

Belarus

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Capital: Minsk
Population: 9.8 million
GDP/capita: US\$7,903
Ethnic Groups: Belarusian (81.2%), Russian (11.4%), Polish (3.9%), Ukrainian (2.4%), other (1.1%)

The economic and social data on this page were taken from the following sources:

GDP/capita, Population: *Transition Report 2006: Finance in Transition* (London, UK: European Bank for Reconstruction and Development, 2006).

Ethnic Groups: *CIA World Fact Book 2007* (Washington, D.C.: Central Intelligence Agency, 2007).

Nations in Transit Ratings and Averaged Scores

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

* 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 of this report. The opinions expressed in this report are those of the author. 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

Following the constitutional referendum of November 1996, which concentrated all mechanisms of power in the hands of the presidency, Belarus slid toward a rigid authoritarian rule. The political regime of President Alexander Lukashenka exercises near complete political, social, and economic control over the population. The presidency represses political alternatives, persecutes independent press, and punishes unauthorized social activism. Lukashenka, who was first elected in 1994 in a public backlash against economic decline and corruption, remains popular owing to the ability of his government to provide acceptable living standards and full employment to the population. The Belarusian economy, although unreformed and extensively bureaucratized, records sound growth owing to the subsidies on energy purchases provided by Russia and the economic upturn in countries that are principal importers of Belarusian products. In 2004, Lukashenka organized a constitutional referendum that removed presidential term limits, paving the way for his lifelong rule. The president's regime ignores international criticism and continues to harden its grip on power.

The presidential election on March 19, 2006, guaranteed a victory for Lukashenka, who claimed 83 percent of the votes cast. Independent estimates confirmed his victory while questioning the win's margin. The presidential campaign and its aftermath were marked by the intense repression of opposing candidates, civic activists, and independent press, owing largely to Lukashenka's personal sense of insecurity, a reaction to the wave of democratic regime change that swept through the former Soviet Union in 2003–2005. This widespread repression was also prompted by the surprising commitment and determination of democratic activists who defied personal threats. The week-long post-election protests confirmed that although the opposition was severely damaged by the attacks, it remained committed to the fight for democratic change.

However, the political activism subsided by the end of the year as it became clear that the spring protests failed to incur any substantial damage on the regime. In the absence of competitive and transparent political processes or the rule of law, both political and social protests against the government began to take desperate forms, such as hunger strikes, which attracted up to 200 participants during 2006.

National Democratic Governance. The government in Belarus is based on unlimited presidential authority. The president is in full control of the cabinet, legislature, judiciary, and all defense and security structures. The centralized Belarusian economy remains unreformed and is considered among the most repressive in the world. Although the government remains popular and stable, it

relies increasingly on political repression to ensure infinite survival of the status quo. *Belarus' rating for national democratic governance remains unchanged at 7.00.*

Electoral Process. The March 19 presidential elections largely reflected the choice of the electorate but were conducted in an atmosphere of repression and fear. Moreover, the organization and conduct of the ballot confirmed the government's commitment to defending the status quo by all means necessary regardless of the decision of the voters. President Lukashenka de facto acknowledged that the election was rigged. The opposition made modest gains in achieving unity and spreading its message among the population but failed to sustain these gains within a few months of the campaign. *Owing to the escalation of political repression during and after the electoral campaign, and to the executive branch's total control over the electoral process, Belarus' rating for electoral process remains at 7.00.*

Civil Society. Independent civil society in Belarus has been effectively pushed underground by the government. Articles to the criminal code adopted in 2005 that criminalize unauthorized social activism began to be applied in 2006 to nongovernmental organizations (NGOs) that most vocally opposed the Lukashenka government. Breaches of academic and religious freedom continued in 2006. The government harassed legally existing NGOs by demanding retroactive tax payments and evicting them from state-owned premises. Nevertheless, the Belarusian civil society attempted to continue its activities amid the crackdown. *Despite the state's paralyzing escalation of attacks for unauthorized social activities, the commitment of civic activists to promoting democracy in Belarus continues. Owing to civil society's staunch efforts amid the presidential campaign crackdown, and with no assistance from the government, Belarus' rating for civil society improves from 6.75 to 6.50.*

Independent Media. Only several dozen officially registered independent newspapers publishing political issues remain in Belarus. The expulsion of independent press from state subscription and distribution networks severely curtailed the already minuscule number in operation. State propaganda completely dominates the information landscape of electronic media. Attempts to organize independent broadcasts on Belarus from countries of the European Union (EU) have been largely ineffective so far. At the same time, the Internet showed some promise as a potentially powerful source of alternative information and opinion during the presidential campaign. *Belarus' rating for independent media remains unchanged at 6.75.*

Local Democratic Governance. Local self-government is nonexistent in Belarus, as municipal authorities continue to be fully subordinated to the central government. Heads of regional administration are appointed by the president, and local councils have limited responsibilities. Several opposition-minded deputies on local councils were harassed by the police and fired from state jobs in 2006. *Owing to the country's overly centralized administrative structure, which provides little room for pluralism and*

accountability at the grassroots level, Belarus' rating for local democratic governance remains at 6.50.

Judicial Framework and Independence. In 2006, arbitrary arrests of political opponents, allegations of inhumane treatment of detainees in jail, and the return of psychiatry as a tool of political harassment highlighted the legal system's lack of independence. Facing the inability to defend their political and economic rights against the consolidated autocratic state, an increasing number of citizens engaged in extreme forms of protest, such as hunger strikes. *Belarus' rating for judicial framework and independence remains unchanged at 6.75.*

Corruption. Belarus's downward slide in corruption ratings by independent surveys continued in 2006. The country's highly centralized economy creates ubiquitous opportunities for bribery and abuse by authorities, whereas the government's anticorruption measures have been largely ineffective in tackling the root problems—a lack of transparency and accountability. The prosecution of top government officials on corruption charges is subject to approval by the presidency, which creates possibilities for bargaining in criminal cases or bypassing the legal system altogether. *Belarus' rating for corruption remains unchanged at 6.25.*

Outlook for 2007. The local elections set for January 14, 2007, are likely to further reduce the already minuscule representation of opposition voices on local councils. Given the reality of consolidated authority and little to no prospect of political change, Lukashenka's opponents face a hard task in redefining their identity and strategy. Meanwhile, the regime will confront a rather tough challenge to sustain the established social contract with the Belarusian population when hikes in energy prices promised by Russia in 2006 indeed materialize.

MAIN REPORT

National Democratic Governance

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

The government in Belarus is based on unlimited presidential authority. This direct control over all branches of power ensures the powerlessness of representative bodies, servility of the courts, and largely ceremonial character of elections. Presidential absolutism also severely limits the legitimate space in Belarus for social autonomy, private enterprise, and freedom of expression.

