the State Control Committee (an agency traditionally competing for influence with the KGB), was beaten on July 14, 2007, by plainclothes KGB and Security Council agents.[3] Following the incident, President Lukashenka fired KGB head Sciapan Sukharenka and his deputy Vasil Dziemianciej. The president replaced Sukharenka with former head of the presidential bodyguard service, Jury Zhadobin, whom Lukashenka openly admitted lacked competence as the new head of the KGB but would "put the KGB in order."[4] At the same time, Lukashenka accused former KGB leadership of providing illegal protection (in Russian, *kryshevaniye*: literally "roof") to corrupt business groups.[5] The slang meaning of "roof" refers to the criminal protection racket.

Lukashenka's promise to rid the KGB of corruption and to promote a younger generation of more energetic officers reflected the tendency toward generational change inside the regime. This was confirmed throughout the year with the removals of: the Speaker of the House of Representatives, Uladzimir Kanapleu, in September 2007; a powerful governor in a Minsk province, Mikalaj Damashkevich, in June 2007; and the July 2007 replacement of top management of Beltransgaz and the Belarusian Oil Company, two giants within the petrochemical complex.

The energy conflict also undermined established government spending patterns, and as a result, the government began to consider its 'Westward options,' including the European Union (EU). However, in December 2006, in response to violations of civil and trade union rights, the EU authorized the exclusion of Belarus from its generalized system of trade preferences (GSP). Despite taking some liberalizing measures in the first half of 2007 to regain trade preference status, Lukashenka emphasized that the government acted in the interest of the economy first and that while wooing the EU required relaxation of some political controls, no real political change was on the table. Once the EU made it clear that without a full stop to political repression no compromise on GSP was possible, the government fully resumed its previous practices.[6]

In 2007, the United States government authorized new sanctions against Belarusian officials, extending visa bans to medium-level representatives of the regime, local officials, and members of electoral commissions.[7] And in November 2007, the assets of the state-run energy conglomerate Belneftekhim were frozen in the United States.[8] These sanctions, however, proved largely ceremonial, as they did not create serious obstacles for officials save for minor personal disturbances.

Street demonstrations remain the key method for the opposition to publicize its message. As the government attempted to mend its relations with the EU, the repression of opposition street rallies declined in 2007, and several demonstrations, such as the opposition marches of March 25, April 26, October 14, and November 4, were allowed to assemble peacefully. At the same time, the government employed somewhat more subtle tactics through preventive arrests of potential crowd leaders to weaken authorized rallies before they convened. For example, authorities detained 40 activists prior to the Freedom Day celebrations on March 25 and again before the European March on October 14.[9]

The largest opposition demonstration attracted barely 10,000 participants for the Chernobyl commemorative march on April 26. Attempts to refocus the protest on social rather than political issues by staging the Social March on November 4 attracted just over 1,000 participants. Nevertheless, authorities noted the opposition's change in street strategy; in December 2007, local authorities authorized only 2 of more than 400 pickets protesting the withdrawal of social privileges.

Following the government's failure to prevent Belarus' exclusion from EU trade preferences, police crackdowns on unauthorized rallies grew. For example, 11 participants of the July 27 demonstration to commemorate the outlawed Sovereignty Day (marking proclamation of sovereignty from the Soviet Union in 1990) were beaten and arrested.[10] On December 12, 2007, a small rally to protest Russian president Vladimir Putin's visit to Minsk was also dispersed brutally, with one participant delivered unconscious to an emergency clinic.[11]

Electoral Process

1999	2001	2002	2003	2004	2005	2006	2007	2008
6.75	6.75	6.75	6.75	6.75	7.00	7.00	7.00	7.00

Consolidation of absolute presidential rule in Belarus eliminates the possibility for meaningful electoral contestation. The country's electoral legislation, the electoral code, does not guarantee election commissions with multiparty representation and independence and fails to provide sufficient transparency of the vote count or uniform appeals for the decisions of election commissions. The president and the Council of the Republic appoint the Central Election Commission (CEC) for five years. Rather than serve as impartial observer of the law, the CEC actively ensures the interpretation of the electoral legislation to the advantage of lower-level commissions and candidates nominated by the government. The CEC head, Lidzia Yarmoshyna, openly described pro-presidential parties in the press as "constructive" and "patriotic" while labeling opposition parties as "subversive" and issued charges against independent election-observing nongovernmental organizations (NGOs) as "puppets" of Western financiers.[12]

The most recent parliamentary elections took place in October 2004. According to the CEC, all of the declared winners were pro-government and supported the president. International organizations, as well as the opposition, challenged the election results.[13] Elections to the upper house of Parliament, the Council of the Republic, took place in November 2004, with the assemblies of local councils voting to fill 56 seats, or 8 per region, with an additional 8 members appointed by the president. All members of the upper house support the president.