Article 1 of the Constitution proclaims the country to be “a unitary, democratic, social state based on the rule of law,”¹ and Article 6 establishes the separation of legislative, executive, and judicial powers and the checks and balances among them. The Constitution, however, fails to live up to these declared principles. Article 137 curtails the legislative powers of the National Assembly by giving priority to presidential decrees over laws adopted by the Parliament. The National Assembly cannot adopt any law that would increase or decrease government spending without the consent of the president or the government. Only the candidacy for prime minister is subject to the approval of the House of Representatives, the lower chamber of the legislature, but two votes against the president’s nominee automatically incurs the dissolution of the National Assembly.

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 appointing 8 of its 64 members. The preparation of bills is carried out primarily by the National Center for Legislative Activities, an agency subordinate to the president. The president also appoints all regional and local governors and all judges (except half of the Constitutional Court) and uses his decree power to interfere in the legal process. For example, a presidential decree can designate which top government officials can be prosecuted.

Texts of major legislation are available to the public in printed and free Internet versions. However, no rules exist for disclosing central and local government budgets. Moreover, an extensive range of data on government activities, including international treaties, military and defense spending, and state-sponsored research and development programs, is classified. The Parliament is not obliged by law to make public either its records or the voting records of deputies.

The presidential elections on March 19, 2006, ended with a resounding victory for incumbent president Alexander Lukashenka and were marred by voting

irregularities, harassment of the opposition, a press blockade, and pre- and post-election violence. The participation of Lukashenka was ensured by the highly controversial constitutional referendum in October 2004 that removed presidential term limits. The opposition had extremely limited opportunities to campaign or monitor the vote. Democratic activists campaigning for opposition candidates were harassed and subjected to arbitrary arrests and searches throughout the campaign, whereas the official propaganda systematically framed the administration's opponents as terrorists.

The government system in Belarus is stable to the extent that President Lukashenka possesses absolute authority. The stability of the regime rests on the government's ability to provide acceptable living standards and, at the same time, on pervasive political and social control. Average wages in Belarus grew to US\$270 per month in late 2006, up from US\$100 four years earlier.² This helped to reduce aspirations for political change in the society. The government makes masterful use of this tendency in public opinion to frighten society with the prospect of regime change, which the official line claims will bring instability, chaos, and unemployment to Belarus.

Much of the recent economic upturn can be explained by favorable external factors, such as access to cheap Russian oil and gas and a strong demand for Belarusian industrial goods in Russia. Russian leadership, however, has declared its intention to abolish subsidies for Belarus beginning in 2007. This move could be a sign that the Russian leadership is revising its long-standing policy of support for Lukashenka. But given that the Kremlin de facto endorsed the incumbent's reelection bid in 2006 by maintaining deep price discounts during the election year, the shift in Kremlin policy is more likely a result of Russia's decision to lower the price it pays to support Lukashenka in the aftermath of his safe reelection.

Belarus' negotiations with Russia over gas and oil issues continued throughout 2006, ending the year in a dramatic showdown when Russia threatened to cut off gas supplies unless Belarus agreed to a dramatic price hike for 2007. As an alternative, Russia proposed to buy into Belarus' gas transportation and distribution facilities. The showdown between the countries was enhanced by Russia's decision in December to introduce export duties for the oil shipped to Belarus, a measure that could have resulted in the loss of up to 10 percent of the Belarusian gross domestic product.

Just minutes before the new year, the two governments signed a compromise deal establishing a gas price that, while being twice as high as in 2006, was nevertheless much lower than the one Russia threatened to impose. Under the same deal, Belarus agreed to sell a 50 percent stake in Beltransgaz to Russia over a five-year period. The compromise, however, envisaged that the gas price for Belarus would be raised to the global standard over a five-year period. Moreover, the deal failed to address the oil price issue, which can pose a long-term threat to the stability of the Belarusian economy and the generous social contract offered by the Lukashenka regime to the population.

The Lukashenka government achieves political control by tightening its grip on society. Nearly all public sector employees must sign one-year contracts with

factories and institutions that can be renewed or terminated at the will of the authorities. Scores of youth activists were fired from jobs or expelled from universities following the recent presidential election. New articles to the criminal code adopted in December 2005 established criminal punishments simply for running an NGO that is not officially registered.³ Political leaders capable of posing a credible challenge to the regime face persecution and imprisonment. For instance, Alexander Kazulin, an opposition candidate in the recent elections, was sentenced in July to five and a half years in jail, which ensures his exclusion from the next presidential election. Mikhail Marynich, an opposition leader and former government minister who was dubbed an early potential contender for the 2006 presidential election, was arrested and sentenced to five years in jail on dubious charges in 2004. He was released in April 2006, just weeks after the election.

Lukashenka is careful to maintain absolute control over the security agencies. Law enforcement bodies (such as the KGB, Ministry of the Interior, Office of the Prosecutor, State Control Committee, and Security Council) have grown in size and influence over the last decade and have enhanced their role in virtually all spheres of public life. Amendments to the Law on Interior Forces signed in February 2005 gave the president the right to authorize the use of firepower in peacetime at his own discretion.⁴ These regulations increased the dependence of security officers on the president but have also given them cover for punitive actions against political opponents.

The stability of Lukashenka's regime is also ensured by the limited possibilities to leverage it from outside. The EU and the United States adopted sanctions against the Belarus government in spring 2005, ordering visa bans for 31 officials and, in the case of the United States, freezing the country's assets. However, these measures are largely ceremonial. Tougher measures, such as economic sanctions, are difficult to implement, as the economies of EU countries depend on oil supplied by Russia and transported through (or processed in) Belarus. The proposal of the European Commission to exclude Belarus from the EU generalized system of preferences was first voted down in September 2006 by new members of the EU (such as Poland, Lithuania, and the Czech Republic) who feared that these measures would adversely affect their own national economies and domestic businesses. The exclusion was eventually approved on December 19 and will be enacted in June 2007 if Belarus fails to improve its human rights record and abolish policies restricting trade union rights. This measure could cost the Belarusian economy up to €300 million (US\$403.8 million) per year. Although that is a significant loss, it remains to be seen whether Minsk officials will authorize political liberalization in order to avoid it.

In November, the European commissioner for external relations and European neighborhood policy, Benita Ferrero-Waldner, launched a "nonpaper" called "What the European Union Could Bring to Belarus."⁵ The document sets out possible cooperation and engagement benefits (including easier travel for Belarusians to the EU, increased cross-border cooperation, economic assistance, and investment) that could materialize provided Belarus engages in democratization and demonstrates

respect for human rights and the rule of law. Although the “nonpaper” represented a certain change in EU policy toward Belarus, as it was the first attempt to speak directly to the Belarusian people rather than the government, the document suffers from the fundamental flaw of the entire EU approach to Belarus. Once again, it conditions the possible benefits of closer EU engagement on the good behavior of Minsk officials, rather than offering benefits directly to ordinary Belarusians and thus using them as instruments for spreading pro-European, pro-democratic attitudes in Belarusian society. At the same time, there remains a limited but distinct possibility that in the event of worsening economic and political relations with Russia, the Lukashenka government could be inclined to seek closer ties with the EU and would allow some minimal alleviation of political repression in exchange. The Heritage Foundation rates the Belarusian economy among the most repressive in the world, and the Lukashenka government consistently stifles private enterprise by introducing new taxes and regulations.

Electoral Process

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

Since the institutionalization of unlimited presidential rule in the Constitution in 1996, meaningful electoral contestation has all but disappeared in Belarus, as elections serve primarily to validate Lukashenka’s political dominance. The president is sufficiently popular to win a hypothetically free and fair contest; however, he takes no chances by allowing transparent and competitive electoral processes. Representative institutions in Belarus are largely ceremonial bodies that rubber-stamp policies made at the top of the vertical power structure.

The current electoral code, adopted in 2000, “fails to provide for democratic elections,” according to the Organization for Security and Cooperation in Europe (OSCE). The code does not provide election commissions with multiparty representation and independence. Moreover, it fails to provide sufficient transparency, guarantees against vote rigging during early voting, or uniform appeals for the decisions of election commissions. The code also stifles campaigning and freedom of speech. Amendments to the electoral code adopted by the House of Representatives on the eve of the 2006 elections introduced new restrictions on the work of independent observers and forbade printing campaign literature abroad.⁶

Political parties are legally allowed to organize, but they play a minimal role in the country’s civic life given the stifling of competition and excessive regulations on party activities. The Union of Left Parties, a new umbrella body that united several Communist and Social Democratic opposition parties in December 2006, was forced to hold its inaugural congress outside of Belarus, as it could not get a permit to rent a meeting space inside the country.

The most recent parliamentary elections took place in October 2004. According to the Central Election Commission (CEC), all of the declared winners, which included eight from the Communist Party of Byelorussia, three from the Agrarian Party, and one from the Liberal Democratic Party (LDP)—an analogue of Vladimir Zhirinovskiy's party in Russia—were pro-government and supported the president. Election results were questioned by the opposition and condemned by international organizations. 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. Several local councilpersons representing the opposition were not included on the list of electors.

Presidential elections were held on March 19, 2006, with four candidates on the ballot: incumbent Alexander Lukashenka; Siarhej Hajdukevich, leader of the pro-presidential Liberal Democratic Party; and two opposition contenders—Alexander Milinkevich, leader of the United Democratic Forces (UDF), and Alexander Kazulin, leader of the Belarusian Social Democratic Party (Assembly). Lukashenka approached the election year enjoying a high level of public support and would easily have won reelection had he chosen to conduct the ballot in a free and fair manner. However, the president did not exhibit this confidence, fearing the opposition and its external sponsors would try to replicate the scenario of the color revolutions that took place in Ukraine and Georgia in 2003–2004. Furthermore, the opposition unexpectedly proved capable of uniting in a vigorous public relations campaign following the nomination of Alexander Milinkevich in October 2005 as a candidate for democratic forces. In moving up the election date by four months in December 2005, the government obviously hoped to undercut this effort.

The signature collection campaign began in December 2005 and continued through January 2006. The two major opposition candidates, Alexander Milinkevich and Alexander Kazulin, easily collected in excess of the 100,000 signatures required to put their candidacies on the ballot. A total of 1.9 million signatures (out of 7 million voters) were collected for Lukashenka. Such a high number was achieved partly by forcing signatures, particularly at public institutions and universities, although many of those who supported Lukashenka's nomination signed voluntarily. The intimidation campaign against the opposition began by subjecting some signature collectors to arbitrary searches and detainments. Early measures were also taken against youth opposition movements, like Young Front and Zubr, likely to organize street protests in the aftermath of the ballot. Repression of these groups continued after the election, and Zubr was eventually forced to cease its activities. Members of Young Front in Salihorsk staged a hunger strike in June 2006, demanding an end to the repression of youth opposition activists.

Territorial election commissions were formed with virtually no representation of the opposition. Out of 74,107 commission members countrywide, only 122 represented political parties, and only 2 of those represented opposition parties. The government also took measures to limit the number of international observers—prohibiting, for example, the entry of observers from Georgia, whom it suspected of

trying to “export” the revolution to Belarus. In February 2006, the CEC decided to grant candidate registration to all four contenders who collected the required number of signatures.

While both opposition candidates were allowed to run, they had to endure an atmosphere of growing repression and public hysteria fomented by official media, as well as drastically restricted campaign opportunities, including a virtual information blockade. As most independent newspapers were excluded from the state-run distribution network in 2005, the opposition press barely reaches the public. Moreover, the CEC barred independent newspapers from offering their space to independent candidates, as it considered this to constitute private financial assistance to candidates, forbidden by the law. Meanwhile, state media offered 90 percent of its space and airtime to Lukashenka, reported the Belarusian Association of Journalists. The official propaganda unleashed a massive information attack on the public on the eve of elections, including a series of free and televised concerts across the country featuring Belarusian and Russian pop stars under the slogans “For Belarus!” and “For Bat’ka” (“Father,” a common nickname for Lukashenka among his admirers). The CEC ignored complaints that these concerts represented a form of unauthorized campaigning in favor of Lukashenka, claiming instead that the slogans had a “general” character.

The campaign of opposition intimidation reached its peak on February 22, when the Belarusian KGB shut down the headquarters of the unregistered NGO Partnership, the largest election-monitoring network in Belarus, and arrested its leaders. On February 27, KGB head Sciapan Sukharenka declared on state television that Partnership was plotting to fake exit polls and detonate explosives on election day in a crowd of its supporters protesting against alleged fraud. Sukharenka also claimed that the security forces were aware of 72 opposition groups trying to oust him and threatened severe punishment. In the last week of the campaign, the authorities declared that the opposition was plotting to organize mass disorders in Minsk by poisoning the drinking water with rotten rats. No charges of terrorism against the opposition were confirmed afterward.

In spite of the intimidation and crackdown, both opposition candidates took great personal risks and campaigned energetically. Importantly, Kazulin belied earlier suspicions that he had been “planted” to undermine Milinkevich and instead added an aggressive attitude to the race. He used the prerecorded TV slot provided him by law on February 22 to accuse Lukashenka of having been involved in the disappearance of opposition politicians, corruption, and nepotism. Kazulin’s TV appearance made a huge impact and greatly boosted public interest in the election and the opposition candidates. The candidates’ next appearances were heavily censored, with most statements critical of Lukashenka omitted. On March 2, Kazulin tried to participate in the Belarusian People’s Assembly, a ceremonial meeting called by Lukashenka every five years to declare his plans for the new presidential term, but riot police manhandled him outside the meeting.

Early voting began five days before the election. This procedure, which formally allows citizens who travel on voting day to vote, has been transformed into

an instrument of the government, as independent observers cannot monitor the ballot boxes during evening hours. In March 2006, a record 30 percent of voters cast ballots in early voting (in 2004, it was 20 percent). The opposition received numerous anonymous reports that some employees and students were forcibly mobilized to vote ahead of time. The authorities dismissed these reports. Citing a CEC bylaw claiming that all preelection meetings must have official permits, the police arrested organizers of public meetings in the last two weeks of the campaign. These arrests effectively turned into a roundup of the opposition leadership, pursued to avoid large-scale public protests following election day.