Presidential elections held on March 19, 2006, were accompanied by widespread violence, intimidation, and government repression. Official election results granted an overwhelming victory (83 percent) to Lukashenka, compared with 6 percent for United Democratic Forces (UDF) leader Alyaksandr Milinkevich, 4 percent for pro-presidential leader Siarhej Hajdukevich, and 2 percent for Belarusian Social Democratic Party leader Alyaksandr Kazulin.[14] While independent observers accused the government of fraud, Lukashenka declared that the government had indeed tampered with results to decrease his margin of victory and to please Western countries. The wave of protests following the election represented the largest-scale opposition activities against the government in years. Hundreds of activists staged a protest tent camp in the central square of Minsk. Alyaksandr Kazulin, former presidential candidate for the opposition who launched scathing media attacks against Lukashenka, was arrested and sentenced to five and a half years in jail for organizing mass disorder.

Local elections held on January 14, 2007, took place without meaningful competition or genuine choice. Opposition candidates faced obstacles in registering their candidacy and authorities warned some that electoral participation put their jobs in danger.[15] The opposition Belarusian Party of Communists could register only 32 candidates out of the 245 it intended to place, whereas the Belarusian Popular Front secured 40 registered candidates out of 148 who attempted to run.[16] In total, 609 candidates were denied registration, most representing opposition parties and NGOs. Furthermore, the state-run press actively discredited the opposition, issuing charges that opposition parties received Western support, and local authorities on several occasions refused to offer independent candidates meeting places for campaigning and impeded the distribution of campaign materials.[17] Many opposition candidates were also denied the right to publish their platforms in the local press despite guarantees issued by the electoral code.[18]

Elections were carried out in 22,661 single-member constituencies, with 23,791 registered candidates. Some semblance of competitiveness was present in the Minsk City Council elections (168 candidates for 55 constituencies) and regional councils (729 candidates for 460 constituencies); however, all but 200 of the 16,600 constituencies in village council elections went uncontested.[19] According to CEC data, 79 percent of voters took part in the elections, including 24.6 percent who cast their ballots ahead of time,[20] a procedure criticized by the opposition for its lack of guarantees to prevent voting fraud. According to independent observers, monitors could be present only in the vote tabulation room and could not see the vote count *per se*. Out of the 22,639 deputies elected, only 20 represented opposition parties,

according to CEC data,[21] down from 227 in 2003. These opposition deputies come from the Belarusian Party of Communists (17), Belarusian Social Democratic Party (2), and the United Civic Party (1).[22]

Apart from an uneven and discriminatory playing field, the election outcomes also reflected the failure of the Belarusian opposition to put aside infighting and develop an adequate campaign message for voters. Instead, the campaign caught the opposition in a brewing conflict between former presidential candidate Alyaksandr Milinkevich and leaders of major opposition parties. The conflict focused on the process of nominating candidates for the upcoming Congress of Democratic Forces (CDF), the umbrella body of the UDF electing the new leadership of the opposition. The UDF coordinating council declared that any candidate securing 300 signatures supporting his or her candidacy for local elections would become a CDF delegate. Consequently, several prospective candidates lost interest in the elections once the necessary signatures were collected. Some opposition leaders, while actively arguing against a boycott, eventually withdrew their own candidacies.

The CDF convened on May 27–28, 2007, was dominated by representatives of political parties with minimal representation of the NGO activists who secured Milinkevich's nomination in October 2005. The 2007 CDF replaced Milinkevich with the collective leadership of four major opposition party leaders, who accused Milinkevich of attempting to monopolize control of the opposition. Milinkevich was offered the seat of co-chairman of the UDF, but he refused, having formed his own movement (For Freedom) instead.

The struggle to develop a meaningful political agenda after the eventful presidential election campaign of 2006 deepened the general lack of direction among Lukashenka's opponents. The opposition focused on political issues and regime change to the detriment of creating a new message for society. As a result, Lukashenka's opponents consistently failed to address pressing issues for the majority of citizens. For example, the opposition largely ignored the Belarus-Russia energy conflict and did little to present its position on issues such as energy security or economic policy, even while the public became increasingly concerned. As a result, Lukashenka scored propaganda points with his pro-independence and anti-Russian rhetoric.