The official election results predictably gave an overwhelming victory to Lukashenka, who received 83 percent of votes cast, compared with 6 percent for Milinkevich, 4 percent for Hajdukevich, and only 2 percent for Kazulin.⁷ A post-election poll conducted by the Independent Institute of Socioeconomic and Political Studies (outlawed in Belarus in 2005 and relocated to Lithuania) put the numbers at 63 percent for Lukashenka, 20 percent for Milinkevich, and 4 percent for Kazulin, still showing overwhelming support for the incumbent.⁸ In November 2006, Lukashenka declared that the election was indeed falsified in order to, as he claimed, lessen his margin of victory and thus please democratic countries.⁹ Regardless of its intent, this admission of fraud should have been a matter of criminal investigation; however, the authorities refused to launch one, as demanded by the opposition parties. The incident once again highlighted the ceremonial nature of the election process and the detachment of official results from the actual voting process.

A wave of mass protests started on election night in Minsk, where up to 20,000 assembled on the main square to protest alleged vote rigging. These demonstrations occurred in defiance of threats from the KGB to prosecute protesters on charges of terrorism and even press for the death sentence. The protests continued for several days with a tent camp set up on October Square in Minsk, emulating the Orange Revolution in Ukraine in 2004. However, the Belarusian opposition did not try to declare victory for its candidate; it merely argued for a fairer margin separating Lukashenka and his challengers. With no political breakthrough in sight, the opposition could not count on sustained public support. Moreover, the security forces remained loyal to Lukashenka and blocked off the square, arresting those trying to enter or leave. As a result, the protests quickly dwindled to just a few hundred activists and ended on March 24 when riot police destroyed the camp and arrested the campers.

The last large opposition rally on March 25 ended with thousands of riot policemen attacking demonstrators who were trying to reach the prison holding those previously arrested. The police used tear gas and severely beat protesters. There were also reports on up to three missing persons. Kazulin, who led the demonstration, was captured and prosecuted for organizing mass disorder. He was sentenced to 5 and a half years in jail in July 2006. Milinkevich, alongside leaders of the largest opposition parties, was arrested and sentenced to 10 days in jail for organizing an unauthorized demonstration on April 26. According to human rights activists, as

many as 860 protesters were arrested in March, including more than 200 before the elections and over 680 in post-election developments.¹⁰

The electoral performance of the opposition leaders and post-election protests reinvigorated the opposition. Smaller-scale protests continued through April, and the opposition declared plans to continue its alliance and form a broader movement to unite all supporters of democratic change. These plans, however, proved to be short-lived, and by the summer of 2006, the opposition was back to its usual behavior characterized by infighting, leadership battles, and criticism of Milinkevich's leadership.

The campaign for local council elections, set for January 14, 2007, began in October 2006 with the registration of initiative groups and formation of election commissions. Traditionally, the opposition parties were granted only one seat in local election commissions countrywide.¹¹ On December 22, the CEC declared that out of more than 20,000 candidates to the local councils, only 239 represented opposition parties. Hence, regardless of the conduct of the elections, the impact of the opposition on local councils was set to be minimal even at this early stage.¹²

Civil Society

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

In recent years, the Belarusian government has undertaken a systematic effort to destroy the authentic civic sector, fearing its potential as a catalyst for political change. As a result, civil society in Belarus has turned into an underground network of individuals and banned groups opposed to the government. A modest space for legitimate existence is allowed for nonpoliticized NGOs loyal to the regime.

According to the Ministry of Justice, there were 2,247 NGOs, 16 unions of NGOs, and 41 trade unions in Belarus as of March 2006.¹³ Most of these organizations, however, represent either nonpoliticized groups or organizations supported by the government. Many democratically oriented NGOs with an opposition agenda were closed down by court order in 2003–2005. Reasons for liquidating these groups included using an abbreviated group title in official documents and the press, allowing the incorrect presentation of group logos, and providing services to citizens who were not members of an organization. Other organizations were first expelled from their rented premises and thus denied a legal address, which is interpreted by the authorities as a gross violation of the law resulting in liquidation. In 2006, the Assembly of Pro-Democratic NGOs counted 240 member organizations, out of which only about 100 had registered officially.¹⁴

The wave of liquidations began in the run-up to the referendum of 2004 (which scrapped presidential term limits), in an apparent attempt to quell dissent and disorganize resistance to the government's plans. There were fewer cases of NGO liquidation in 2006 than in previous years, mostly because important groups

challenging the government had already been closed down. In February 2006, the authorities liquidated the Union of Youth and Children's Association "Rada," which was accused of "instigation to interference into the internal affairs of the government bodies" (*sic*).¹⁵

For most NGOs, foreign grants remain the only source of financial support. Donations are not tax-exempt, and NGOs must pay heavy taxes if they choose to operate legally. This puts NGOs under intense scrutiny from tax authorities and, recently, the KGB. Government-controlled organizations attract financial aid from domestic and foreign-owned businesses that wish to confirm their positive stance toward the authorities. In June 2006, the government initiated court proceedings to suspend the activities of the Belarusian Helsinki Committee (BHC), the only remaining registered independent human rights group in Belarus. The attacks on the BHC were justified by its failure to locate offices at its official legal address and by the demands of tax authorities that it pay retroactive taxes of about US\$70,000 on previously tax-exempt projects. The BHC had successfully challenged the tax authorities' claims on previous occasions but lost the case in December 2005 when the Supreme Economic Court overruled earlier verdicts and ordered payment. The same demands for retroactive tax payments were made on the Center for Intellectual Initiatives in 2006.

The repression of civil society escalated in the run-up to the presidential elections. In December 2005, the National Assembly adopted amendments to the criminal code that effectively criminalized civil dissent. For example, the new Article 193-1 established punishment of up to two years in jail for acting on behalf of deregistered NGOs. The criminal code also mandated jail time for training persons to participate in "mass disorders," for appeals to foreign governments to undertake actions that would harm the "external security" of the country, and for defamation of the Republic of Belarus in the international arena. As a result, the criminalization of independent NGOs has suppressed the already minuscule public participation in civil society activities.

The education system in Belarus is subject to tight political and ideological control. Many students who took part in the protests following the presidential elections were forced to withdraw from universities and other educational establishments. Students are generally free to move abroad to pursue studies, but unapproved travel may result in expulsion from an official university in Belarus. The opposition-organized Committee to Help the Repressed People reported that it had received appeals for help from at least 370 students since March 2006.

The authorities continued to persecute activists of the Belarusian Union of Poles in 2006. This ethnic association was taken over by the government in 2005, when authorities refused to recognize the election of independent activist Anzelika Borys as the union's head and pressed for a new congress that handed authority to pro-regime loyalists. Members of the Union of Poles who still recognized Borys as their leader faced criminal investigations and arrests.

The government repeatedly acted to sabotage the NGO sector's international contacts through visa denial. In November 2006, authorities denied visas to several

German politicians, diplomats, and journalists who were invited to participate in the Minsk Forum, a unique platform for dialogue between Western policy makers, Belarusian officials, and representatives of the opposition and civil society held annually in Minsk. The Ministry of Foreign Affairs of Belarus explained this as a symmetrical act against visa bans imposed by the EU on top Belarusian officials following the 2006 presidential elections. Commenting on the bans, Hans-Georg Wieck, former head of the OSCE Advisory and Monitoring Group in Minsk, declared that the Belarusian government “is afraid of free debate.”¹⁶ Earlier in the year, the government denied entry to several Western journalists as well as parliamentarians from the Czech Republic and Lithuania.

The government also continued in 2006 its attacks on the Belarusian Union of Writers, the oldest creative association in Belarus, most of whose members are protagonists of the revival of the Belarusian language and hence regarded by the authorities as on a par with the opposition. Court proceedings to close down the Belarusian Union of Writers were initiated in June 2006, and it was evicted from its headquarters in Minsk. Radio Free Europe/Radio Liberty described the eviction as a “premeditated measure by Belarusian authorities to limit and marginalize the public significance of an organization still perceived as a rare model of intellectual independence in a country controlled by an authoritarian regime.”¹⁷

Religious freedom is restricted in Belarus, as the government regards “nontraditional” denominations as disseminators of unwelcome cultural influences. The Law on Religions adopted in 2002 allows the government to close down any congregation having fewer than 20 members and restrict the activities of religious groups that have settled in Belarus in the past 20 years. Pastor Heorhi Viazouski of the Minsk-based Christ’s Covenant Reformed Baptist Church was sentenced in March to 10 days in prison for conducting religious worship in his own home; this was the first case in over 20 years where religious worship has incurred a prison sentence in Belarus.¹⁸ Siarhej Shaucou, organizer of a Protestant book study group in Minsk, was sentenced to 10 days in jail in March on charges of organizing an “unauthorized meeting,” even though it took place inside a café and did not require official registration. The government also expelled several Polish Catholic priests in 2006, objecting to the placement of foreign clergy in the country.

The New Life Protestant Church in Minsk, deregistered in 2005, led a massive hunger strike among parishioners who protested the decision of the authorities to confiscate the church’s building, formerly a cattle farm renovated by church members. The hunger strike erupted in October, after the congregation lost its appeal in the Supreme Economic Court, and continued for three weeks, attracting over 200 participants. This was the largest protest of its kind in the history of Belarus. The New Life parishioners scored a small victory three weeks after starting the protest when authorities finally decided to reconsider the case. On a positive note, the procedures for registering certain public associations in Belarus, such as trade unions, were simplified in October 2006.

Independent Media

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

In 2006, the New York City-based Committee to Protect Journalists ranked Belarus among the 10 most censored countries in the world.¹⁹ Although Article 33 of the Constitution guarantees freedom of speech, this civil right hardly exists in practice, as the independent press is close to extinction. According to the Ministry of Information, there were 1,232 periodicals in the country as of March 2006, including 746 newspapers.²⁰ Two-thirds of periodicals are privately owned. However, according to the Belarusian Association of Journalists, only about 30 independent newspapers at all levels (national, regional, and local) that publish on political issues still existed in Belarus at the beginning of 2006. That number includes some 20 district and regional papers, or fewer than 1 paper per six administrative districts.²¹ This minuscule number is the result of an all-around campaign of liquidation and suspension of independent media systematically pursued by the government in 2003–2005. The regional independent press, once the primary source of independent information on local issues, was particularly hard hit.

Independent journalists have been victims of arbitrary lawsuits under the criminal code, Article 367 (slander against the president), Article 368 (insulting the president), and Article 369 (insulting government officials). These stipulate large fines and prison sentences for journalists who are found guilty. The largest libel suit in 2006 was pressed by the head of the State Customs Committee, Alexander Shpileuski, against *Komsomolskaya Pravda v Belorussii*. The newspaper had to pay about US\$25,000 for placing Shpileuski's photo alongside an article on his namesake (a sports agent), who commented on a soccer game.

At the same time, the courts routinely dismissed libel suits pressed by independent journalists and opposition politicians against official newspapers and television channels. The Pershamajski district court in Minsk dismissed a libel suit pressed against the First National TV channel (BT-1, renamed First Channel in 2006) by the leader of the United Civic Party, Anatol Liabedzka, who was accused in one of the channel's documentaries of preparing a bloodbath in the aftermath of the presidential elections. The court considered statements by the First Channel as "political polemic."²²

Independent publications and journalists (both Belarusian and foreign) are routinely discriminated against by the authorities regarding access to information and official events. On November 28, 2006, correspondents from several Russian publications, including *Kommersant* and *Moskovskiyi Komsomolets*, were expelled from the summit of the Commonwealth of Independent States in Minsk in retaliation for publishing materials criticizing Lukashenka. The expulsion provoked a walkout of nearly the entire Russian press corps.²³

The legal environment for independent press was further hardened in December 2005 with the adoption of new amendments to the criminal code that, among

others, established criminal punishment for “defamation of the Republic of Belarus on the international arena,” as well as for activities on behalf of unregistered civic associations or appeals to foreign governments and institutions that can “endanger national security.” There were no prosecutions of journalists on the basis of these articles in 2006. At the same time, at least four persons were warned about “inadmissibility” of illegal activities, such as commenting in the media on behalf of an “unregistered organization” or spreading “deliberately false” data on conditions in Belarus.²⁴

The Ministry of Information controls the licensing of media and effectively acts as a tool of repression against criticism of the government in the press. Licenses can be withheld or revoked at the whim of the committee or on direct orders from the president. The Ministry of Information has the right to punish media for deviating from the declared concept of their periodicals. The independent journal *ARCHE* was suspended in September 2006 for publishing materials on sociopolitical issues (*ARCHE* was registered as a literary magazine). Independent newspapers that were sold in stores and supermarkets faced arbitrary confiscation by plainclothes agents.

The independent press depends heavily on foreign assistance because of discriminatory pricing at state printing houses, difficulties in attracting advertisements from state-owned companies, and prohibitively high fines from libel suits or other punishments. The independent press was further undermined by the expulsion of most independent newspapers from the state-run subscription and distribution systems, Belposhta and Belsajuzdruk, in 2005 and 2006. Only a few affected newspapers, such as *Narodnaja Volja* and *Nasha Niva*, managed to keep their audience by organizing donation collections from readers who effectively paid for publications one year in advance.

Most independent newspapers are forced to print outside of Belarus. In March 2006, a publishing house in the western Russian city of Smolensk canceled contracts with leading independent newspapers, such as *Narodnaja Volja*, *Tovarishch*, and *BDG–Delovaja Gazeta*. Unable to find a new publisher and pressured by financial problems originating from previous attacks and suspensions, *BDG–Delovaja Gazeta*, once the country’s leading and most authoritative independent publication, and the weekly *Salidarnasc* were forced to suspend publication and currently exist only as Internet sites.