As of 2007, a total of 14 political parties had registered in Belarus: 7 pro-president, one neutral and 6 opposition. Several parties, such as the Belarusian Social Democratic Party and Party of Freedom and Progress, lack official registration. A new party, Belarusian Christian Democracy, was created in 2007. At the same time, the foundation of the pro-presidential movement Belaya Rus (White Rus`) gave rise to speculations that authorities may eventually transform it into a political party and introduce a proportional electoral system to the Parliament, although such a change seems highly unlikely.

Recently, the government moved to further restrict the activities of political parties by closing down regional party branches and de-registering several parties. In 2007, authorities closed down two small parties, the Belarusian Environmental Party BEZ and a women's party, Nadzeya (Hope), both for failure to comply

with registration requirements—that is, insufficient membership and lack of the required number of regional branches.[23] The Belarusian Party of Communists, a major opposition party, was suspended for six months in August 2007 for similar reasons.[24]

Civil Society

1999	2001	2002	2003	2004	2005	2006	2007	2008
6.00	6.50	6.25	6.50	6.75	6.75	6.75	6.50	6.50

Belarusian NGOs operate in a hostile legal environment aimed at de-legitimizing and even criminalizing most forms of independent civic activity. According to the Ministry of Justice of the Republic, as of July 1, there were 2,223 NGOs in existence in Belarus (230 international, 715 national, and 1,278 local organizations), 18 NGO unions, 63 foundations, and 37 trade unions.[25] Most of these organizations represented non-politicized NGOs loyal to the regime. Meanwhile, civic groups that defined themselves in opposition to the government or operated without official approval, were pushed underground.

The campaign to liquidate NGOs began in 2003, spurred by government fears of the role played by the independent civic sector in the democratic so-called color revolutions in Georgia (2003) and Ukraine (2004). During this period, according to the Assembly of Democratic Nongovernmental Organizations, the courts closed at least 200 NGOs, and official pressure forced more than 100 to self-liquidate.[26] The most widespread reason for liquidations was the failure to obtain a legal address, a requirement demanded by law and nearly impossible to fulfill owing to prohibitively high rents or the outright denial of a lease.

The wave of liquidations subsided somewhat in 2007, as few active opposition NGOs remained. NGOs closed in 2007 included Old Town and the Belarusian Literary Foundation. Several NGOs, either starting out or trying to renew their registration, were denied registration in 2007, including the new civic movements For Freedom and the Young Front, the human rights center Viasna, and the Union of Chernobyl Workers (also known as Liquidators[27]). On a more positive note, several NGOs, including the Supolnasc (Community) Center in Minsk and the Belarusian Helsinki Committee, avoided liquidation in 2007 even though the motions for their closure were presented by the Ministry of Justice.

In December 2005, prior to the March 2006 presidential elections, the National Assembly of the Republic of Belarus adopted a series of amendments to the criminal code, including provisions that made establishing, running, or participating in a liquidized or unregistered organization punishable by up to three years in prison (Article 193-1). The new provision took immediate effect and primarily targeted groups the government most suspected would attempt a so-called color revolution—such as election monitors and youth NGOs with a clearly defined anti-regime agenda. During 2007, repression of activists of

unregistered organizations subsided somewhat, as courts were reluctant to sentence activists under Article 193-1. Most of the accused, primarily seven members of the Young Front, received lenient fines—up to 10 times lower than the prosecution's demanded sum.[28] Mikhail Yakovchuk of Russian National Unity from the city of Homel was the only person jailed in 2007 on anti-NGO legislation. He received a six-month jail sentence.[29] By the end of the year, however, NGO crackdowns returned in full swing, as exemplified by the retrial of Artur Finkevich, a Young Front activist sentenced to two years of forced labor in 2006 for anti-presidential graffiti. In November 2007, near the end of his sentence, Finkevich was tried again and received an additional one and a half years in prison for violating the internal rules of the labor camp. Many analysts considered this harsh sentence a sign of the regime's lack of interest in normalizing relations with the EU after the Kremlin agreed to support the Belarusian economy with a generous stabilization loan.[30]

Members of several unregistered NGOs received warnings about possible prosecution if they continued to work for illegal NGOs. At the end of 2007, three members of the Young Front remained under criminal investigation according to Article 193-1. Criminal proceedings also began against the unregistered civil initiative Bunt (Riot) but were later quietly dropped by the authorities.