The most controversial press closing in 2006 was the liquidation of the newspaper *Zhoda* in March for reprinting infamous caricatures of the prophet Muhammad from Danish newspapers. The newspaper *Nasha Niva* found itself in a dubious legal position in April when the ideology department of the Minsk executive committee denied its request to register a new legal address, deeming its location in Minsk to be “not worthwhile.” The newspaper, a successor to the first Belarusian-language periodical printed in 1906, received an official warning on its 100th anniversary in November 2006 for “improper statement of its legal address.”²⁵

Inquiries into the murder of several independent journalists—including cameraman Dzmitry Zavadski (kidnapped and presumably killed in 2000), reporter Veranika Charkasava (brutally killed by unknowns at the entrance to her house in

2004), and veteran journalist Vasil Hrodnikau (found dead under unknown circumstances in 2005)—were stalled in 2006. The authorities tried to charge Charakasava's son, Anton Filimonau, with murdering his mother. Filimonau was arrested in December 2005 and in April 2006 was given a suspended sentence of two and a half years in jail, having been convicted of counterfeiting money. Filimonau's family feared that the prosecution blackmailed him into accepting responsibility for the murder of his mother.²⁶

State-owned media are extensively subsidized. The government appropriated an equivalent of US\$60 million to support official media in 2006, out of which three-quarters was for the state television. The sum has doubled since 2004.²⁷ To ensure the circulation of state press, mandatory subscriptions to leading official outlets are commonplace at many institutions and state-run companies. By these measures, the number of subscribers to the leading government daily *Sovetskaya Belorussiya* reached 410,000 in 2006 (with an additional 100,000 distributed daily through retail outlets).²⁸ By comparison, the total weekly circulation of the entire independent press in Belarus is estimated by the Belarusian Association of Journalists at 250,000 copies.²⁹

The electronic media in Belarus are completely dominated by the state. The country currently has four national television channels. All-National Television (ONT), Capital TV, and Lad fill the bulk of their airtime with rebroadcasts from Russian networks. None of the state channels offers alternative views on political issues, and all channels report on domestic and international affairs in a manner acceptable to the government.

Media attacks on the opposition, NGOs, foreign diplomats, and Western leaders are common on all channels. As a part of anti-Western propaganda, First Channel (formerly BT-1) ran in July footage of a homosexual act allegedly involving a Latvian diplomat stationed in Belarus, which was followed by the recall of the Latvian ambassador from Belarus. The station refused to comment on how the tape was obtained. In November 2006, correspondents of the First Channel broke into a private residence in the city of Mahileu where a meeting of democratic activists was taking place and began shooting the meeting. Although it was a clear violation of constitutional protections on private life and housing, the offense was not followed by any investigation or punishment.³⁰

There are 121 cable TV providers and 30 FM radio stations in Belarus whose activities are heavily restricted by the state. For example, in the run-up to the presidential election, the government forced cable networks to drop the Russian cable channel RTVi, which began broadcasting news and analyses from Belarus (the program *Window to Europe* was part of a media project financed by the EU with the aim of providing independent information to Belarusian citizens). The Ministry of Information has the authority to monitor the content of electronic media and apply penalties for deviating from the declared "creative concept" of programs. Journalists from Novoye Radio, run by the pro-government Federation of Trade Unions, went on strike in October to protest the arbitrary intervention by federation leadership into the station's editorial policies and the removal of its director.

Sources of independent information in electronic media are limited to foreign-based broadcasts of Radio Free Europe/Radio Liberty Belarusian Service, Radio Racyja, and the Vilnius-based Baltic Waves. The German broadcaster Deutsche Welle has two 15-minute bilingual slots on Belarus on its Russian service. Most of these stations, however, broadcast in the outmoded shortwave band, which is absent on most modern radio receivers. In 2005, the EU considered an ambitious media project for independent broadcasting in Belarus. Thus far, it has resulted in the launch of the Poland-based European Radio for Belarus as well as a short analytical program on the RTVi channel, which is routinely blocked on cable networks.

The electoral campaign in the run-up to the March presidential ballot was accompanied by harassment of independent press, unbridled official propaganda, and the near complete shutdown of alternative opinion in the state media. The authorities repeatedly confiscated entire prints of the newspapers *Narodnaja Volja* and *Tovarishch* throughout the campaign. The government issued strict regulations forbidding candidates to publish their opinions and platforms in independent newspapers, as it was interpreted as offering illegal private financial assistance.³¹ Commenting on these restrictions, the head of the Belarusian Association of Journalists, Zhana Licvina, declared that “attacks on media put the election results in question.”³²

Televised propaganda was tailored to discredit and demonize the revolutionary aspirations of the opposition during the campaign. Each of four official channels ran daily state-authorized documentaries that often bordered on xenophobia and anti-Semitism. (*Spiritual War* and *Conspirology*, for example, depicted the battle between Lukashenka and the opposition—and, by extension, the West—as one between the adherents of Christ and the Pharisees—that is, Jews, Americans, and Europeans.) Other productions included reports featuring prominent politicians, singers, artists, and sportsmen from abroad praising Lukashenka, as well as a series of documentaries that emphasized day-to-day problems, social hardships, economic decay, civil wars, and the like in every former Soviet republic except Belarus. Some propaganda drew diplomatic protests from the United States and EU countries.

Independent journalists covering the campaign for Belarusian and foreign media were routinely subjected to arrests, searches, seizures, violent attacks, and (in the case of foreign journalists) visa denial and deportations. As the election date approached, attacks on journalists escalated, and 27 Belarusian and foreign journalists were arrested and prosecuted in the second half of March.³³ Most of them were charged with participating in illegal rallies or “petty hooliganism,” which became a standard charge against activists and journalists captured at protests.³⁴ On March 13, the Ministry of Justice issued open threats to the independent press, promising punishment for the “distribution of slander [and] insulting the head of state.”³⁵ Access to opposition Internet sites and portals of independent newspapers was blocked on election day. Several journalists were rounded up while trying to observe elections or searched at the border and had their video materials confiscated.

With the continuous harassment of the country’s printed press, the Internet is growing rapidly as a primary source of uncensored information for many Belaru-

sians, especially younger, educated urban residents. According to some estimates, the number of Internet users reached 3 million in 2006, up from 1.3 million users in 2003 and just 180,000 in 2001.³⁶ This leaves a slim chance for the survival of independent media, even though the government can block access to independent sites at any moment. Leading online editions carry the most uncompromising and stinging analyses and revelations, which cannot be published in printed media owing to the danger of closure.

The Internet proved to be a valuable resource during the presidential election, especially during the peak period of post-election protests when visits to major opposition Web sites rose significantly. At the same time, political Web sites clearly lag in popularity to entertainment content and have a fairly limited audience outside of the peak periods of political campaigns. Even so, the government is clearly concerned with the Internet's potential as a powerful source of alternative information.

In the run-up to the presidential election, new regulations were issued to suspend the development of wi-fi spots and curtail local networks that provide collective access to the Internet. Pavel Marozau, producer of the popular anti-Lukashenka Internet cartoon site Multclub, had to emigrate to Estonia and apply for political asylum once the Belarusian authorities pressed criminal charges against him for defaming the president.³⁷ In 2006, the Belarusian Parliament considered amendments to the Law on the Media that would require all online editions to obtain registration.

Local Democratic Governance

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

Belarus has approximately 1,700 local governments, which are subdivided into three levels: regional (*voblaste*), district (*raion*), and village or (in urban areas) township. Upper-level administrations direct and coordinate the work of lower levels. All levels of local government are considered by the Constitution to be part of the unified system of the state authority. Heads of regional administrations are appointed by the president and are directly subordinated to him by law. Local councils are popularly elected but have no control over the executive bodies and are generally window dressing.

Subnational governments have responsibilities in the areas of housing, social services, public security, and education. 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 law, and call local referendums. Notwithstanding these prerogatives, local governments have little control over their finances. Village and

township governments are particularly impotent since the territory they cover is generally small, usually a collective farm whose head serves as the territory's de facto administrator.

Local authorities usually avoid cooperation with most local civil society groups. In the run-up to the 2006 presidential elections, several local governments actively harassed opposition activists and independent journalists. Local ideology departments acted to sabotage meetings held by opposition candidates. Yet local authorities may be responsive to independent groups in emergency situations such as strikes and organized protests. During the hunger strike of the New Life Protestant Church in Minsk in October 2006, the city government negotiated with the parishioners only after weeks into the protest, when the health of many hunger strikers was clearly in danger. One of the protesters, Sviatlana Matskievich, was nevertheless fined for obstructing the public order after she showed up at the mayor's office to demand a meeting.

The last local elections, held in 2003, were largely alternative-free. For 24,000 seats on local councils, only 26,500 candidates were nominated. Out of 23,275 deputies elected to councils at all levels, only 107 were representatives of opposition parties.³⁸ The opposition-dominated Assembly of the Deputies of Local Councils created in October 2003 unites just 50 deputies, and local opposition deputies are routinely harassed by local governments. A Babruisk city councilman, Ales Chyhir, was fired from his job at a local school in August 2006. After he staged a public protest on the central square of the city, Chyhir was arrested and subsequently sentenced to 10 days in jail. Ten journalists covering his protest were detained by the police.³⁹ The court refused to reinstate Chyhir at his workplace. A local councilman from Belaazersk, Juras Hubarevich, was sentenced to 10 days in jail in August for using banned national symbols at a public meeting and was repeatedly detained by police throughout the year.

The local press covers the activities of local authorities extensively. The state press enjoys privileged access to information, officials, and internal regulations in some districts; regional committees and councils allow only the official press to have access to meetings and sessions. The rules of disclosure, oversight, and accountability at the local level do not differ from those at the central government level. 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.

Judicial Framework and Independence

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

Article 109 of the Constitution confers judicial power to the courts, and Article 110 stipulates that all judges shall be independent and any interference in the adminis-

tration of justice is unlawful. However, the procedures for appointing judges give the president the upper hand.

The president appoints 6 out of 12 members of the Constitutional Court; the remaining 6 are appointed by the Council of the Republic on his recommendation. The president also appoints the entire Supreme Court and Supreme Economic Court, as well as all military and district judges. The Constitution does not protect judges from summary removal during their tenure. No parliamentary approval is needed to remove judges from the Supreme Court and Constitutional Court; the president must simply notify the Council of the Republic. The institutional dependence of judges on the president is matched by their reliance on the executive branch for bonuses, promotion, and housing, which makes them vulnerable to coercion.

Although the Constitution provides for basic human rights, including freedom of expression, association, religion, and business and property rights, they are not adequately protected in practice. Moreover, many existing laws—including the Law on Public Associations, Law on Freedom of Religion, and Law on Meetings, Rallies, Street Processions, and Pickets, as well as recent amendments to the criminal code that criminalized most unauthorized civil society activities—significantly restrict the constitutional rights of citizens. Independent law practice is restricted in Belarus, as all attorneys must register with state-controlled bar chambers. Ideology commissioners are appointed by the government to every bar chamber, whereas attorneys are forbidden from speaking at international human rights conferences without the approval of authorities.

Arrests and prosecution of opposition activists were conducted with gross violations of the law throughout 2006. In most cases, the testimony of one or two policemen accusing defendants of insubordination, drunkenness, or swearing in public was sufficient for sentencing or imposing heavy fines on detainees. There were repeated accounts of severe beatings and maltreatment of protesters at the moment of arrest and while in custody. After several trials and arrests in 2005, Zubr activist Mikita Sasim was arrested in March 2006 and charged with draft evasion. He was taken to prison directly from the hospital right after surgery. He was eventually sentenced to three months in jail, even though he was granted exemption from military service in 2005.

There were almost no investigations into police attacks on the March 25 protesters. When the Office of the Prosecutor did open an inquiry into the attacks on journalists witnessing the arrest and beating of presidential candidate Alexander Kazulin, it decided not to press charges against the policemen. On a positive note, the authorities released two political prisoners in 2006, former government minister and opposition leader Mikhail Marynich, arrested in 2004 and sentenced to five years in jail, and former parliamentarian Siarhiej Skrabiec, arrested in 2005 and sentenced to two and a half years in jail on corruption charges.

Secret trials took place in 2006 involving opposition leaders and activists, including leaders of the NGO Partnership and Young Front leader Zmicier Dashkevich. Having been found guilty of violating the law, Dashkevich was

transferred from pretrial detention to regular prison while his appeal was being considered by the higher court, a move that highlighted the formality of the appeal process for political prisoners.⁴⁰ In the case of the Partnership activists, the trial's secrecy made it impossible for the public to debate the charges of terrorism pronounced by the KGB in February as a rationale for detaining the four activists. In the case of Dashkevich, the judge refused to hear the more than 1,000 witnesses who signed up to testify in Dashkevich's defense.

None of these cases involved charges that would merit secret court proceedings, which according to the law can be used only to protect minors or when sensitive issues, such as rape, are considered. The trial of Alexander Kazulin in July was eventually closed to the public after the defendant protested poor conditions in jail and was denied access to a doctor as well as food and water.⁴¹ In response to his protests, the judge even denied Kazulin his right of last appeal to the court. While in prison in 2006, Kazulin held a hunger strike for 53 days and ended his strike only when the issue of human rights violations was raised by the United States in the UN Security Council.⁴² Kazulin was joined in his strike by fellow political prisoner Siarhiej Skrabiec, who ended his protest when he was released in November.