Many civil society events, owing to legal restrictions and consistent practices of refusing to rent conference premises or concert halls, were carried out abroad. Participants of such events are routinely searched and detained at the border. In August 2007, authorities arrested actors, directors, and the audience of a private performance in Minsk by the clandestine Free Theater.[31] Belarusian-language rock groups Krama, NRM, and Neiro Dubel, who are suspected of being sympathetic to the opposition, could not gain permission to perform at concert venues beyond small rock bars. At the same time, the authorities attempted to engage part of the dissident cultural underground. Deputy head of the presidential administration Aleh Praliaskouski met Krama, NRM, and Neiro Dubel in November 2007 and offered to restore their ability to perform at larger venues provided they sever their ties with the opposition. The groups accepted the deal, sparking harsh public debate as many opposition activists felt betrayed by this act of conformism. Others believed that the groups' presence onstage was worth the compromise. The debate, which turned many supporters against the groups, played to the advantage of the authorities.

Government-organized NGOs (GONGOs) are actively promoted and generously supported by the government. They are excluded from many repressive regulations applied to independent organizations. The Belarusian Republican Youth Union (BRSM), a replica of the Soviet-era Komsomol, imitates its predecessor in structure and ideology and serves as a tool to instill loyalty among the younger generation. BRSM tries to attract members with privileged university admission and various discounts, but many have been coerced to join.[32] The official trade unions, while avoiding direct confrontation with authorities and management of state enterprises, also attract members with benefits such as longer vacation leave and extra salary bonuses. As a result, membership in the independent trade union

of the Hrodna Azot chemical enterprise fell in two years (2006–2007) from 580 to 200.[33]

The government also controls special interest organizations, such as women's unions, veterans' organizations, and various creative associations, which are traditional hotbeds of intellectual dissidence. In 2007, Mikalaj Charhiniec, a member of the Council of the Republic and head of the Union of Writers of Belarus, a government organization mirroring the independent Union of Belarusian Writers, endorsed government policies, including the expulsion from school programs of works of writers advocating national revival and criticizing Russification.[34] Furthermore, the development of Belaya Rus, a public association to rally support beyond regime policies created in 2007, raised questions regarding the overlap among pro-government civil movements, NGOs, and political parties as it first formed regional branches that later converged into the countrywide congress.

The government rarely consults independent NGOs, and cooperation occurs only when civil society groups find ways to effectively exert pressure on authorities (mostly by persistent acts of civil disobedience). In one rare example, nongovernmental civil society groups participated in public hearings in the House of Representatives on the new Law on Protection of Information, which resulted in the removal from the draft law of the most outrageous proposals to regulate and control the electronic press.[35]

The outburst of independent civic activism during and following the 2006 presidential elections receded in 2007 to an atmosphere of apathy and disillusionment among both the political opposition and the NGO sector. Attempts to reorganize the opposition have not yielded any results. Despite having won a moral victory by organizing the camp city and large groups of people who appeared suddenly in public places (known as flash mobs) after the presidential elections, it did not manage to unite its program and win the support of current opposition leaders. Youth groups suffered from the wave of emigration of students expelled from their universities for taking part in the 2006 mass protests. Moreover, according to independent studies, only 10 percent of Belarusian students are oriented toward any kind of civic activism, and only 2 percent are seriously interested in politics or concerned about things such as the future of the country.[36]

The spirit of the 2006 protests did appear throughout the year in solidarity actions led by civil society groups. Young Front actions attracted, on certain occasions, hundreds of participants and exerted pressure on the courts to abstain from harsh measures against detained activists. The campaign in defense of United Civic Party activist Dzianis Dzianisau arrested for participation in street protests, proved another remarkable act of solidarity when, through private donations solicited largely online, Dzianisau was released on bail.

Independent Media

1999	2001	2002	2003	2004	2005	2006	2007	2008
6.75	6.75	6.75	6.75	6.75	6.75	6.75	6.75	6.75

Article 33 of the Constitution guarantees freedom of speech. The government, however, regards this article in practice as dissenting voices, and media outlets are silenced by repressive media laws and licensing rules, libel suits, arbitrary closure of nongovernmental media outlets, discriminatory pricing for print and distribution, and systematic harassment of journalists.

As of July 1, there were 1,247 printed media in Belarus, including 701 newspapers and 508 magazines.[37] While more than two-thirds of periodicals are private, the state-owned press heavily dominates the information field in terms of copies distributed. The largest independent newspaper, *Narodnaya Volya*, has just over 20,000 copies per print, compared with 500,000 for the top state publication, *SB-Belarus Segodnya.* Only the Belarusian edition of Moscow-based *Komsomolskaya Pravda* (with up to 300,000 copies for the weekend edition) competes with *SB-Belarus Segodnya* and offers uncensored views of government policies.

The Ministry of Information crackdown in 2002–2007 greatly damaged the independent press with the closure of dozens of nongovernment publications, including most regional newspapers critical of the government. In 2007, the Ministry of Information continued to issue official warnings to independent media, with two warnings a year often leading to a publication's closure. *ARCHE* magazine, suspended for three months in 2006, received two official warnings in February 2007 for printing back issues blocked by a previous suspension.[38]

The government generously supports state-owned press. The independent press faces discriminatory pricing at printing houses, while publications overtly critical of the regime's policies do not appear in subscription catalogs or in the distribution of the state-run retail network, Belsajuzdruk. Newspapers denied distribution in 2007 included Babruisk-based *Bobruiskiy Kuryer, Niasvizhski Chas* from Niasvizh, and *Miascovy Chas,* a newspaper based in the city of Pinsk.[39] Several newspapers, such as Viciebsk-based *Viciebski Chas-M* and *Viciebski Kuryer,* lost their leases suddenly without explanation.[40] State printing houses may flatly refuse to publish independent media, and many nonstate newspapers must be printed abroad or, in the case of opposition publication, in *samizdat* form. Police routinely confiscate print runs at the border, particularly on the eve of key opposition events, and return them days or even weeks after their date of issue.[41] The independent press depends on private sellers required to register as private entrepreneurs. Even in these cases, they distribute without any guarantee against detainment and confiscation of newspapers performing their work without licenses.

The government routinely denies independent journalists access to official events and information, suggesting that their activities "destabilize the situation in the country."[42] Prime Minister Siarhej Sidorski issued an order to government agencies to "control" information distributed to the independent press and "take

steps" against "unobjective" data and commentaries.[43] On June 28, 2007, the House of Representatives approved a law requiring all state officials to receive approval from higher authorities before speaking to the press.[44] Independent journalists continued to face arrest and physical harassment in 2007.[45] On a positive note, citizens won two libel suits against the official press in 2007, and state newspapers were ordered to publish apologies. One case involved a democratic activist from the city of Homel whom a state newspaper charged with financial wrongdoings. In the other case, the Catholic Church brought charges against the state press for accusations that the church was "staging a crusade" against Belarus.[46]

Independent journalists have faced arbitrary lawsuits under criminal code Article 367 (slander against the president), Article 368 (insulting the president), and Article 369 (insulting government officials). These articles stipulate large fines and prison sentences for those found guilty. The largest libel suit (27 million Belarusian rubles [US$12,000], awarded in 2007) was brought against *Narodnaya Volya* by the regime's chief ideologist, Deputy Head of the Presidential Administration Aleh Praliaskouski. *Narodnaya Volya,* in coverage of the arrest of Praliaskouski's deputy Uladzimir Cholad, asserted that Cholad "did not collect bribes for himself." Praliaskouski considered the statement a personal insult, even though he failed to prove the publication implicated him personally.[47] In 2007, Senator Mikalaj Charhiniec, notorious for routinely bringing libel suits against the independent media, pressed charges against the newspaper *Novy Chas* for over 50 million Belarusian rubles (US$23,000). Charhiniec considered it offensive, for example, that the newspaper called his union "a righteous Union of Writers."[48] Journalist Alexander Sdvizhkov from the newspaper *Zhoda* was arrested upon his arrival from Russia to visit his parents' grave and went on trial for fomenting religious hatred in November 2007, having previously been banned (in February 2006) for republishing the infamous Muhammad cartoons from the Danish newspapers.[49]

Independent journalists working without official accreditation for foreign media may officially be accused of performing illegal activities. For example, in 2007, journalist Anatol Hatouchyc received a fine for "illegal activity on behalf of the foreign media outlets."[50] These charges resulted from the capricious accreditation practices of the Belarusian Foreign Ministry, which deny accreditation to certain media outlets. The Belarusian Association of Journalists appealed the decision to the Constitutional Court, but the Court confirmed the decision as "corresponding to international standards."[51]