The Constitution prohibits torture and cruel, inhumane, or degrading treatment. In practice, however, the rights of the convicted may be violated; suspects and convicts have reported being beaten by police and prison guards. Activists detained and sentenced during the March post-election protests reported unsanitary prison conditions and near freezing temperatures in cells.⁴³ Allegations of widespread use of torture in the Belarusian prison system were pronounced in an open letter to UDF leader Alexander Milinkevich signed by Pavel Mielko, the police investigator from the Voranava district in the Hrodna region, which appeared in the press in July.⁴⁴

Allegations of the use of psychiatry in political persecution reappeared in Belarus in 2006, the first time since the collapse of Communist rule. Human rights defender Kaciaryna Sadouskaja was arrested at home and then put into a psychiatric hospital in August. She was charged with insulting the president, whom she named "the monster" in one of her letters of complaint on various human rights violations sent to different state agencies, and was sentenced to two years in jail. Mikalaj Razumau, an activist from Vorsha, was sentenced to three years in jail also on charges of insult for alleging Lukashenka's involvement in the abduction of opposition leaders in 1999. These allegations were supported by a Council of Europe investigation, whose results were published in 2004. Razumau was also taken to a psychiatric hospital before his imprisonment.

The year was marked by the spread of hunger strikes as a form of protest, which epitomized the defenselessness of citizens before the repressive government apparatus in Belarus. Collective hunger strikes were pursued by political dissidents (such as members of Young Front) and citizens who protested the violation of their economic and religious rights. The latter included hunger strikes in 2006 by members of the New Life Protestant Church in Minsk; taxi drivers in Brest who protested the imposition of retroactive customs duties on their vehicles imported

several years earlier; and members of the independent trade union at the Belshina factory in Babruisk who protested the harassment of their organization by the factory administration. There were individual hunger strikes by political prisoners who protested their verdicts or prison conditions (including Alexander Kazulin, Valery Levaneuski—a businessman who spent two years in a Belarusian prison on charges of “publicly causing offense to the president”—and Siarhiej Skrabiec) and by entrepreneurs, such as Mikalaj Autukhovich from Vaukavysk, who protested charges of tax evasion. One of the hunger strikers at the Belshina factory, trade union activist Alena Zachozhaja, was forced to end her protest after 43 days when her son was beaten by unknowns.

Corruption

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

In 2006, Belarus’s ranking in Transparency International’s Corruption Perceptions Index dropped to 151, down from 107 in 2005 and 36 in 2002.⁴⁵ The decline can be explained by a continuous spread of low- and high-level corruption, deepening bureaucratization, état-ization of the economy (creating a nourishing environment for bribery), and the government’s overall abuse of power.

The excessive and erratic regulation of business in Belarus has created pervasive opportunities for corruption at all levels. In 2006, the World Bank’s Doing Business survey ranked Belarus for the second straight year as the worst country in the world in which to pay taxes in terms of regulations and complications.⁴⁶ An average business in Belarus must make 115 tax payments per year, expend more than 1,000 hours on preparing tax returns, which account for, on average, 186 percent of gross profits on tax payments. Belarus also falls far below Organization for Economic Cooperation and Development members and neighboring countries in the relative simplicity and transparency of such procedures as opening a business, registering property, protecting investments, and securing credit. Nearly unenforceable regulations create vast incentives and opportunities for tax evasion and bribery. The government tried to streamline the business and property registration process in 2006 by introducing the “one-stop shop” system.

Owing to the state’s comprehensive control over the Belarusian economy, some of the most lucrative companies have been placed under direct patronage of the presidency and are administered by the Presidential Business Office (PBO), with revenues bypassing the official budget and directed into special presidential funds. In the past few years, several high-profile arrests and prosecutions of top government officials and managers of the PBO, including its former head, Halina Zhuraukova, revealed the degree of corruption in these bodies.

Allegations of wrongdoing at the highest echelons of power are abundant, even though they are often politically motivated. Siarhiej Skrabiec, leader of the opposi-

tion faction in the previous convocation of the House of Representatives who was charged with illegal solicitation of a bank loan, was sentenced to two and a half years in prison in February, after having spent almost a year in confinement (he was released on amnesty in November 2006). At the same time, several high-profile arrests in 2006, including those of former managers of the State Aviation Committee, a head of the Minsk Podshipnik plant, and managers of the Tsentrolit plant in Homel, were not politically motivated. Overall, the Office of the Prosecutor reported investigations into 2,452 cases of corruption in the first eight months of 2006 and the arrest and prosecution of nearly 350 officials in various cases during the same period.⁴⁷

Low-level corruption is widespread in Belarus, particularly in education, road police, the prison system, and customs. Commenting on bribery in the education system, the minister of education admitted publicly that “not only do our professors take what they are offered, they also extort.”⁴⁸ An unprecedented 19 professors at the Belarus State University of Transport in Homel were tried in 2006 for extorting bribes in exchange for guaranteed admission and higher grades. In another high-profile mass trial, 20 officers of the customs service in Ashmiany were tried on charges of organizing a criminal group that illegally confiscated goods and cargo for profiteering. In addition, several criminal cases were launched in 2006 against prison officials who extorted bribes from relatives of convicts in exchange for securing early release or passing through extra foodstuffs and clothing.

The 2003 Law on Public Service established conflict-of-interest rules. Civil servants (including members of Parliament) are barred from entrepreneurial activities, either direct or indirect, and from taking part in the management of a commercial organization. On July 27, 2006, President Lukashenka signed the new Law on Fighting Corruption, which extended the list of officials and range of offenses that can be interpreted as corrupt and strengthened conflict-of-interest rules. Whereas top officials, including the president, regularly declare fighting corruption as the number one priority of the state, the opposite occurs in practice. For example, the fate of former PBO head Halina Zhuraukova, who was sentenced to four years in jail, was clarified in February 2006 when authorities admitted, after months of silence, that she had been pardoned by the president in April 2005 in exchange for compensating damages to the state.

In 2005, this procedure became a model according to Presidential Decree No. 426, which waives criminal punishment for state officials who agree voluntarily to return illegally appropriated wealth.⁴⁹ Critics noted that such bargaining between the president and top officials effectively nullifies the power of courts and the law and, instead of serving as an anticorruption tool, presents the president with a mechanism for controlling the loyalty of bureaucrats. The presidential decree also established a list of top officials who cannot be prosecuted without the consent of the president.

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- ¹ Here and henceforth, articles of the Constitution of the Republic of Belarus are quoted from the publication on the National Legal Portal of the Republic of Belarus, <http://www.law.by/work/EnglPortal.nsf/6e1a652fbefce34ac2256d910056d559/d93bc51590cf7f49c2256dc0004601db?OpenDocument>.
 - ² Information of the Ministry of Statistics and Analysis of the Republic of Belarus, <http://belstat.gov.by/homep/ru/indicators/uroven.php>.
 - ³ National Legal Portal of the Republic of Belarus, <http://www.pravo.by/webnpa/text.asp?start=1&RN=H10500071>.
 - ⁴ *Ibid.*, http://www.pravo.by/webnpa/text_txt.asp?RN=H10400343.
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