The state dominates electronic media in Belarus. Currently, the country has four national television channels—Channel 1 (formerly BT-1), All-National Television (ONT), Capital TV, and Lad—all of which report on domestic and international affairs in a manner acceptable to the government without alternative political views. In 2007, attacks on the opposition and the West were toned down in electronic media but did not add fairness and impartiality in official media broadcasts; rather, they reflected the changing focus toward entertainment and popular culture. The public received little information regarding the independent BelSat satellite channel that began broadcasting in December 2007 with financial support from the Polish

government. Moreover, in May–June 2007, local authorities attempted to remove "unauthorized" satellite dishes from residential apartment houses in cities across Belarus.[52]

The Internet remains the only available source of alternative information in Belarus. According to the Vilnius-based Independent Institute for Socioeconomic and Political Studies, 25 percent of the adult population used the Internet at least once a month in 2007.[53] At the same time, 180,000 people (2 percent of the adult population) used the Internet daily, a 29 percent increase since 2006.[54] Internet access is restricted by heavy costs and lack of high-speed Internet services or 'open access' (such as wireless hot spots). State providers restrict access to opposition Web sites during key political events such as elections or demonstrations. Nevertheless, there is an obvious upward trend in the use of the Internet as an alternative source of expression (for example, the Belarusian livejournal.com segment has over 18,000 registered Web logs). Many opposition newspapers closed by the government or forced to cease publication for financial reasons, continue as online editions.

The Internet also allows a space for investigative journalism silenced by libel suits and self-censorship in printed media. In 2007, the Web portal of the Agency of Financial News attracted attention for investigating and disclosing details of several privatization and investment deals announced by the government. The Agency provided evidence connecting purchasers of state assets and investors with shadow offshore companies.

The Internet poses a concern for the government as a competitor in the information field. Veteran opposition politician Andrej Klimau received the first sentence in 2007 on libel charges. In a closed trial in August, Klimau was given a two-year prison sentence for calls to overthrow the government in an article published on the Web site of the United Civic Party.[55] The sentence established an important precedent to silence independent opinion online. On September 19, Anatol Liabedzka, leader of the United Civic Party, received a warning from the Office of the Prosecutor General for posting an opinion critical of the government on the same Web site.[56]

President Lukashenka, in his August 2007 speech to the editorial board of *SB-Belarus Segodnya,* warned that the Internet, as an information resource, equaled the entire media network controlled by the government and demanded an "end to the anarchy online."[57] In 2007, the National Assembly debated a draft Law on Protection of Information, which if adopted would require all Internet editions to go through procedures similar to those of the printed press, including obtaining official registration. Experts point to the unenforceability of such a regulation, as Web sites can easily be re-registered with foreign hosts. Nevertheless, by creating a "shadow" legal territory (that is, by failing to clearly define legal limits for online editions), the law would create the grounds to prosecute online journalists and bloggers or to permanently block independent Web sites from operating without registration. "The obvious aim of the law is to exclude from the free area entire segments of information resources, to restrict or even rule out altogether their distribution," declared former justice of the Constitutional Court Michail Pastuchou.[58]

Local Democratic Governance

1999	2001	2002	2003	2004	2005	2006	2007	2008
n/a	n/a	n/a	n/a	n/a	6.50	6.50	6.50	6.75

Since 1994, all levels of local government have been united into a single system of state authority. By law, heads of regional administrations are appointed by, and subordinate to, the president. Local councils are popularly elected but have no control over the executive bodies. Nearly 1,700 local governments exist, subdivided into three levels: regional (*voblasc*), district (*raion*), and village or (in urban areas) township.

The Constitution establishes that local councils have the exclusive right to adopt regional programs in social and economic development, establish local taxes and adopt budgets, manage communal property within limits proclaimed by the law, and call local referendums. Notwithstanding these prerogatives, local governments have little control over their finances, as the central budget absorbs nearly 70 percent of the consolidated national budget and local authorities are heavily dependent on transfers and subsidies.

Local elections carried out on January 14, 2007, reduced to a bare minimum the already minuscule representation of the opposition in local councils. Out of 23,000 elected parliamentarians, only 20 opposition representatives won seats in the councils at all levels. In spite of a high turnout, the elections raised little public discussion about pressing local issues. The opposition failed to attract much attention to the electoral process by campaigning, and their overall failure in the elections led to the closure of the opposition-dominated Assembly of the Deputies of Local Councils.

Local governments implement many of the repressive policies of the central government, including harassment of democratic activists and local free press. In theory, state bodies are obliged to present nonclassified information, but local authorities may deny access to information to independent journalists, NGOs, or opposition-minded local deputies. Several local governments actively carried out the campaign of the satellite dish removal on the grounds of what was explained to be "beautification" of the cities. During the period of May–June 2007 local authorities removed "unauthorized" satellite dishes from facades of residential apartment houses in cities across Belarus. Local authorities usually avoid cooperation with local civil society groups, except organizations sponsored by the government. However, civil society groups in Minsk, through a series of protests (some of which were dispersed by the police), managed to postpone the destruction of the historic St. Joseph Monastery in the city center to build a hotel and entertainment complex approved by local authorities.

Judicial Framework and Independence

1999	2001	2002	2003	2004	2005	2006	2007	2008
6.50	6.75	6.75	6.75	6.75	6.75	6.75	6.75	6.75

Judiciary power in Belarus is de facto subordinated to the presidency. In the first half of 2007, the government authorized the early release of the former leader of the Belarusian Social Democratic Party, Mikalaj Statkevich, and the former leader of the Young Front youth movement, Pavel Seviaryniec, both sentenced to hard labor for staging protests against the constitutional referendum of 2004. Kaciaryna Sadouskaja, sentenced in 2006 to two years for insulting the president, was also released. Statkevich declared his release an attempt to "trade" him to prevent the loss of EU trade preferences. Meanwhile, authorities failed to release other high-profile prisoners, such as former presidential candidate Alyaksandr Kazulin.

The authorities extensively use fines and prison sentences to threaten the activities of young democratic activists, whom they single out as the most credible threat to the regime. Seviaryniec has been arrested several times and has spent a total of two months in jail on various charges since May. An imprisoned leader of the organization Young Front, Zmitser Dashkevich, was charged, while in prison, for failing to testify against friends who faced prosecution for the same offense. He eventually received a large fine.[59] Another young activist, Artur Finkevich, who served two years of hard labor for political graffiti, was charged with insubordination and curfew violation in the detention. He received an additional sentence of one and a half years.

Police crackdowns on opposition rallies, pickets, and flash mobs continued in 2007. The police arrested activists on the standard charges of swearing in public, insubordination, and drunkenness, for which the accused received sentencing or a heavy fine. The courts frivolously applied regulations on mass rallies and pickets, even issuing sentences for participation in indoor meetings, for which the law does not require an official permit. According to their relatives, youths arrested on October 31, 2007, for an unauthorized flash mob celebrating Halloween in a shopping center in Minsk were detained for two days without food.[60] An activist from Minsk was acquitted on charges of organizing an unauthorized picket but was immediately sentenced for insubordination to the police officer who demanded he stop conducting an unauthorized picket.[61]

Closed trials continued in 2007 with the prosecution of Andrei Klimau, charged with insulting the president in an online publication. Kazulin, arrested in April 2007, was sentenced to two years in jail in August. Information about the sentence reached the public through Klimau's wife weeks after the trial. Kazulin notified the public that prison authorities kept him "in a complete information vacuum,"[62] as the administration denied him access to information and reportedly withheld letters from relatives and friends. The court declined Kazulin's appeal in 2007, despite evidence confirming his innocence of fomenting mass disorder and

attacking the police during the demonstrations of March 25, 2007.[63] Furthermore, in July 2007, Kazulin's daughter lost her job without explanation.[64]

The presidential decree of December 17 ended a practice requiring special permission stamps validating foreign passports for travel.[65] This decree came four years after the Constitutional Court declared such stamps illegal. Exit stamp refusal was often used in the past to prevent opposition activists from traveling abroad. The new regulation technically removed restrictions on foreign travel for many Belarusian citizens. At the same time, the authorities prepared a list of as many as 100,000 citizens banned from traveling abroad. According to officials, the list mostly includes those with outstanding debt, alimony, and tax liabilities or those facing criminal charges. Since this list has not been publicized, opposition members may not know whether they are blacklisted until they attempt to cross the border. At the same time, authorities refused to compensate the exit stamp fees for the years 2008–2011.[66] The end to the Soviet-era system of *propiska*, or registering each citizen to a location according to his or her permanent residence, and its replacement with much more lenient registration rules proved another window-dressing measure passed off as liberalization in 2007.

Corruption

1999	2001	2002	2003	2004	2005	2006	2007	2008
5.25	5.25	5.25	5.50	5.75	6.00	6.25	6.25	6.25

Belarusian law, although abundant with anticorruption legislation, blurs the line between corrupt and clean practices, as some activities generally considered corrupt are legal in Belarus. For example, the controversial constitutional referendum of 1996 eliminated requirements for government programs to gain financing from official budgets and to make public spending transparent. Part of the public sector is operated under the auspices of the Presidential Business Office, a business empire directly subordinated to the presidency whose revenues bypass the official budget and reportedly go to unpublicized presidential funds. The official budget is debated and adopted by the Parliament, fully controlled by the executive.

The predominance of the state sector (controlling 80 percent of all assets) creates ubiquitous opportunities for officials to reap administrative rents, take advantage of uncontrolled financial flows, and offer privileges to companies to which they have connections at the expense of destroying competition. Indeed, Transparency International's Corruption Perceptions Index in 2007 assigned Belarus the rating of 2.1 on a scale of 0 to 10, where 0 denotes highly corrupt. One example of these practices within powerful institutions was the July 2007 arrest of Uladzimir Cholad, first deputy head of the Main Ideological Department within the Presidential Administration, who was charged with extorting a bribe and fraud, although his agency is not officially authorized to control financial flows or property management.[67] Nonetheless, top Belarusian officials enjoy a measure of

protection from prosecution; they cannot be charged unless the president approves the prosecution's request.

Contrary to the president's claim that all privatizations in Belarus would proceed on the basis of open tenders, sales in 2007 were conducted in an atmosphere of secrecy, and details reached the public only through the efforts of independent online whistle-blowers. The most surprising deal of the year was the sale in August 2007 of the cellular network operator Velcom. Initially, the Cyprus-based SB Telecom company (a Velcom minority shareholder), whose head meets frequently with Lukashenka, appeared as the interested purchaser. In September, SB Telecom resold 70 percent of its shares in Velcom to Telecom Austria. While it appeared that the sale of Velcom was necessary to pay back debt secured by the Belarusian government from Austrian banks at the high point of the Belarus-Russia "energy war" in the winter of 2007, SB Telecom was used as an intermediary to bypass Belarusian legal requirements that demand an open tender for sale of public enterprises but excludes shareholders aiming to increase their stake in the company. Although no direct implications of corruption arose in the Velcom sale, the non-transparent nature of the transactions raised questions about further privatization deals.

On a positive note, the World Bank marked a modest improvement in the business climate in Belarus in its *Doing Business 2008* survey. Belarus rose in ease of doing business, to 110th from 119th place in the 2007 survey.[68] The improvement resulted from shortening the period necessary to start a new business, reducing the number of necessary procedures to start a new business, and reducing the costs of starting a business. These modest improvements sprang from the government's campaign to reduce bureaucracy, particularly Directive No. 2 issued by President Lukashenka in 2006 to reduce bureaucratic procedures for citizens and businesses.

At the same time, in 2007 the president backtracked on promises made to private entrepreneurs during the 2006 re-election campaign to keep regulations stable for private business. Decree No. 360, signed on December 29, 2006, and enacted in January 2007, severely restricted conditions for individual entrepreneurs who work without a legal entity. The decree allowed individual entrepreneurs (predominantly petty market traders) to hire close relatives and mandated them to form small, private companies if additional employees were necessary. Compared with private entrepreneurs, small private companies are subject to much heavier taxation and regulations. The authorities explained the decree would level the competitive playing field, even though, opponents claimed, they could have chosen to liberalize the tax regime for small companies instead. The new regulations are likely to force many petty traders into corrupt dealings with the authorities, such as the registration of phony companies, in order to stay in business.[69]

In spite of the modest improvement in the business climate, Belarus continues to be the worst country in the world for taxes (in terms of complexity of the tax code, number of taxes paid, and time necessary to deal with the procedures). If all taxes were paid legally, a typical Belarusian company would have to pay 144 percent of its profits, down from 161 percent in 2006.[70] These unenforceable regulations

create ubiquitous opportunities for bribery among tax authorities. One of the most publicized corruption cases in 2007 was the regional tax inspection in Minsk, as seven officials were brought under criminal investigation at one time.[71]

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